January 2024

Form TCEQ-20893-inst

INSTRUCTIONS FOR COMPLETING THE
ADMINISTRATIVE REPORT
FOR
OIL AND GAS EXTRACTION PERMITS
ISSUED UNDER
TEXAS WATER CODE CHAPTER 26

**Texas Commission on Environmental Quality**

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INTRODUCTION

# PURPOSE

The Administrative Report for Oil and Gas Exploration and Production Permits Issued Under Texas Water Code Chapters 26 ([TCEQ-20893](https://www.tceq.texas.gov/publications/search_forms.html)[[1]](#footnote-1)) is required to apply for an industrial wastewater permit to discharge wastewaters generated during oil and gas exploration and production activities. The administrative report portion of the application provides TCEQ with information required to process the application. The Industrial Wastewater Technical Report ([TCEQ-10055](https://www.tceq.texas.gov/publications/search_forms.html)) is required in addition to this application form.

This facility may need additional authorizations from the [TCEQ Waste Permits Division](https://www.tceq.texas.gov/permitting/waste_permits)[[2]](#footnote-2) or the [TCEQ Air Permits Division](https://www.tceq.texas.gov/permitting/air/air_permits.html)[[3]](#footnote-3).

# OBJECTIVES

These instructions will answer the following questions.

Who must apply for an industrial wastewater permit?

When must the application be submitted?

What fees must be paid?

What permit application forms are required?

How is the application completed?

How is the application submitted?

How can more information be obtained?

# STATUTORY CITATIONS

Texas Water Code (TWC) Chapters 5 and 26

Title 40 of the Code of Federal Regulations (CFR)

# PRIMARY REGULATORY CITATIONS

For primary regulatory citations, please refer to the Instructions for Completing the Industrial Wastewater Permit Application (form [TCEQ-10411\_10055-inst](https://www.tceq.texas.gov/publications/search_forms.html)).

# ABBREVIATIONS AND ACRONYMS

For abbreviations and acronyms, please refer to the Instructions for Completing the Industrial Wastewater Permit Application (form [TCEQ-10411\_10055-inst](https://www.tceq.texas.gov/publications/search_forms.html)).

# GENERAL DEFINITIONS

For definitions, please refer to the Instructions for Completing the Industrial Wastewater Permit Application (form [TCEQ-10411\_10055-inst](https://www.tceq.texas.gov/publications/search_forms.html)).

# WHO MUST APPLY FOR AN INDUSTRIAL WASTEWATER PERMIT FOR OIL AND GAS EXPLORATION AND PRODUCTION?

The **owner(s)** or **operator** (if different from the owner of the facility) of any oil and gas exploration production facility that generates wastewater and wishes to discharge wastewater into water in the state must apply for an industrial wastewater permit – a Texas Pollutant Discharge Elimination System (TPDES) permit. In addition, whoever has overall financial responsibility for the operation of the facility must apply for the permit as a co-applicant with the facility owner. Facility operators are not required to apply as a co-applicant if they do not have overall financial responsibility of the facility operations.

# WHEN MUST THE APPLICATION BE SUBMITTED?

For **new** and **amendment** applications, the completed application should be submitted at least 330 days before the date the proposed discharge or disposal is to occur.

For **renewal** applications, the completed application must be submitted at least 180 days before the expiration date of the current permit. If an application is not submitted before the existing permit expires, the existing permit will be terminated, and the application will be processed as a new facility, with all applicable forms and fees required.

# WHAT PERMIT APPLICATION FORMS ARE REQUIRED?

The application to obtain an Oil and Gas Exploration and Production Permit issued under Texas Water Code Chapter 26 contains three separate parts: 1) the Administrative Report ([TCEQ-20893](https://www.tceq.texas.gov/search_forms.html), 2) the Technical Report ([TCEQ-10055](https://www.tceq.texas.gov/search_forms.html)), and 3) the Core Data Form ([TCEQ-10400](https://www.tceq.texas.gov/search_forms.html)). An Administrative Report, a Technical Report, and a Core Data Form must be completed to apply for a new permit or to amend or renew an existing permit. The reports and instructions are available in Microsoft Word format (.docx) and can be located using the [TCEQ’s Form Lookup](https://www.tceq.texas.gov/search_forms.html) feature or on the [Industrial Wastewater Permitting](https://www.tceq.texas.gov/permitting/wastewater/industrial/TPDES_industrial_wastewater_steps.html)[[4]](#footnote-4) webpage.

Facilities seeking individual authorization to discharge wastewater from oil and gas exploration and production activities under Texas Water Code Chapter 26 must complete form [TCEQ-20893](https://www.tceq.texas.gov/search_forms.html). All other facilities seeking authorization to discharge wastewater from industrial activities under TWC Chapter 26 must complete form [TCEQ-10411](https://www.tceq.texas.gov/search_forms.html). All facilities seeking to discharge wastewater under TWC Chapter 26 must complete form [TCEQ-10055](https://www.tceq.texas.gov/search_forms.html).

All applications for new permits or major amendments to permits must include the Public Involvement Plan form (TCEQ-20960).

Download the following forms, as applicable:

[TCEQ-20893-inst](https://www.tceq.texas.gov/search_forms.html): Instructions for Completing the Administrative Report for Oil and Gas Extraction Permits Issued Under Texas Water Code Chapter 26

[TCEQ-20893](https://www.tceq.texas.gov/search_forms.html): Administrative Report for Oil and Gas Extraction Permits Issued Under Texas Water Code Chapter 26

[TCEQ-10411\_10055-inst](https://www.tceq.texas.gov/search_forms.html): Instructions for Completing the Industrial Wastewater Permit Application

[TCEQ-10055](https://www.tceq.texas.gov/search_forms.html): Technical Report for the Industrial Wastewater Permit Application

[TCEQ-10400](https://www.tceq.texas.gov/search_forms.html): TCEQ Core Data Form

[TCEQ-20971](https://www.tceq.texas.gov/search_forms.html): Supplemental Permit Information Form (SPIF)

[TCEQ-20972](https://www.tceq.texas.gov/search_forms.html): Plain Language Summary Template

[TCEQ-20960](https://www.tceq.texas.gov/search_forms.html): Public Involvement Plan Form

[TCEQ-20960-ins](https://www.tceq.texas.gov/search_forms.html): Instructions for completing the Public Involvement Plan Form

**NOTE:** Older versions of the application forms **will not be accepted after six months** from the date of the updated or revised forms.

# HOW DO I COMPLETE THE APPLICATION?

**Use these instructions to complete the Oil and Gas Exploration and Production Industrial Wastewater Permit Application Administrative Report.** Each item in the application is cross-referenced to a page number in the instructions to assist with finding needed information and guidance.

**Do not alter, delete, or rearrange questions. Applications which are altered, not in the correct format, or page numbering sequence will not be processed and will be returned.**

**The Administrative Report and Technical Report must be submitted by all applicants**; however, only the sections and worksheets relevant to the type of authorization being sought by the applicant should be completed. If an entire worksheet is not required to be completed, it does not need to be submitted. For example, Worksheet 3.0 (Land Disposal of Effluent) is used only if the applicant is requesting authorization for land disposal of effluent. If unsure whether a section or worksheet must be completed, check the instructions for more information or call the Industrial Permits Team.

When submitting the application, arrange the sections of the application in the order listed in the Submission Checklist on page 1 of the Administrative Report. Indicate on the Submission Checklist which sections of the application have been submitted by checking either the **Y** or **N** column for each section of the application.

If the answer to a question requires more space than is provided, submit a separate attachment to answer the question. **Separate attachments must be clearly cross-referenced** back to the original question and the attachment number must be included in the space provided in the application. Failure to clearly cross-reference attachments may result in delays in processing the application.

**All items must be addressed**. If an item is not applicable, enter **N/A** as the response to indicate it was considered. An item without a response will be considered a deficiency. An incomplete or incorrectly completed item will be considered a deficiency. A notice of all deficiencies found during the initial review will be sent to the applicant’s representative. The application cannot be declared administratively complete until each deficiency is addressed or an explanation provided for why each item not addressed is not applicable. Failure to address deficiencies in a timely manner may result in significant delays in processing the application or, ultimately, return of the application. If a renewal application has to be returned after the current permit has expired, the facility will be operating without a permit and in violation of TWC Chapter 26.

Applicants are required to keep records of all data used to complete the permit application and any supplemental information submitted as part of the application process for a period of at least three years from the date the application is signed.

# HOW IS THE APPLICATION SUBMITTED?

**One original (with an original wet-ink signature) and two copies** of the completed application, including the entire Administrative Report and Technical Report and all required Worksheets, must be submitted. **Do not staple or bind** the original application. **Do not use plastic sleeves** for the maps in the original application. Indicate which applications are copies. Use the following addresses to deliver the application.

Regular US mailing address:

Texas Commission on Environmental Quality

Water Quality Division

Applications Review and Processing Team, MC-148

P.O. Box 13087

Austin, Texas 78711-3087

Express/Overnight mailing address:

Executive Director

Applications Review and Processing Team, MC-148

Texas Commission on Environmental Quality

12100 Park 35 Circle

Austin, Texas 78753

Hand delivery address:

Texas Commission on Environmental Quality

Applications Review and Processing Team

Building F, Room 2101

12100 Park 35 Circle

Austin, Texas 78753

# WHAT FEES DO I HAVE TO PAY?

Wastewater permits are subject to two different types of fees: 1) an application fee and 2) an annual water quality fee. Payment of the fees may be made either by check or money order payable to the TCEQ or through TCEQ’s online payment portal ([ePay](https://www3.tceq.texas.gov/epay/index.cfm)[[5]](#footnote-5)).

1. Application Fee

This fee is required to be paid at the time of application submittal. Failure to submit payment at the time the application is filed will cause delays in processing or denial of permit coverage. Application fees for industrial wastewater permits are based on the EPA Major/Minor facility designations. All new TPDES permit applications are considered minors until formally classified as majors by the EPA.

Application fee schedule

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| EPA Classification | New | Major Amend. (with or without Renewal) | Renewal Only (with or without Minor Amend./Mod.) | Minor Amend./ Minor Mod. (without Renewal) |
| Minor facility | $1,250 | $1,250 | $1.215 | $150 |
| Major facility | N/A | $2,050 | $2,015 | $450 |

Postage fees of $50.00 for new and amendment applications and $15.00 for renewals are included with the application fees to cover the expense of the required notice (30 TAC § 305.53). For new and major amendment applications, the $50.00 postage fee covers the expense of notifying up to 100 landowners. An additional $50.00 postage fee will be required for each additional increment of up to 100 landowners.

To verify receipt of payment, or for any other questions regarding payment of fees to the TCEQ, please call the Cashier’s Office. The applicant is responsible for the cost of publishing the public notices in the newspaper concerning the application for a permit. The applicant will be provided the information necessary to publish, including instructions, by the Applications Review and Processing Team (first notice) and by the TCEQ Office of the Chief Clerk (second notice).

### Mailed Payments

Payment must be mailed to one of the addresses below in a separate envelope from the application. Complete the Water Quality Permit Payment Submittal Form located on page 14 of the Administrative Report and include it with the mailed payment.

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

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### ePay Electronic Payment

Make an electronic payment through [ePay](https://www3.tceq.texas.gov/epay/index.cfm) on the TCEQ website. Payment methods include MasterCard, Visa, and electronic check payment (ACH). A transaction over $500 can only be made by ACH. When making the payment, select **Water Quality** and then select the **Industrial** fee category.

**NOTE:** A copy of the ePAY payment voucher must be included with the application as an attachment for Administrative Report 1.0, Item 1.e. An application will not be considered complete without the payment voucher.

1. Annual Water Quality Fee

This fee is assessed to permittees with an authorization in effect on September 1 of each year. The permittee will receive an invoice for payment of the annual water quality fee in November. The payment will be due 30 days from the invoice date. A 5% penalty will be assessed if the payment is not received by TCEQ by the due date. **Annual water quality fee assessments cannot be waived if the permit is in effect, whether active or inactive, on September 1.**

**NOTE:** If an existing permit is in effect on September 1, the permittee will be assessed an annual water quality fee. It is the responsibility of the permittee to submit a cancellation or transfer form in a timely manner. Pursuant to 30 TAC § 305.66, failure to pay fees is good cause for permit denial or revocation. If an applicant has outstanding fees, a proposed permit application will not be considered for approval by the Commission or ED. For account balance information, contact the Revenue Operations Section of the Financial Administration Division.

### Mailed Payments

Return the payment with the billing coupon provided with the billing statement.

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

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### ePay Electronic Payment

Make an electronic payment through [ePay](https://www3.tceq.texas.gov/epay/index.cfm) on the TCEQ website. Enter the account number provided at the top portion of the facility’s billing statement. Payment methods include MasterCard, Visa, and electronic check payment (ACH). A transaction over $500 can only be made by ACH. When making the payment, select **Water Quality** and then select the **Industrial** fee category.

# HOW DO I CANCEL OR TRANSFER A PERMIT?

1. Permit Cancelation

To cancel an industrial wastewater permit, the facility must complete and submit the Request to Cancel a Water Quality Permit or Registration Form ([TCEQ-20029](https://www.tceq.texas.gov/cgi-bin/comm_exec/forms.pl)) to the Applications Review and Processing Team. The form is available in Microsoft Word format (.docx).

1. Permit Transfer

If the owner has changed (i.e., the charter number has changed), the facility must complete and submit the Application to Transfer a Wastewater Permit or CAFO Permit/Registration ([TCEQ-20031](https://www.tceq.texas.gov/search_forms.html))

If the name of the facility has changed but the owner did not change (i.e., the charter number remains the same), the facility must complete and submit the TCEQ Core Data Form ([TCEQ-10400](https://www.tceq.texas.gov/search_forms.html)).

The forms and instructions are available in Microsoft Word format (.docx). Submit the completed forms to the Applications Review and Processing Team.

# HOW DO I OBTAIN MORE INFORMATION?

Additional information is available through the [Industrial Wastewater Permitting](https://www.tceq.texas.gov/permitting/wastewater) webpage or by contacting one of the following program areas:

Contact the Water Quality Division with questions in the following specific areas: (512) 239-4671

Applications Review and Processing (administrative report, signatories, permit transfers)

Industrial Permits (technical report, pre-application meetings, reuse)

Standards Implementation (receiving water assessments, 401 certifications, water quality studies)

Stormwater (BMPs, SWPPP, benchmark sampling)

Water Quality Modeling (oxygen-demand, diffuser analysis, TMDLs, 303(d) listings)

Information from the following areas of the TCEQ may also be helpful:

Cashier’s Office (fee payment): (512) 239-0357

Central Records (copies of records and permits on file): (512) 239-2900

Environmental Law Division (legal questions): (512) 239-0600

Publications (agency publications): (512) 239-0028

Revenue Operations Section (account balance information) : (512) 239-0354

Information from the following state agencies may also be useful:

Texas Secretary of State (information on Charter Numbers) : (512) 463-5555

State Comptroller of Texas (Tax Identification): (800) 252-1386

Railroad Commission of Texas: (512) 463-6838

INSTRUCTIONS FOR ADMINISTRATIVE REPORT 1.0 FOR OIL AND GAS EXPLORATION AND PRODUCTION PERMITS ISSUED UNDER TEXAS WATER CODE CH. 26

The following information is required for all new, amendment, and renewal permit applications for TPDES permits for discharges from oil and gas exploration and production facilities subject to 40 CFR Part 435.

PLEASE READ THE INSTRUCTIONS CAREFULLY AND FOLLOW THEM WHILE COMPLETING THE APPLICATION.

**If an item does not apply, enter N/A** to indicate the item has been considered. Include separate reports or additional sheets as clearly cross-referenced attachments and provide the attachment number.

1. TYPE OF APPLICATION AND FEES
2. For **existing** permits, provide the TCEQ Permit Number, expiration date, and EPA ID Number. For new permits, enter N/A.
3. Check the box next to the appropriate application type.
4. If the application if for an amendment **or** modification of an **existing** permit (with or without renewal), briefly describe the proposed changes (e.g., increasing flow from 0.1 MGD to 0.2 MGD, decreasing them monitoring frequency, increasing the irrigation site acreage, adding an outfall, etc.).
5. Check the box next to the appropriate amount submitted for the application fee in the table provided.
6. Provide the payment information for the application fee. If the payment was mailed, provide the check or money order number, check or money order amount, and the name printed on the check or money order. If the payment was submitted via ePAY, provide the voucher number and check the box to confirm a copy of the voucher was attached (see page 14 of the Administrative Report).
7. APPLICANT INFORMATION
8. Facility owner (applicant)

### 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 TX SOS, Texas Comptroller of Public Accounts, on other documents forming the entity, or on documents that are filed in the county where the entity is doing business. You may contact the TX 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 that show the legal name.

### Customer Reference 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.

If the CN is now known, locate it using [TCEQ’s Central Registry Customer Search](http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch)[[6]](#footnote-6) feature.

### Name and Title of the Person Signing the Application

Provide the name, title, and credentials of the person signing the application. The person signing the application must be an executive official meeting signatory requirements in 30 TAC § 305.44.

1. Co-applicant information

For all permit applications, whoever has overall responsibility for the operation of the facility must submit the application for a permit as a co-applicant along with the facility owner. The facility operator is not required to apply as co-applicant if they do not have overall responsibility of the facility operations. If co-applicants are required, provide the legal name and CN, as directed for Item 1.a, and provide a brief explanation of the need for a co-applicant.

1. Core Data Form

Complete and attach one copy of the Core Data Form (TCEQ Form 10400) for each customer. If the customer type selected on the Core Data Form is **Individual**, complete **Attachment 1** of the Administrative Report.

1. APPLICATION CONTACT INFORMATION

Provide the name and contact information of the person(s) that the TCEQ can contact for additional information regarding this application. Below the contact is a box to indicate with a checkmark if the contact is the Administrative contact, the Technical contact, or both. If the contact can answer administrative and technical questions, check both boxes. Two contacts may be provided in the application, one administrative and one technical. If additional contacts are provided, include as an attachment.

1. PERMIT CONTACT INFORMATION

Provide the name and contact information for two individuals that can be contacted by the agency as needed during the term of the permit. The individuals should be of the level of Vice President or higher of a corporation, an Elected Official of a City or County, or a General Partner of a Partnership. If additional contacts are provided, include as an attachment.

1. BILLING CONTACT INFORMATION

An annual fee is assessed to each permittee on September 1 of each year. Provide the complete mailing address where the annual fee invoice should be mailed. The address must be verifiable with the USPS for regular mail delivery (not overnight express mail). [Verify the address](https://tools.usps.com/go/ZipLookupAction%21input.action)[[7]](#footnote-7) on the USPS website. Provide the phone number of the permittee’s representative responsible for payment of the invoice.

1. DMR CONTACT INFORMATION

Provide the name and contact information of the person responsible for submitting DMRs.

**NOTE:** DMRs must be submitted on line through TCEQ’s [NetDMR](https://www.tceq.texas.gov/permitting/netdmr)[[8]](#footnote-8) system unless a waiver has been obtained. An electronic reporting account can be established once the facility obtains the permit number.

1. NOTICE INFORMATION

The applicant will be required to publish two public notices in a newspaper of the largest general circulation in the county where the facility is/will be located. Detailed information regarding notice, public comments, and response to comment procedures may be obtained by referring to TCEQ’s web site and 30 TAC Chapters 39, 50, 55, and 281.

The first notice, the “Notice of Receipt of Application and Intent to Obtain a Water Quality Permit” (NORI) must be published within 30 days of the application being declared Administratively Complete. The notice package including the TCEQ declaration of completeness, a notice ready for publication, instructions for publishing the notice, and a publication affidavit will be mailed by the Water Quality Division’s Applications Review and Processing Team (ARP). The address to mail the required information back to the TCEQ will be included in the information from ARP.

The second notice, “Notice of Application and Preliminary Decision” (NAPD) must be published within 45 days of a draft permit being filed with the Office of Chief Clerk (OCC). All information necessary to publish the NAPD, as well as proof of publication, will be mailed by the OCC. The address to mail the required information back to the TCEQ will be included in the information from the OCC.

1. Individual Publishing the Notices

Provide the name and contact information of the person that will publish the required public notices. Only one person can be designated. This person (not the newspaper) will be contacted by the TCEQ to publish the required public notices (NORI and NAPD). This person must be available during application processing since the first notice, the NORI must be published within 30 days of the application being declared Administratively Complete.

1. Method for Receiving the NORI Package

Check the box next to the preferred method for receiving the required first public notice information. The day the application is declared administratively complete, the notice package will be sent to the designated person in Item 7.a via the method chosen.

1. Contact in the Notice

Provide the name and contact information of the **one individual** that will be identified as the notice contact in both required notices, the NORI and NAPD. This individual may be contacted by the public to answer general and specific questions about all aspects of the permit application.

1. Public Place Information

Provide the name and physical address for the public place where the application information will be available for public viewing and copying. The information requested in this portion of the application regards a public place where the complete application, draft permit, and technical summary/statement of basis or fact sheet, if applicable, must be made available for viewing and copying by the general public by the date the first notice is published. Please verify with the proper authority that they will make the application available for public viewing and copying. The public place must be located within the county in which the facility is or will be located. The address must be a physical address. If the facility or outfall is located in more than one county, a public viewing place for each county must be provided. Post office box addresses are not acceptable.

1. Bilingual Notice Requirements

Bilingual notices may be required for new, major amendment, minor amendment or minor modification, and renewal permit applications. If an elementary school or middle school nearest to the facility offers a bilingual program, the applicant may be required to publish notices in an alternative language. The Texas Education Code, upon which the TCEQ alternative language notice requirements are based, requires a bilingual education program to apply to an entire school district should the requisite alternative language speaking student population exist. However, bilingual-speaking students may not be present at a particular school within a district which is required to offer the bilingual education program. For this reason, the requirement to publish notices in an alternative language is triggered if:

the nearest elementary or middle school, as a part of a larger school district, is required to make a bilingual education program available to qualifying students **and**

the school either has students enrolled at such a program on-site, or has students who attend such a program at another location in satisfaction of the school’s obligation to provide such a program.

The applicant is required to call the bilingual/ESL coordinator for the nearest elementary and middle schools and obtain information to determine if alternative language notices are required. If it is determined that bilingual notices are required, the applicant is responsible for ensuring that the publication in the alternate language is complete and accurate in that language.

1. Plain Language Summary Template

If you are subject to the alternative language notice requirements in [30 Texas Administrative Code §39.426](https://texreg.sos.state.tx.us/public/readtac%24ext.TacPage?sl=T&app=9&p_dir=N&p_rloc=66532&p_tloc=&p_ploc=1&pg=17&p_tac=&ti=30&pt=1&ch=39&rl=351)[[9]](#footnote-9), download, complete, and attach the Plain Language Summary Form (TCEQ Form 20972). Note: You must provide a translated copy of the completed plain language summary in the appropriate alternative language as part of your application package.

1. Public Involvement Plan Form

Complete and attach one Public Involvement Plan (PIP) Form (TCEQ Form 20960) for each application for a new permit or major amendment to a permit. This form is not required for renewal or minor amendment applications.

1. REGULATED ENTITY AND PERMITTED SITE INFORMATION
2. Regulated Entity Reference Number (RN)

This is 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 this customer has been assigned this number, enter the permittee’s RN.

If the site of the business is part of a larger business site, an RN may already be assigned for the larger site. Use the RN assigned for the larger site. Use the [TCEQ’s Central Registry Regulated Entity Search](http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch)[[10]](#footnote-10) on the TCEQ website to see if the larger site may already be registered as a regulated site at:

If the site is found, provide the assigned RN and 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.

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 the 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.

1. Name of the Project or Site

Provide the name of the site as known by the public in the area where the site is located. The name provided on this application will be used in the TCEQ Central Registry as the Regulated Entity. An RN will be assigned by Central Registry if this site is not currently regulated by TCEQ.

1. Location Address

Provide the physical address of the facility (e.g.: The facility is located at 201 Ranch Road 2903, near the Town of Toyah, Reeves County, Texas 79772) or a description of the facility location using the proximity of the facility to the nearest intersection (e.g.: The facility is located on Ranch Road 2093, approximately 1/2-miles southwest of the intersection of Ranch Road 2903 and Farm-to-Market Road 1472, near the Town of Toyah, Reeves County, Texas 79772).

1. Edwards Aquifer Proximity

The Edwards Aquifer is located under the boundaries of several counties. If the facility is or will be located in Bexar, Comal, Hays, Kinney, Medina, Travis, Uvalde, or Williamson County, 30 TAC Chapter 213, Edwards Aquifer Rules, may be applicable and the applicant may be required to provide additional information.

1. Owner of Treatment Facility

Provide the name of the owner of the facility**. The plant owner must be the applicant for the permit (same as Item 1)**. Indicate the type of ownership by checking the appropriate box.

1. TPDES DISCHARGE INFORMATION

The following provides specific location information used to describe the location of the facility, the discharge route, the effluent disposal site, and other information relevant to the facility.

1. Indian Land

If the facility is located on, or the discharge route passes through, Indian Land, check **yes**. Otherwise, check **no**.

1. USGS Topographic Map

For **renewal and amendment** applications, attach an 8.5"×11", **reproduced** portion of the most current and original USGS Topographic Quadrangle Map(s) that meets the 1:24,000 scale.

For **new** applications, attach an **original**, full size, 7.5-minute USGS Topographic Quadrangle Map(s). The original USGS Topographic Quadrangle Map(s) must be in color, have a scale, and have the latitude and longitude on **all** four sides of the map. An original, full size, 7.5-minute USGS Topographic Quadrangle map may be obtained by calling the USGS at (888) 275-8747.

For **all** USGS Map submittals, the maps must contain the **applicable information below, clearly outlined and labeled on original and copy portion USGS Map:**

One mile in all directions from the facility. If more than one map is required to show one mile in all directions from the facility, provide each individual map. Do not splice together.

The boundaries of the applicant’s property.

The boundaries of the state tract or lease block.

The point(s) of discharge (mark with an “X” or a dot).

The discharge route(s) highlighted for a distance of three stream miles or until the effluent reaches a classified segment, as defined in 30 TAC Chapter 307. Only use a yellow or light colored highlighter so that the stream characteristics are visible - **do not** mark over the discharge route with dark ink.

All wastewater ponds including storage/holding and treatment ponds.

All new and future commercial developments, housing developments, industrial sites, parks, schools, and recreational areas.

One mile downstream of the discharge route(s), all parks, playgrounds, and schoolyards must be highlighted withthe names provided.

Check the box next to each item to confirm it has been included in the application.

1. State Tract of Lease Block Number

Provide the state tract or lease block number, the state tract or lease block name, and the well number(s) associated with the discharged wastewater .

1. Point(s) of Discharge and Discharge Route(s)

Provide an accurate description of the point(s) of discharge and the discharge route(s). A discharge route must follow the flow of effluent from the point of discharge to the nearest major watercourse (i.e., from the point of discharge to a classified segment as defined in 30 TAC Chapter 307). Two examples of a discharge route are: 1) through a six-inch pipe to a county drainage ditch, thence to Doe Creek, thence to the Brazos River, or 2) from the plant site to an unnamed tributary of Joe Creek, thence to Joe Creek, thence to Quail Creek, thence to the Jane River Below Charles Lake. Classified segments can be found in 30 TAC § 307.10 Appendix A and segment location descriptions can be found in 30 TAC § 307.10 Appendix C. **The issuance of a permit does not grant a permittee the right to use the specific discharge route. The issuance of a permit does not grant the permittee the right to use private or public property for conveyance of wastewater along the discharge route described above. The permittee must acquire all property rights as may be necessary to use the discharge route.**

**Please NOTE: The relocation of the discharge point or discharge route may require a Major Amendment to the permit.**

1. City Nearest the Outfall(s)

Provide the name of the city or cities in which the outfall(s) are/will be located or nearest to where the outfall(s) are/will be located.

1. County Where the Outfall(s) are Located

Provide the county or counties in which the outfall(s) are/will be located.

1. Discharge to Municipal, County, or State Ditches

If treated effluent is/will be discharged to a city, county, state highway right-of-way, or flood control district drainage ditch, check **yes**. Otherwise, check **no**. The wastewater permit sought by this application does not grant authorization to discharge to a city, county, state highway right-of-way, or flood control district drainage ditch; authorization must be obtained from the owner of the structure prior to commencement of discharge. If **yes**, please read the following and answer the remaining questions as appropriate.

For **renewal** applications, check the box to indicate whether the entity granted authorization.

For **new and amendment** applications, check the box to indicate whether the entity granted authorization or if authorization is still pending. If pending, provide a copy of the letter sent to the owner of the drainage structure with the application. Upon receipt, provide a copy of the response letter.

1. Daily Discharge of 5 MGD or More

For permits that have a permitted average flow of 5 MGD, or for applications requesting an increase in permitted average flow to 5 MGD or greater, provide the name(s) of each county or counties within 100 statute miles downstream of the point(s) of discharge.

1. MISCELLANEOUS INFORMATION
2. Previous Employment with the TCEQ

If any person formerly employed by the TCEQ represented this company and was paid for service regarding this application, check **yes**. Otherwise, check **no**.

If **yes**, list each person formerly employed by the TCEQ who represented this company and was paid for services regarding the application. Any violation of the Health and Safety Code, TWC, or Government Code relating to conflict of interest may result in denial of the application and filing of charges with the appropriate office.

## b./c. Delinquent Fee and Penalty Information

**Note:** Effective September 1, 2006, the TCEQ will no longer issue, amend, or renew permits, registrations, certifications, or licenses to an entity or person who is delinquent on a penalty or fee owed to the TCEQ. The TCEQ will not declare any application administratively complete that is submitted by a person or entity who is delinquent on a fee or penalty until the fee or penalty is paid or, if on an approved installment plan, payments under the plan are current. The TCEQ will withhold final action on an application until the fee or penalty is paid and the account is current, if after the application is considered administratively complete, we discover that the owner or entity who submitted the application is delinquent on a fee or penalty.

Identify whether the facility owe any fees or penalties to the TCEQ. If fees or penalties are owed, please identify the type of fee or penalty owed, the amount past due, and the TCEQ identifying number. For penalties, please provide the TCEQ docket number. Visit the TCEQ website for further information on the [Delinquent Fee & Penalty Protocol](https://www.tceq.texas.gov/agency/fees/delin/index.html)[[11]](#footnote-11).

1. SIGNATURE PAGE

Each entity applying for the permit is required to sign the certification statement. The certification must bear an **original (wet-ink) signature** of a person meeting the signatory requirements specified under 30 TAC § 305.44, preferably in blue ink. **NOTE:** Copies of the Signature Page may be used in the copies of the application that are also required to be submitted in addition to the original.

If there are any questions or additional information is needed concerning the signatory requirements discussed above, please contact the TCEQ’s Environmental Law Division at (512) 239-0600.

## **30 TAC § 305.44 **- Signatories to Applications****

### All applications shall be signed as follows:

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.

For a partnership or joint venture, the application shall be signed by a general partner or principal executive officer as identified in the partnership agreement.

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 state and/or federal agency includes Directors of Division, Regional Directors, 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 (i.e., Reginal Administrator of the EPA).

For Individuals and Sole Proprietorships, the application shall be signed by the individual him/herself, including the first, middle and last name.

For Utility District, the application shall be signed by at least the level of District Manager, Vice President or a member of the Board of Directors.

For Water Authorities, the application shall be signed by a Regional Manager.

For Independent School Districts, the application shall be signed by at least the level of the Assistant Superintendent or a member of the Board.

For Trust or Estates, the application for shall be signed by the trustee(s), beneficiaries and executor of the trust or estate, as identified in the trust agreement

INSTRUCTIONS FOR ADMINISTRATIVE REPORT 1.1 FOR OIL AND GAS EXPLORATION AND PRODUCTION PERMITS ISSUED UNDER TEXAS WATER CODE CH. 26

The following information **is required** for all **new** and **major** **amendment** permit applications.

1. AFFECTED LANDOWNER INFORMATION
2. Landowner Map Components

The following information is required for the affected landowner list and other interested parties. Please use the format described below. **See Appendix 5 of these instructions for examples of landowner maps.** Affected landowner information is critical to the processing of the application and any errors may cause significant delays in processing the application.

The landowners list is used by the TCEQ to notify affected landowners of the application by mail. These individuals, as well as others, may provide comments on the application or request a contested case hearing on the application.

All applicants shall submit a map that clearly depicts the following information:

The facility’s boundaries.

The property boundaries of all properties adjacent to the facility’s boundaries.

The property boundaries of all properties within the facility’s boundaries.

The property boundaries of all properties overlapping the facility’s boundaries.

The property boundaries of all properties adjacent to any property overlapping the facility’s boundaries.

The point(s) of discharge and highlighted discharge route(s) clearly shown for one mile downstream of the discharge point(s).

The property boundaries of the landowners located on both sides of the discharge route for one full stream mile downstream of the discharge point(s).

The property boundaries of the landowners along the watercourse for a one-half mile radius from the discharge point(s) if the discharge is into a lake, bay, estuary, or affected by tides.

An example of an affected landowner map has been provided in Appendix 1 of these Instructions.

The example shows all landowners adjacent to, and overlapping, the applicant’s proposed facility; all landowners surrounding the point of discharge, and all landowners along the discharge route for a distance of one mile downstream. In this example, landowners 1, 2, 3, 5, 6, and 7 must be identified as affected landowners with the landowner’s name and mailing address submitted with the application in the format described in Item b above (Landowner List Media).

If there are questions as to which landowners must be identified, call the Applications Review and Processing staff. The landowners map should be a city or county plat, another map sketch, or a drawing with a scale adequate enough to show the cross-referenced affected landowners. The landowners map must include a scale so that the TCEQ can verify that all landowners within the required distances have been identified.

1. Landowner List Media

In an effort to expedite processing of the application, the TCEQ requires applicants to provide the mailing list in one of the following formats: 1) submit the mailing list electronically on a readable/writeable compact disk (CD-RW) or USB using Microsoft Word, as allowed by 30 TAC § 39.5(b), or, if more convenient, 2) provide four sets of printed labels of the list.

One of these two methods of providing the affected landowners mailing addresses (electronically or printed labels) must be used. The application cannot be declared administratively complete until one of the two is received.

Please label the CD-RW or USB with the applicant’s name and permit number. Within the file stored on the CD-RW or USB, identify the permit number and applicant’s name on the top of the document. Names and addresses must be typed in the format indicated below and in accordance with the US Postal Service guidelines for machine readability. Each letter in the name and address must be capitalized, contain no punctuation, and the appropriate two-character abbreviation must be used for the state. Each entity listed must be blocked and spaced consecutively as shown in the example below.

SHARMAN DUNN

RR 1 BOX 34

SEA TX 76724

MR AND MRS EDWARD PEABODY

1405 MONTAGUE LN

SEA TX 76710-1234

BRIAR LP

PO BOX 249

SEA TX 76710-0249

A list submitted electronically should be the only item on the CD-RW. Do not submit a list on a CD-RW that includes maps or other materials submitted with the application.

If mailing list is submitted on a CD-RW or USB in Microsoft Word format, it must be in Avery 5160 label format (3 columns across, 10 columns down, for a total of 30 labels per page).

If printed labels are provided, please use sheets of labels containing 30 labels per page. Please provide four complete sets of labels of the adjacent landowners list.

Each name and corresponding address must appear only once on the mailing labels, computer disk, or USB even if the entity owns more than one tract of land identified on the landowners map. Please eliminate duplicate names and addresses.

1. Cross-Referenced Landowner List

All landowners identified must be clearly cross-referenced to a list of the landowner names and complete mailing addresses. The cross reference must be in consecutive numeric order (1, 2, 3). The complete list of affected landowners must be provided on a **separate sheet of 8.5"×11" paper**. DO NOT USE THE PROPERTY TAX TRACT NUMBER SYSTEM.

1. Landowner Data Source

Provide the source of the landowners names and mailing address in the space provided.

1. School Fund Land

If any permanent school fund land is affected by this application, check **yes**. Otherwise, check **no**. This information is required by the Texas Water Code § 5.115. If **yes**, provide the location of the property and foreseeable impacts and effects this application has on the land(s).

1. ORIGINAL PHOTOGRAPHS

Photographs of each of the following must be attached to the application:

At least one photograph of the new and expanded treatment unit(s) location.

At least two photographs of the existing/proposed discharge point and as much area downstream (photo 1) and upstream (photo 2) as can be captured on film. If the discharge is to an open water body (e.g., lake, bay), the discharge point should be in the right or left edge of each photograph showing the open water and with as much area on each respective side of the discharge as can be captured.

At least one photograph of the existing/proposed effluent disposal site.

A plot plan or map that indicates the location of each photograph and the direction (e.g., northwest) the camera was facing when the photograph was taken.

Check the box next to each item to confirm it was included with the application.

INSTRUCTIONS FOR SUPPLEMENTAL PERMIT INFORMATION FORM (SPIF)

This form applies to TPDES permit applications.

This form applies to TPDES permit applications only. Complete and attach the Supplemental Permit information Form (SPIF) (TCEQ Form 20971). The application will not be declared administratively complete without this form being completed in its entirety including all attachments.

INSTRUCTIONS FOR COMPLETING ATTACHMENT 1

Complete this attachment if the facility owner or co-applicant is an individual. The address provided must be the individual’s home address. The address must be verifiable with the USPS for regular mail delivery (not overnight express mail). [Verify the address](https://tools.usps.com/go/ZipLookupAction%21input.action) on the USPS website. If the operator must apply as co-applicant and is an individual, provide a separate sheet for information on the operator. As the facility owner, you need to provide the Customer Reference Number (CN).

INSTRUCTIONS FOR COMPLETING THE CHECKLIST OF COMMON DEFICIENCIES

To ensure the timely processing of this application, please review the items below and indicate by checking **Yes** that each item is complete and in accordance applicable rules. If an item is not required this application, indicate by checking **N/A** where appropriate. Complete this checklist for each permit application. Please do not submit the application until the items below have been addressed.

APPENDIX 1 – AFFECTED LANDOWNERS MAP EXAMPLE



Figure 1: One variation of affect landowners for applications proposing discharge of effluent from oil and gas exploration and production facilities.

**End of Instructions for TCEQ Form 10411.**

1. <https://www.tceq.texas.gov/publications/search_forms.html> [↑](#footnote-ref-1)
2. <https://www.tceq.texas.gov/permitting/waste_permits> [↑](#footnote-ref-2)
3. <https://www.tceq.texas.gov/permitting/air/air_permits.html> [↑](#footnote-ref-3)
4. <https://www.tceq.texas.gov/permitting/wastewater/industrial/TPDES_industrial_wastewater_steps.html> [↑](#footnote-ref-4)
5. <https://www3.tceq.texas.gov/epay/index.cfm> [↑](#footnote-ref-5)
6. <http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch> [↑](#footnote-ref-6)
7. [https://tools.usps.com/go/ZipLookupAction!input.action](https://tools.usps.com/go/ZipLookupAction%21input.action) [↑](#footnote-ref-7)
8. <https://www.tceq.texas.gov/permitting/netdmr> [↑](#footnote-ref-8)
9. [https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac\_view=3&ti=30&pt=1](https://texreg.sos.state.tx.us/public/readtac%24ext.ViewTAC?tac_view=3&ti=30&pt=1) [↑](#footnote-ref-9)
10. <http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch> [↑](#footnote-ref-10)
11. <https://www.tceq.texas.gov/agency/fees/delin/index.html> [↑](#footnote-ref-11)