



**For EAA Use Only:**

Form: EAA 5 (Jan 2020)

Entity ID: \_\_\_\_\_

Facility ID: \_\_\_\_\_

900 E. QUINCY, SAN ANTONIO, TEXAS 78215  
(210) 222-2204 or 1-800-292-1047 Fax (210) 222-9869

## APPLICATION FOR MAJOR MODIFICATION FOR AN ABOVEGROUND STORAGE TANK OR UNDERGROUND STORAGE TANK

**Instructions:** This application is to be completed by anyone seeking to perform a major modification pursuant to §713.609 of the Edwards Aquifer Authority (EAA) rules. The application must be completed, signed and submitted before it can be processed by the EAA. Please complete all sections of this application legibly in blue or black ink and supply the documentation requested below. Partial applications will be returned to the applicant for completion. Please keep a copy of the application for your records.

**Fee required:** A processing fee of **\$25.00** must accompany this application. Payment options include online payment (<http://www.edwardsaquifer.org/online-payments>), personal checks, cashier's check or money order made out to the "Edwards Aquifer Authority". **NO CASH PLEASE.** When using the online payment option, please attach the payment receipt to the submitted registration form.

**I. - Location of Proposed Facility:** Please provide the following:

1. Facility Name: \_\_\_\_\_
2. Physical Address: \_\_\_\_\_ (City) \_\_\_\_\_ (Zip) \_\_\_\_\_
3. Mailing Address: \_\_\_\_\_ (City) \_\_\_\_\_ (State) \_\_\_\_ (Zip) \_\_\_\_\_
4. Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_
5. Contact Name: \_\_\_\_\_ Contact Telephone No. ( ) \_\_\_\_\_

**II. - Applicant Information:** Please note, if the applicant is a **Partnership**, the name of the partnership shall be followed by the words "a partnership" and if a **Trustee** acting on behalf of another, the trustee's name shall be followed by the word "trustee." If one **other than the named applicant** executes the registration, the person executing the registration shall complete Part III of this registration.

### **Section A – Owner of the tank that is the subject of the application:**

1. Name: \_\_\_\_\_
2. TCEQ Regulated Entity Number: (If applicable RN + 9 digits) \_\_\_\_\_
3. TCEQ Customer Number: (If applicable CN + 9 digits) \_\_\_\_\_
4. Telephone No. ( ) \_\_\_\_\_ Facsimile No. ( ) \_\_\_\_\_
5. Physical Address: \_\_\_\_\_ (City) \_\_\_\_\_ (Zip) \_\_\_\_\_
6. Mailing Address: \_\_\_\_\_ (City) \_\_\_\_\_ (State) \_\_\_\_ (Zip) \_\_\_\_\_
7. Contact Name: \_\_\_\_\_ Contact Telephone No. ( ) \_\_\_\_\_
8. Contact Job Title: \_\_\_\_\_ Contact E-mail Address: \_\_\_\_\_
9. Contact Mailing Address: (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_

**Section B – Operator of the tank that is the subject of the application (if different from Owner):**

1. Name: \_\_\_\_\_
2. TCEQ Customer Number: (If applicable CN + 9 digits) \_\_\_\_\_
3. Telephone No. (    ) \_\_\_\_\_ Facsimile No. (    ) \_\_\_\_\_
4. Physical Address: (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_
5. Mailing Address: (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_
6. Contact Name: \_\_\_\_\_ Contact Telephone No. (    ) \_\_\_\_\_
7. Contact Job Title: \_\_\_\_\_ Contact E-mail Address: \_\_\_\_\_
8. Contact Mailing Address: (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_

**III. – Authorized Representative Information:** If the applicant designates an authorized representative:

1. Name: \_\_\_\_\_
2. Telephone No. (    ) \_\_\_\_\_ Facsimile No. (    ) \_\_\_\_\_
3. Physical Address: (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_
4. Mailing Address: (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_
5. Contact Name: \_\_\_\_\_ Contact Telephone No. (    ) \_\_\_\_\_
6. Describe relationship to applicant (i.e. agent, officer, attorney, etc...) \_\_\_\_\_
7. Contact Job Title: \_\_\_\_\_ Contact E-mail Address: \_\_\_\_\_
8. Contact Mailing Address: (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_

**IV. – Major Modification Information:** Please select the scenario that best describes your project.

- Replacement of an existing Underground Storage Tank (UST) with:**
- A UST of identical or less volume capacity than the UST being replaced;
  - A UST with more volume capacity than the UST being replaced if the added capacity is the result of a transfer of capacity in accordance with §713.612;
  - Multiple USTs where the combined volume capacity of all replacement USTs is less than or equal to the UST being replaced; or
  - Multiple USTs where the combined volume capacity of all replacement USTs is greater than the UST being replaced if the added capacity is the result of a transfer of capacity in accordance with §713.612;
- Installation or construction of new or replacement piping;**
- An upgrade to proper containment in accordance with §713.605(c);**
- An upgrade to proper containment in accordance with §713.607(c);**
- Installation or construction of a new UST through a transfer of capacity in accordance with §713.612; or**
- Installation or construction of a new Aboveground Storage Tank (AST) in accordance with § 713.605(a).**

- Installation or construction associated with an EAA sponsored Agricultural Secondary Containment Assistance Program upgrade.**

**Submission of Information:**

Now that you have selected the type of Major Modification that describes your project, please provide a detailed description of the proposed project. The description is to include a narrative explanation establishing how the proposed project satisfies the rules referenced within the scenario that you selected. If applicable, the description must establish how the containment requirements of §713.606 and/or §713.608 of the EAA rules will be achieved. Include all necessary documentation including site location map(s), facility diagram(s), manufacturer's product sheet(s), piping, tank and containment schematics. Attach additional pages if necessary. Please note, proper containment is to be provided for the tank(s) and all associated piping.

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**V – ADDITIONAL REQUIREMENTS:** Please acknowledge the following:

- I acknowledge that, per EAA rule 713.604 (g), the Owner or Operator of an AST or UST located on the Recharge Zone may not fill the AST or UST unless a **registration** for the AST or UST is on file and approved by the Authority.
- I acknowledge that, per EAA rule §713.605, No person may install or construct a regulated AST in, above, or on the Recharge Zone unless the construction of the AST complies with the major modification process in Section §713.609 or its associated exemptions.
- I acknowledge that, in accordance with §713.609 of the EAA rules, an approval letter for this application must be provided from the EAA General Manager prior to the commencement of construction of any activities associated with the Major Modification.
- I acknowledge that, in accordance with §713.610 of the EAA rules, an Owner or Operator shall provide notice to the EAA **at least thirty days** prior to the intended commencement of construction associated with an AST or UST.
- I acknowledge that, in accordance with §713.610 of the EAA rules, an Owner or Operator shall provide notice to the EAA **at least two business days** prior to the actual commencement of construction associated with an AST or UST.
- I acknowledge that, issuance of an EAA General Manager approval letter for this application does not relieve the Owner or Operator of a UST from the responsibility of complying with the requirements of the Recognized Capacity Program for Underground Storage Tanks, please see §713.612 of the EAA rules.
- I acknowledge that, all applicants are responsible for meeting any other applicable federal, state, or local laws and regulations regarding aboveground or underground storage tanks. Compliance with EAA rules does not relieve the Owner or Operator of an AST or UST from the responsibility of compliance with any other rules directly and/or indirectly affecting the AST or UST and any associated stored regulated substances.

## VI - SIGNATORY REQUIREMENTS:

All signatory requirements per EDWARDS AQUIFER AUTHORITY RULES, Ch. 707 (Procedure Before the Authority), Subch. E (Actions on Applications) §707.509 (Requirements for All Applications) are to be satisfied. Please review the information below, select the most applicable, and attach the necessary info.

- If the applicant is an **individual**, the application shall be signed by the applicant or a duly appointed agent. An **agent** shall provide written evidence of his or her authority to represent the applicant.
- If the applicant is an **individual** doing business under an **assumed name**, the applicant shall attach to the application an assumed name certificate from the county clerk of the county in which the principal place of business is located.
- A **joint application** shall be signed by each applicant, or each applicant's duly authorized agent, with written evidence of such agency submitted with the registration (Example: If a facility is owned by both husband and wife, each person shall sign the registration). Joint registrations shall select one among them to act for and represent the others in pursuing the registration with written evidence of such representation to be submitted with the registration.
- If the applicant is a partnership, the registration shall be signed by one of the general partners. If the applicant is a **partnership doing business under an assumed name**, the applicant shall attach to the registration an assumed name certificate from the county clerk of the county in which the principal place of business is located.
- If the applicant is an **estate or guardianship**, the registration shall be signed by the duly appointed guardian or representative of the estate and a current copy of the letters testamentary issued by the court shall be attached to the registration.
- If the applicant is a **corporation, public district, county, municipality or other corporate entity**, the application shall be signed by a duly authorized official. Written evidence in the form of bylaws, charters, or resolutions specifying the authority of the official to take such action shall be submitted along with the application. A corporation may file a corporate affidavit as evidence of the official's authority to sign.
- If the applicant is acting as **trustee** for another, the applicant shall sign as trustee and in the registration shall disclose the nature of the trust agreement and give the name and current address of each trust beneficiary.
- Each applicant shall** subscribe and swear or affirm under oath that the facts set out in the registration are accurate **before any person entitled to administer oaths** who shall also sign his or her name and affix his or her seal of office to the registration.

**VII. – Certification:**

I certify that, as the Registrant, I am the Owner or Operator of the tank(s) which is the subject of this Registration, or their Authorized Agent. **That I have reviewed and understand the signatory requirements detailed on the previous page.** Additionally, I certify that each and all of the statements and information contained herein are true and correct to the best of my knowledge and belief. Moreover, I agree to fully comply with the terms of the Edwards Aquifer Authority Act and the rules of the Authority.

Signature of Owner, Operator, or Agent: \_\_\_\_\_ Date \_\_\_\_\_

Print Name: \_\_\_\_\_

Co-Signature (if applicable): \_\_\_\_\_ Date \_\_\_\_\_

Print Name: \_\_\_\_\_

State of Texas

County of \_\_\_\_\_

Before me, a notary public, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements herein contained are true and correct.

Sworn to and subscribed before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public's Signature