



**Notice of Termination (NOT)
for Authorizations
under the TPDES Phase II MS4
General Permit (TXR040000)**

TCEQ Office Use Only

Permit No.:

RN:

CN:

**What is the permit number to be terminated?
Processing will be delayed without the permit number.**

A. OPERATOR (applicant)

1. If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity? **CN**

2. What is the full Legal Name of the applicant?

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

3. What is the applicant's mailing address as recognized by the **US Postal Service**?

Address: _____ Suite No./Bldg. No./Mail Code: _____

City: _____ State: _____ ZIP Code: _____

Country Mailing Information (if outside USA). Country Code: _____ Postal Code: _____

4. Phone No.: () _____

Extension: _____

5. Fax No.: () _____

E-mail Address: _____

B. REGULATED ENTITY (RE) INFORMATION

1. TCEQ Issued RE Reference Number (RN):

2. Name that is used to identify the small MS4 (Regulated Entity).

3. Provide a brief description of the regulated MS4 boundaries:
(Example: Area within the City of XXXX limits that is located within the xxx (e.g. Dallas) urbanized area.)

City: _____ ZIP Code: _____

4. a. What is the county where the largest residential population exists within the regulated MS4 boundaries?

b. Is the MS4 located within additional counties? Yes No

If yes, what county(s)?

5. What is the latitude and longitude of the approximate center of the regulated portion of the small MS4?

Latitude: _____ N Longitude: _____ W

C. REASON FOR TERMINATION

Check the reason for termination:

Another permitted Operator has assumed control over all areas of the small MS4 that are regulated under this general permit. The new operator has either submitted an NOI or updated their NOI to include the new regulated area.

What is the name of the new Operator or permit number of existing NOI to be updated:

The activity is now authorized under an alternate TPDES permit or obtained a Waiver.

What is the TPDES or Waiver Permit number:

D. 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)

Notice of Termination (NOT) for Authorizations under the TPDES Phase II MS4 General Permit (TXR040000) General Information and Instructions

GENERAL INFORMATION

Where to Send the Notice of Termination (NOT):

BY REGULAR U.S. MAIL

Texas Commission on Environmental Quality
Applications Review & Processing Team (MC148)
P.O. Box 13087
Austin, Texas 78711-3087

BY OVERNIGHT/EXPRESS MAIL

Texas Commission on Environmental Quality
Applications Review & Processing Team (MC148)
12100 Park 35 Circle
Austin, TX 78753

TCEQ Contact list:

Application Processing Questions relating to the status and form requirements:	512/239-4671
Technical Questions relating to the general permit:	512/239-4671
Environmental Law Division:	512/239-0600
Records Management for obtaining copies of forms submitted to TCEQ:	512/239-0900
Information Services for obtaining reports from program data bases (as available):	512/239-DATA (3282)
Financial Administration's Cashier's office:	512/239-0357 or 512/239-0187

Notice of Termination Process:

When your NOT is received by the program, the form will be processed as follows:

- Administrative Review:** The form will be reviewed to confirm the following:
 - the permit number is provided
 - the permit is active and has been approved
 - the entity terminating the permit is the current permittee
 - the site information matches the original permit record
 - the form has the required original signature with title and date
 - If the NOT is for a change in operator, the new operator has submitted a NOI (or updated their existing NOI).
- Notice of Deficiency:** If an item is incomplete or not verifiable as indicated above, a phone call will be made to the applicant to clear the deficiency.
- Confirmation of Termination:** A Notice of Termination Confirmation letter will be mailed to the operator.

General Permit Forms

The Notice of Intent (NOI), Notice of Termination (NOT), and Notice of Change (NOC) with instructions are available in Adobe Acrobat PDF format on the TCEQ web site 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 Notice of Termination and the new operator must submit a Notice of Intent (or update their existing Notice of Intent to include new areas of the MS4). The NOT and NOI must be submitted not 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 (CN) and Regulated Entity Number (RN). For MS4 Permits, a new RN will be assigned for each Notice of Intent filed with TCEQ, since the site is for an area instead of a fixed facility.

You can find the information on the Central Registry web site at www4.tceq.texas.gov/crpub. 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.

Annual Water Quality Fee: This fee is assessed to operators with an active authorization under the general permit on September 1 of each year. The operator will receive an invoice for payment of the annual fee in November of each year. The payment will be due 30 days from the invoice date. A 5% penalty will be assessed if the payment is received by TCEQ after the due date. Annual fee assessments cannot be waived as long as the authorization under the general permit is active on September 1.

It's important for the operator to submit a **Notice of Termination (NOT)** when coverage under the general permit is no longer required. A NOT is effective on the postmarked date of mailing the form to TCEQ. It is recommended that the NOT be mailed using a method that documents the date mailed and received by TCEQ.

• **Mailed Payments:**

You must return your payment with the billing coupon provided with the billing statement.

• **ePAY Electronic Payment:**

Go to <https://www6.tceq.texas.gov/epay/>

You must enter your account number provided at the top portion of your billing statement. Payment methods include Mastercard, Visa, and electronic check payment (ACH). A transaction over \$1000 can only be made by ACH.

INSTRUCTIONS FOR FILLING OUT THE NOT FORM

A. OPERATOR (current permittee.)

1. TCEQ Issued Customer Number (CN)

2. Legal Name of Operator

The operator must be the same entity as previously submitted on the original Notice of Intent for the permit number provided.

3. Operator Mailing Address

Provide a complete mailing address for receiving mail from the TCEQ. Update the address if different than previously submitted in the Notice of Intent or Notice of Change.

4. Phone Number, Fax Number, and E-mail Address

Provide updated contact information.

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

1. Regulated Entity Reference Number (RN) is issued by TCEQ's Central Registry to sites (a location where a regulated activity occurs) regulated by TCEQ.

A new regulated entity number is assigned by Central Registry for each new MS4 Notice of Intent since the area under control of the operator may overlap with other regulated entities. This RN will be assigned during administrative review of the Notice of Intent.

2. Site Name/Regulated Entity

Provide the name of the MS4 operation as known by the public in the area where the MS4 is located. The name you provide on this application will be used in the TCEQ Central Registry as the Regulated Entity.

3. Describe the boundaries of the regulated portion of the small MS4.

4. Name the county where the largest residential population exists within the MS4's regulated boundaries. If the regulated area falls within additional counties, provide the county names as secondary.

5. Latitude and Longitude

The Latitude and Longitude must be the approximate center of the regulated portion of the small MS4. Enter the latitude and longitude of the site in either degrees, minutes, and seconds or decimal form. For help obtaining the latitude and longitude, go to: www.tceq.texas.gov/gis/drghelp.html#Latlong or www.terraserver.microsoft.com/advfind.aspx.

C. REASON FOR TERMINATION

Indicate the reason for terminating the permit by checking one of the options. If the reason is not listed then provide an attachment that explains the reason for termination.

Please read your general permit carefully to determine when to terminate your permit. Permits will not be reactivated after submitting a termination form. The termination is effective on the date postmarked for delivery to TCEQ.

D. CERTIFICATIONS

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).