TCEQ Office Use Only
Permit No:
CN:
RN:
Region:

RESET FORM

No Exposure Certification (NEC) for Stormwater Discharges Associated with Industrial Activity under TPDES General Permit (TXR050000)

IMPORTANT:

- Use the **INSTRUCTIONS** to fill out each question in this form.
- Use the **CHECKLIST** to make certain all you filled out all required information. Incomplete applications **WILL** delay approval or result in automatic denial.
- Once processed your permit can be viewed at http://www5.tceq.texas.gov/wq_dpa/

ePERMITS: Sign up now for online NEC: https://www6.tceq.texas.gov/steers/
Pay a $100 reduced application fee by using ePermits.

APPLICATION FEE:

- You must pay the **$200** Application Fee to TCEQ for the application to be complete.
- Payment and NEC must be mailed to separate addresses. See instructions.
- Did you know you can pay on line?
  - Go to https://www6.tceq.texas.gov/epay/
  - Select Fee Type: GENERAL PERMIT INDUSTRIAL STORMWATER DISCHARGE NEC APPLICATION
- **Provide your payment information below, for us to verify payment of the application fee:**

☐ Mailed — Check/Money Order No.: _____
Name Printed on Check: _____

☐ EPAY — Voucher No.: _____
Is the Payment Voucher copy attached? ☐ Yes

RENEWAL: Is this NEC a Renewal of an existing General Permit Authorization? (Note: A permit cannot be renewed after November 14, 2011.)

☐ Yes. The Permit number is: TXRNE_____

(If a permit number is not provided, a new number will be assigned.)

☐ No

1) OPERATOR (Applicant)

a) If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity? You may search for your CN at:
http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch
CN_____

b) What is the Legal Name of the entity (applicant) applying for this permit?

_____

(The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)

c) What is the name and title of the person signing the application? (The person must be an executive official meeting signatory requirements in TAC 305.44(a).)

Prefix (Mr. Ms Miss): _____
First/Last Name: _____Suffix: _____
Title: _____Credential: _____

d) What is the Operator Contact's (Responsible Authority) contact information and mailing address as recognized by the US Postal Service (USPS)? You may verify the address at: http://zip4.usps.com/zip4/welcome.jsp
Phone #:_____ ext:_____ Fax #:_____
E-mail: _____
Mailing Address: _____
Internal Routing (Mail Code, Etc.):_____
City:_____ State:_____ZIP Code:_____
If outside USA: Territory:_____Country Code: _____Postal Code:_____

e) Indicate the type of Customer (The instructions will help determine your customer type):

- ☐ Individual
- ☐ Joint Venture
- ☐ Trust
- ☐ State Government
- ☐ Other Government
- ☐ Limited Partnership
- ☐ General Partnership
- ☐ Estate
- ☐ County Government
- ☐ Sole Proprietorship-DBA
- ☐ Corporation
- ☐ Federal Government
- ☐ City Government

f) Independent Operator? ☐ Yes ☐ No
(If governmental entity, subsidiary, or part of a larger corporation, check "No".)

g) Number of Employees:
☐ 0-20; ☐ 21-100; ☐ 101-250; ☐ 251-500; or ☐ 501 or higher

h) Customer Business Tax and Filing Numbers:
(REQUIRED for Corporations and Limited Partnerships. Not Required for Individuals, Government, or Sole Proprietors)

State Franchise Tax ID Number: _____
Federal Tax ID: _____
Texas Secretary of State Charter (filing) Number: _____
DUNS Number (if known): _____

2) APPLICATION CONTACT

If TCEQ needs additional information regarding this application, who should be contacted?

Prefix (Mr. Ms Miss):_____
First/Last Name: _____Suffix: _____
Title: _____Credential: _____
Organization Name:_____
Phone No.:_____ ext:_____ Fax No.:_____
E-mail:_____
Mailing Address:_____
Internal Routing (Mail Code, Etc.):_____

City:_____State:_____ZIP Code:_____
Mailing Information if outside USA
Territory:_____Country Code:_____Postal Code:_____

3) REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

If the site of your business is part of a larger business site or if other businesses were located at the site before yours, a Regulated Entity Number (RN) may already be assigned for the larger site. Use the RN assigned for the larger site. Search TCEQ's Central Registry to see if the larger site may already be registered as a regulated site at:
http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch

If the site is found, provide the assigned Regulated Entity Reference Number and provide the information for the site to be authorized through this application below. The site information for this authorization may vary from the larger site information.

a) TCEQ issued RE Reference Number (RN): RN_____

b) Name of project or site (the name known by the community where located):

_____

c) In your own words, briefly describe the primary business of the Regulated Entity: (Do not repeat the SIC and NAICS code):

_____

d) County (or counties if > 1): _____

e) Latitude:_____ Longitude: _____

f) Does the site have a physical address?

☐ Yes, complete Section A for a physical address.

☐ No, complete Section B for site location information.

Section A: Enter the physical address for the site.
Verify the address with USPS. If the address is not recognized as a delivery address, provide the address as identified for overnight mail delivery, 911 emergency or other online map tools to confirm an address.

Physical Address of Project or Site:
Street Number: _____ Street Name: _____
City: _____ State: Texas ZIP Code: _____

Section B: Enter the site location information.
If no physical address (Street Number & Street Name), provide a written location access description to the site. (Ex.: located 2 miles west from intersection of Hwy 290 & IH35 accessible on Hwy 290 South)

_____

City where the site is located or, if not in a city, what is the nearest city:

_____

State: Texas ZIP Code where the site is located: _____

4) GENERAL CHARACTERISTICS

a) Is the project/site located on Indian Country Lands?

☐ Yes - If the answer is Yes, you must obtain authorization through EPA, Region VI.
☐ No

b) What is the Primary SIC Code that is within the range listed and corresponds with the selected Activity or Sector in the general permit?
Primary SIC Code _____

c) If applicable, what is the Secondary SIC code(s):_____
If the secondary SIC Code(s) is one of 1411, 1422, 1423, 1429, 1442, 1446, 1474, 1475, 1479, 1481, or 1499, the following certification is required to qualify for coverage under this general permit:

I certify that this application does not include any discharges from quarries located in the John Graves Scenic Riverway, in the Brazos River Basin, in Palo Pinto or Parker County, Texas, as described in Texas Water Code, Subchapter 26.553. ☐ Yes

d) What is the Sector(s) that applies to the industrial activity at your facility? The Sector(s) must correspond to the primary SIC Code(s) listed above.

☐ Sector A	☐ Sector G	☐ Sector M	☐ Sector S	☐ Sector Y
☐ Sector B	☐ Sector H	☐ Sector N	☐ Sector T	☐ Sector Z
☐ Sector C	☐ Sector I	☐ Sector O	☐ Sector U	☐ Sector AA
☐ Sector D	☐ Sector J	☐ Sector P	☐ Sector V	☐ Sector AB
☐ Sector E	☐ Sector K	☐ Sector Q	☐ Sector W	☐ Sector AC
☐ Sector F	☐ Sector L	☐ Sector R	☐ Sector X	

☐ Sector AD: For Sector AD a copy of the letter from TCEQ requiring coverage under this general permit must be included with this NOI or coverage may be denied.

e) If applicable, select the Activity Code(s) that corresponds with the Sector, or if seeking coverage based on federal effluent guidelines, select the qualifying activity type(s).

☐ HZ	☐ Wet decking water
☐ SE	☐ Phosphate Fertilizers
☐ LF	☐ Mining of Sand, Gravel, or Crushed Stone
☐ TW	☐ Cement Manufacturing Materials
	☐ Asphalt Emulsion

5) NO EXPOSURE CHECKLIST

Answer each of the following questions to determine if your facility is eligible for the No Exposure exclusion.

If you answer Yes to any of the following questions, coverage will be denied.

☐Yes ☐No **a)** Are there any industrial materials or activities (including using, storing or cleaning industrial machinery or equipment, and areas where residuals from using, storing or cleaning industrial machinery or equipment remain) exposed to stormwater?

☐Yes ☐No **b)** Are there any materials or residuals on the ground or in stormwater inlets from spills/leaks exposed to stormwater?

☐Yes ☐No **c)** Are there materials or products from past industrial activity exposed to stormwater?

☐Yes ☐No **d)** Is there any material handling equipment (except adequately maintained vehicles) exposed to stormwater?

☐Yes ☐No **e)** Are there any materials or products during loading/unloading or transporting activities that may be exposed to stormwater?

☐Yes ☐No **f)** Are there any materials or products stored outdoors (except final products intended for outside use [e.g., new cars] where exposure to storm water does not result in the discharge of pollutants) that may be exposed to stormwater?

☐Yes ☐No **g)** Are there any materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers that may be exposed to stormwater?

☐Yes ☐No **h)** Are there any materials or products handled/stored on roads or railways owned or maintained by the operator that may be exposed to stormwater?

☐Yes ☐No **i)** Is there any waste material (except waste in covered, non-leaking containers [e.g., dumpsters]) that may be exposed to stormwater?

☐Yes ☐No **j)** Are there any activities that include application or disposal of process wastewater that are not otherwise permitted?

☐Yes ☐No **k)** Is there any particulate matter or visible deposits of residuals from roof stacks and/or vents not otherwise regulated (i.e., under an air quality control permit) and evident in the stormwater discharge?

6) CERTIFICATION

Check Yes to the certifications below. Failure to indicate Yes to ***ALL*** items may result in denial of coverage under the general permit.

a) I certify that I have obtained a copy and understand the terms and conditions of the general permit TXR050000. ☐ Yes

b) I certify that the activities at this site qualify for coverage under the general permit TXR050000. ☐ Yes

c) I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed. ☐ Yes

d) I certify that the full legal name of the entity applying for this permit has been provided and is legally authorized to do business in Texas. ☐ Yes

Operator Certification:

I, _____ _____

Typed or printed name *Title*

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under 30 Texas Administrative Code §305.44 to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature:_____ Date:_____

(Use blue ink)

NO EXPOSURE APPLICATION CHECKLIST

TXR050000

- Did you complete everything? Use this checklist to be sure!
- Are you ready to mail your form to TCEQ? Go to the General Information Section of the Instructions for mailing addresses.

This checklist is for use by the operator to ensure a complete application. Missing information may result in denial of coverage under the general permit. (See NEC process description in the Instructions)

Application Fee:

If paying by Check:

- ☐ Check was mailed **separately** to the TCEQs Cashier's Office. (See Instructions for Cashier's address and Application address.)
- ☐ Check number and name on check is provided in this application.

If using ePay:

- ☐ The voucher number is provided in this application or a copy of the voucher is attached.

OPERATOR INFORMATION - Confirm each item is complete:

- ☐ Customer Number (CN) issued by TCEQ Central Registry
- ☐ Legal name as filed to do business in Texas (Call TX SOS 512/463-5555)
- ☐ Name and title of responsible authority signing the application
- ☐ Mailing address is complete & verifiable with USPS. www.usps.com
- ☐ Phone numbers/e-mail address
- ☐ Type of operator (entity type)
- ☐ Independent operator
- ☐ Number of employees
- ☐ For corporations or limited partnerships – Tax ID and SOS filing numbers

REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE - Confirm each item is complete:

- ☐ Regulated Entity Reference Number (RN) (if site is already regulated by TCEQ)
- ☐ Site/project name/regulated entity
- ☐ Latitude and longitude http://www.tceq.texas.gov/gis/sqmaview.html
- ☐ County
- ☐ Site/project physical address - Please do not use a rural route or post office box for a site location
- ☐ Business description

GENERAL CHARACTERISTICS - Confirm each item is complete:

- ☐ Indian Country Lands –the facility is not on Indian Country Lands
- ☐ Standard Industrial Classification (SIC) code www.osha.gov/oshstats/sicser.html
- ☐ Sector is selected
- ☐ Activity code if applicable
- ☐ No exposure checklist questions are all answered "No"

CERTIFICATION

- ☐ Certification statements have been checked indicating "Yes"
- ☐ Signature meets 30 Texas Administrative Code (TAC) §305.44 and is original.

No Exposure Certification (NEC) for Stormwater Discharges Associated with Industrial Activity under TPDES General Permit (TXR050000)

General Information and Instructions

GENERAL INFORMATION

Where to Send the NEC:

BY REGULAR U.S. MAIL
Texas Commission on
Environmental Quality
Stormwater Processing Center
(MC228)
P.O. Box 13087
Austin, Texas 78711-3087

BY OVERNIGHT/EXPRESS MAIL
Texas Commission on
Environmental Quality
Stormwater Processing Center
(MC228)
12100 Park 35 Circle
Austin, TX 78753

TCEQ Contact list:

Application – status and form questions:	*512/239-3700, swpermit@tceq.texas.gov*
Technical questions:	*512/239-4671, swgp@tceq.texas.gov*
Environmental Law Division:	*512/239-0600*
Records Management - obtain copies of forms:	*512/239-0900*
Reports from databases (as available):	*512/239-DATA (3282)*
Cashier's office:	*512/239-0357 or 512/239-0187*

NEC Process:

When your NEC is received by the program, the form will be processed as follows:

1) **Administrative Review:** Each item on the form will be reviewed for a complete response. In addition, the operator's legal name must be verified with Texas Secretary of State as valid and active (if applicable). The address(s) on the form must be verified with the US Postal service as receiving regular mail delivery. Never give an overnight/express mailing address.

2) **Notice of Deficiency:** If an item is incomplete or not verifiable as indicated above, a notice of deficiency (NOD) will be mailed to the operator. The operator will have 30 days to respond to the NOD. The response will be reviewed for completeness.

3) **Acknowledgment of Coverage:** An Acknowledgment Certificate will be mailed to the operator. This certificate acknowledges coverage under the general permit.
   -or-
   Denial of Coverage: If the operator fails to respond to the NOD or the response is inadequate, coverage under the general permit may be denied. If coverage is denied, the operator will be notified.

General Permit (Your Permit)

For NECs submitted **electronically** provisional coverage under the general permit begins immediately following confirmation of receipt of the NEC form by the TCEQ.

For **paper** NECs provisional coverage under the general permit begins **7 days after a completed NEC is postmarked for delivery** to the TCEQ.

You should have a copy of your general permit when submitting your application. You may view and print your permit for which you are seeking coverage, on the TCEQ web site http://www.tceq.texas.gov. Search using key word TXR050000.

General Permit Forms

The Notice of Intent (NOI), No Exposure Certification (NEC), Notice of Termination (NOT), and Notice of Change (NOC) (including instructions) are available in Adobe Acrobat PDF format on the TCEQ web site http://www.tceq.texas.gov.

Change in Operator

An authorization under the general permit is not transferable. If the operator of the regulated entity changes, the present permittee must submit a NOT and the new operator must submit a NEC. The NOT and NEC must be submitted no later than 10 days prior to the change in Operator status.

TCEQ Central Registry Core Data Form

The Core Data Form has been incorporated into this form. Do not send a Core Data Form to TCEQ. After final acknowledgment of coverage under the general permit, the program will assign a Customer Number and Regulated Entity Number.

You can find the information on the Central Registry web site at http://www12.tceq.texas.gov/crpub/index.cfm. You can search by the Regulated Entity (RN), Customer Number (CN) or Name (Permittee), or by your permit number under the search field labeled "Additional ID". Capitalize all letters in the permit number.

The Customer (Permittee) is responsible for providing consistent information to the TCEQ, and for updating all CN and RN data for all authorizations as changes occur. For General Permits, a Notice of Change form must be submitted to the program area.

Fees associated with a General Permit

The general permit refers to two different fees that apply to the operator, the application fee of $200.00 and the Water Quality Annual Fee. The Water Quality Annual Fee does not apply to No Exposure Certifications. Payment of the fees may be made by check or money order, payable to TCEQ, or through EPAY (electronic payment through the web).

Application Fee: This fee is required to be paid at the time the NEC is submitted. Failure to submit payment at the time the application is filed will cause delays in acknowledgment or denial of coverage under the general permit.

Mailed Payments:

Payment must be mailed under separate cover at one of the addresses below using the attached Application Fee submittal form. (DO NOT SEND A COPY OF THE NEC WITH THE APPLICATION FEE SUBMITTAL FORM)

BY REGULAR U.S. MAIL
Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
P.O. Box 13088
Austin, TX 78711-3088

BY OVERNIGHT/EXPRESS MAIL
Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
12100 Park 35 Circle
Austin, TX 78753

ePAY Electronic Payment: https://www6.tceq.texas.gov/epay/

When making the payment you must select Water Quality, and then select the fee category "General Permit Industrial Stormwater Discharge NEC Application". You must include a copy of the payment voucher with your NEC. Your NEC will not be considered complete without the payment voucher.

INSTRUCTIONS FOR FILLING OUT THE NEC FORM

Renewal of General Permit

Dischargers holding active authorizations under the expired General Permit are required to submit a NEC to continue coverage. The existing permit number is required. If the permit number is not provided or has been terminated, expired, or denied a new permit number will be issued.

1. Operator (Applicant)

a) Enter assigned Customer Number (CN)

TCEQ's Central Registry will assign each customer a number that begins with CN, followed by nine digits. **This is not a permit number, registration number, or license number**.
If this customer has not been assigned a CN, leave the space for the CN blank.
If this customer has already been assigned this number, enter the permittee's CN.

b) Legal Name

Provide the current legal name of the permittee, as authorized to do business in Texas. The name must be provided exactly as filed with the Texas Secretary of State (SOS), or on other legal documents forming the entity, that is filed in the county where doing business. You may contact the SOS at 512/463-5555, for more information related to filing in Texas. If filed in the county where doing business, provide a copy of the legal documents showing the legal name.

c) Person Signing Application

Provide information about person signing Section 6) Certification.

d) Operator Contact's (Responsible Authority) Contact Information and Mailing Address

Provide a complete mailing address for receiving mail from the TCEQ. The address must be verifiable with the US Postal Service at http://www.usps.com for regular mail delivery (not overnight express mail). If you find that the address is not verifiable using the USPS web search, please indicate the address is used by the USPS for regular mail delivery.

The area code and phone number should provide contact to the operator. Leave Extension blank if not applicable.

The fax number and e-mail address are optional and should correspond to the operator.

e) Type of Customer (Entity Type)

Check only one box that identifies the type of entity. Use the descriptions below to identify the appropriate entity type. Note that the selected entity type also indicates the name that must be provided as an applicant for a permit, registration or authorization.

Sole Proprietorship – DBA

A sole proprietorship is a customer that is owned by only one person and has not been incorporated. This business may:

- be under the person's name
- have its own name (doing business as or d.b.a.)
- have any number of employees

If the customer is a Sole Proprietorship or DBA, the 'legal name' of the individual business 'owner' must be provided. The DBA name is not recognized as the 'legal name' of the entity. The DBA name may be used for the site name (regulated entity).

Individual (or DBA)

An individual is a customer who has not established a business, but conducts an activity that needs to be regulated by the TCEQ.

Partnership

- A customer that is established as a partnership as defined by the Texas Secretary of State Office (TX SOS). A Limited Partnership or Limited Liability Partnership (Partnership) is required to file with the Texas Secretary of State. A General Partnership or Joint Venture is not required to register with the state.
- **Partnership (Limited Partnership or Limited Liability Partnership):** A limited partnership is defined in the Act as a partnership formed by two or more persons under the provisions of Section 3 of the Uniform Limited Partnership Act (Art. 6132a, Revised Civil Statutes of Texas) and having as members one or more general partners and one or more limited partners. The limited partners as such are not bound by the obligations of the partnership. Limited partners may not take part in the day-to-day operations of the business. A Limited Partnership must file with the Texas Secretary of State. A registered limited liability partnership is a general or limited partnership that is registered with the Texas Secretary of State. The partnership's name must contain the words "Registered Limited Liability Partnership" or the abbreviation "L.L.P." as the last words or letters of its name.
- **General Partnership:** A general partner may or may not invest, participates in running the partnership and is liable for all acts and debts of the partnership and any member of it. A General Partnership does not have limited partners. For a General Partnership, there is no registration with the state or even written agreement necessary for a general partnership to be formed. The legal definition of a partnership is generally stated as "an association of two or more persons to carry on as co-owners a business for profit" (Revised Uniform Partnership Act § 101 [1994]).
- **Joint Venture:** A joint venture is but another name for a special partnership. It might be distinguished from a general partnership in that the latter is formed for the transaction of a general business, while a joint venture is usually limited to a single transaction. That is, a joint venture is a special combination of persons in the nature of a partnership engaged in the joint prosecution of a particular transaction for mutual benefit or profit.

Corporation

A customer meets all of these conditions:

- is a legally incorporated entity under the laws of any state or country
- is recognized as a corporation by the Texas Secretary of State
- has proper operating authority to operate in Texas.
- The corporation's 'legal name' as filed with the Texas Secretary of State must be provided as applicant. An 'assumed' name of a corporation is not recognized as the 'legal name' of the entity.

Government

Federal, state, county, or city government (as appropriate)
The customer is either an agency of one of these levels of government or the governmental body itself. The government agency's 'legal name' must be provided as the applicant. A department name or other description of the organization should not be included as a part of the 'legal name' as applicant.

Trust or Estate

A trust and an estate are fiduciary relationships governing the trustee/executor with respect to the trust/estate property.

Other Government

Is a utility district, water district, tribal government, college district, council of governments, or river authority. Write in the specific type of government.

Other

The customer does not fit any of the above descriptions. Enter a short description of the type of customer in the blank provided.

f) Independent Entity

Check No if this customer is a subsidiary, part of a larger company, or is a governmental entity. Otherwise, check Yes.

g) Number of Employees

Check one box to show the number of employees for this customer's entire company, at all locations. This is not necessarily the number of employees at the site named in the application.

h) Customer Business Tax and Filing Numbers

These are required for Corporations and Limited Partnerships. These are not required for Individuals, Government, and Sole Proprietors.

State Franchise Tax ID Number

Corporations and limited liability companies that operate in Texas are issued a franchise tax identification number. If this customer is a corporation or limited liability company, enter this number here.

Federal Tax ID

All businesses, except for some small sole proprietors, individuals, or general partnerships should have a federal taxpayer identification number (TIN). Enter this number here. Use no prefixes, dashes, or hyphens. Sole proprietors, individuals, or general partnerships do not need to provide a federal tax ID.

TX SOS Charter (filing) Number

Corporations and Limited Partnerships required to register with the Texas Secretary of State are issued a charter or filing number. You may obtain further information by calling SOS at 512/463-5555.

DUNS Number
Most businesses have a DUNS (Data Universal Numbering System) number issued by Dun and Bradstreet Corp. If this customer has one, enter it here.

2. APPLICATION CONTACT

Provide the name, title and communication information of the person that TCEQ can contact for additional information regarding this application.

3. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

a) Regulated Entity Reference Number (RN)

A number issued by TCEQ's Central Registry to sites (a location where a regulated activity occurs) regulated by TCEQ. This is not a permit number, registration number, or license number. If this regulated entity has not been assigned an RN, leave this space blank.

If the site of your business is part of a larger business site, a Regulated Entity Number (RN) may already be assigned for the larger site. Use the RN assigned for the larger site. Search TCEQ's Central Registry to see if the larger site may already be registered as a regulated site at: http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch

If the site is found, provide the assigned Regulated Entity Reference Number (RN) and provide the information for the site to be authorized through this application. The site information for this authorization may vary from the larger site information.

An example is a chemical plant where a unit is owned or operated by a separate corporation that is accessible by the same physical address of your unit or facility. Other examples include industrial parks identified by one common address but different corporations have control of defined areas within the site. In both cases, an RN would be assigned for the physical address location and the permitted sites would be identified separately under the same RN.

b) Site/Project Name/Regulated Entity

Provide the name of the site as known by the public in the area where the site is located. The name you provide on this application will be used in the TCEQ Central Registry.

c) Description of Activity Regulated

In your own words, briefly describe the primary business that you are doing that requires this authorization. Do not repeat the SIC Code description.

d) County

Identify the county or counties in which the regulated entity is located.

e) Latitude and Longitude

Enter the latitude and longitude of the site in degrees, minutes, and seconds or decimal form. For help obtaining the latitude and longitude, go to:
http://www.tceq.texas.gov/gis/sqmaview.html or http://msrmaps.com/advfind.aspx

f) Site/Project (RE) Physical Address/Location Information

Enter the complete address for the site in Section A if the address can be validated through the US Postal Service. If the physical address is not recognized as a USPS delivery address, you may need to validate the address with your local police (911 service) or through an online map site used to locate a site. Please confirm this to be a complete and valid address. Please do not use a rural route or post office box for a site location.

If a site does not have an address that includes a street (or house) number and street name, enter NO ADDRESS for the street name in Section A. In Section B provide a complete written location description. For example: "The site is located 2 miles west from intersection of Hwy 290 & IH35, located on the southwest corner of the Hwy 290 South bound lane."
Provide the city (or nearest city) and zip code of the facility location.

4. GENERAL CHARACTERISTICS

a) Indian Country Lands

If your site is located on Indian Country Lands, the TCEQ does not have authority to process your application. You must obtain authorization through EPA, Region VI, Dallas. Do not submit this form to TCEQ.

b) Primary Standard Industrial Classification (SIC) code

Provide the SIC Code that is within the range listed and corresponds with the selected Activity or Sector in the General Permit. It is possible that a Primary SIC Code relates to the overall operation of the business and is not a specific SIC Code that relates to the particular Stormwater activity. Please enter the SIC Code for the industrial activity that qualifies for coverage under the general permit as the Primary SIC Code.

For Industrial activities with Primary or Secondary SIC Codes 1411, 1422, 1423, 1429, 1442, 1446, 1474, 1475, 1479, 1481, or 1499 and within Palo Pinto or Parker counties, provisional coverage will begin upon submittal of the NOI, however, the application will be reviewed by the program to determine eligibility. Approval is not automatic. Coverage under TPDES General Permit TXG500000 or an Individual Permit may be required. Contact the Stormwater and Pretreatment Team at (512)239-4671 for further information. For help with SIC Codes go to http://www.osha.gov/pls/imis/sicsearch.html.

c) Secondary SIC Code

For help with SIC Codes go to http://www.osha.gov/pls/imis/sicsearch.html

For Industrial activities with Secondary SIC Codes 1411, 1422, 1423, 1429, 1442, 1446, 1474, 1475, 1479, 1481, or 1499 and within Palo Pinto or Parker counties, certification that this application does not include any discharges from quarries located in the John Graves Scenic Riverway, in the Brazos River Basin, as described in Texas Water Code, Subchapter 26.553 is required. Contact the Stormwater and Pretreatment Team at (512)239-4671 for further information.

d) Industrial Activity Sector

General Permit TXR050000 defines the 30 Industrial Activity Sectors listed on the form on the basis of SIC and activity codes.

The need for a permit, and the eligibility for coverage under this general permit, is determined either by a facility's primary SIC Code or by an Industrial Activity Code that is described in this general permit.

Sectors of industrial activity are divided into sub-sectors and further defined by SIC Codes in the general permit. Operators of facilities with a primary SIC Code that is included in the general permit must obtain authorization for discharges of stormwater

associated with industrial activity and are eligible for coverage under this general TPDES permit.

Sector AD is used to provide permit coverage for facilities that are designated by the executive director as needing a permit to control pollution related to stormwater discharges and that do not meet the description of an industrial activity covered by Sectors A-AC. A facility that is not otherwise listed in the general permit is not eligible to apply for coverage under AD unless directed to do so in writing by the executive director. A copy of the letter from TCEQ will be required with the NOI.

For more information, go to the TCEQ web site at: www.tceq.texas.gov. Search for key word 'TXR050000' and select "Am I Regulated" web page.

e) Activity Code or Qualifying Activity Type

If any of the following narrative descriptions pertain to your facility, provide the appropriate activity code. This item is not applicable if the facility is defined under a Sector.

HZ: Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA;

LF: Landfills, land application sites, and open dumps that receive or have received any industrial wastes, including those that are subject to regulation under Subtitle D of RCRA;

SE: Steam electric power generating facilities, including coal handling sites;

TW: Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage.

If the facility generates or discharges stormwater from one of the following sources that is regulated by federal effluent limitations guidelines at 40 CFR Parts 400 through 471, and the industrial activity is described as the Secondary SIC Code, coverage is still attainable by selecting one of the Industrial Activity Types:

• **Wet Decking Water** - Described in the Wet Storage Subcategory (Subpart I) of the Timber Products Processing Point Source Category (40 CFR Part 429).

• **Phosphate Fertilizers** - Stormwater runoff that has come into contact with any raw materials, intermediate product, finished product, by-product or waste from areas of industrial activity described by SIC Code 2874 (Phosphatic Fertilizers), as described in the Phosphate Subcategory (Subpart A) of the Fertilizer Manufacturing Point Source Category (40 CFR Part 418.)

• **Asphalt Emulsion** - Stormwater runoff from asphalt paving and roofing emulsion production areas, as described in the Asphalt Emulsion Subcategory of the Paving and Roofing Materials (Tars and Asphalt) Manufacturing Point Source Category (40 CFR § 443.13).

• **Cement Manufacturing Materials** - Stormwater runoff from cement manufacturing facilities (i.e., storm water runoff from a process area, that has come into contact with raw materials, intermediate products, finished products, by-products, material storage piles or waste

materials), as described in the Material Storage Piles Runoff Subcategory of the Cement Manufacturing Point Source Category (40 CFR § 411.32).

• **Mining of Sand, Gravel, or Crushed Stone** - Stormwater and non-contaminated groundwater seepage from Construction Sand and Gravel mining operations (SIC 1442), Industrial Sand mining operations (SIC 1446), or Crushed Stone mining operations (SIC 1422 – 1429) (40 CFR Part 436).

5. NO EXPOSURE CHECKLIST

If you answer "Yes" to any of the questions you are not eligible for the No Exposure Certification under the general Permit.

6. CERTIFICATIONS

Failure to indicate "Yes" to ALL of the certification items may result in denial of coverage under the general permit.

The certification must bear an original signature of a person meeting the signatory requirements specified under 30 Texas Administrative Code (TAC) §305.44.

IF YOU ARE A CORPORATION:

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(1) (see below). According to this code provision, any corporate representative may sign an NOI or similar form so long as the authority to sign such a document has been delegated to that person in accordance with corporate procedures. By signing the NOI or similar form, you are certifying that such authority has been delegated to you. The TCEQ may request documentation evidencing such authority.

IF YOU ARE A MUNICIPALITY OR OTHER GOVERNMENT ENTITY:

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(3) (see below). According to this code provision, only a ranking elected official or principal executive officer may sign an NOI or similar form. Persons such as the City Mayor or County Commissioner will be considered ranking elected officials. In order to identify the principal executive officer of your government entity, it may be beneficial to consult your city charter, county or city ordinances, or the Texas statute(s) under which your government entity was formed. An NOI or similar document that is signed by a government official who is not a ranking elected official or principal executive officer does not conform to §305.44(a)(3). The signatory requirement may not be delegated to a government representative other than those identified in the regulation. By signing the NOI or similar form, you are certifying that you are either a ranking elected official or principal executive officer as required by the administrative code. Documentation demonstrating your position as a ranking elected official or principal executive officer may be requested by the TCEQ.
If you have any questions or need additional information concerning the signatory requirements discussed above, please contact the Texas Commission on Environmental Quality's Environmental Law Division at 512/239-0600.

30 Texas Administrative Code

§305.44. Signatories to Applications

(a) All applications shall be signed as follows.

(1) For a corporation, the application shall be signed by a responsible corporate officer. For purposes of this paragraph, a responsible corporate officer means a president,

secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. Corporate procedures governing authority to sign permit or post-closure order applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

(2) For a partnership or sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively.

(3) For a municipality, state, federal, or other public agency, the application shall be signed by either a principal executive officer or a ranking elected official. For purposes of this paragraph, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrator of the EPA).

Texas Commission on Environmental Quality
General Permit Payment Submittal Form

Use this form to submit your Application Fee only if you are mailing your payment.

- Complete items 1 through 5 below:
- Staple your check in the space provided at the bottom of this document.
- Do not mail this form with your NEC form.
- Do not mail this form to the same address as your NEC.

Mail this form and your check to:

BY REGULAR U.S. MAIL
Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
P.O. Box 13088
Austin, TX 78711-3088

BY OVERNIGHT/EXPRESS MAIL
Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
12100 Park 35 Circle
Austin, TX 78753

Fee Code: GPA	General Permit: TXR050000

1. Check / Money Order No: _____
2. Amount of Check/Money Order: _____
3. Date of Check or Money Order: _____
4. Name on Check or Money Order: _____
5. NEC INFORMATION

   If the check is for more than one NEC, list each Project/Site (RE) Name and Physical Address exactly as provided on the NEC. DO NOT SUBMIT A COPY OF THE NEC WITH THIS FORM AS IT COULD CAUSE DUPLICATE PERMIT ENTRIES.

   See Attached List of Sites (If more space is needed, you may attach a list.)

   Project/Site (RE) Name:_____

   Project/Site (RE) Physical Address:

   _____

Staple Check in This Space