



**Texas Commission on Environmental Quality
Air Permits Division
Change of Name/Ownership Form Instructions**

This form is to be completed by the new customer of the facilities or equipment that is authorized by the air authorization(s), which may include new source review (NSR) authorizations and federal operating permit (FOP) authorizations. Attach a Texas Commission on Environmental Quality (TCEQ) Core Data Form (TCEQ Form No. 10400) for each regulated entity/account number. You may obtain a copy of the Core Data Form at www.tceq.state.tx.us/permitting/central_registry/guidance.html. The new customer is responsible for any upcoming permit renewal requirements. If you have any questions, please call the Air Permits Division (APD) at (512) 239-1250. Please contact other TCEQ programs areas for their change of name/ownership requirements (if applicable).

I. APPLICATION TYPE

Check the appropriate box to indicate the application type: Change in Ownership or Change in Company Name. This is determined by the filing number that a legal entity name is given upon registration with the Texas Secretary of State. If the filing number changes from one legal entity name to another then it is a change of ownership. If the filing number remains the same then it is a name change. For example, XYZ Company is issued filing number 0123456. ABC Company is issued filing number 678910. So this is a change of ownership.

II. NAME OF THE NEW OWNER OR OPERATOR OF THE FACILITIES OR EQUIPMENT

- A. Customer Name: Permits are issued to either the owner or operator of the facility, commonly referred to as the applicant or permit holder. List the legal name of the company, corporation, or person who is applying for the permit. The legal name will be verified with the Texas Secretary of State at (512) 463-5555. The applicant may be asked to correct the name provided on the Form, if found to be different. In some cases, a copy of the legal document forming the entity may be requested to verify the legal name (i.e., general partnership, or trust filed with the county).
- B. Customer Reference Number (CN) (if issued): This is a unique TCEQ assigned number given to each business, governmental body, association, individual, or other entity that owns, operates, is responsible for, or is affiliated with a regulated entity. This number is assigned by TCEQ when a Core Data Form is submitted to the TCEQ Central Registry.
- C. Submittal Date: Enter the date the form was submitted by the applicant to the TCEQ (MM/DD/YYYY).
- D. Effective Date of Change: Enter the date that the new Customer took over ownership of the facility.
- E. Is the new owner an affiliate of the previous owner? Check “Yes” or “No”.

III. RESPONSIBLE OFFICIAL (RO) CONTACT INFORMATION

Provide the name, title, company name, mailing address, telephone number, fax number, and e-mail address of the new customer’s responsible official.

IV. TECHNICAL CONTACT INFORMATION

Provide the name, title, company name, mailing address, telephone number, fax number, and e-mail address of the new customer’s technical contact.

V. SITE INFORMATION

- A. Site Name: Enter the name of the site for which the application is being submitted.
- B. Regulated Entity Number (RN) (if issued): This is a unique TCEQ assigned number given to each person, organization, place, or thing that is of environmental interest to the TCEQ and where regulated activities will occur. This number is assigned by the TCEQ when a Core Data Form is submitted to the TCEQ for the Central Registry. The RN will be replacing existing air account numbers. For portable units, the RN will be assigned to the portable unit. This RN will remain in use during the life of the portable unit regardless of the owner/operator or location.

- C. Account Number (if issued): This number is assigned by the TCEQ to the entire property owned or controlled by the applicant at a specific location. A typical example of an air quality account number is JB-1234-R. Portable facilities are assigned account identification numbers which begin with a number, such as 92-1234-K. Account numbers are being phased out by the TCEQ and will be replaced with RNs.
- D. If action is transfer of ownership, is the change for the entire site? If the transfer of ownership is for the entire site then check “Yes.” If not, then check “No” or check “N/A” for not applicable.
- E. If action is transfer of ownership for a portion of the existing site, will the new site be a major source? If the new site will be a major source then check “Yes.” If not, then check “No” or check “N/A” for not applicable. If response is “No” or “N/A,” go to section VI.

If your site has an FOP and you purchase a portion of a site **adjacent** to your site that has an existing FOP (for that portion [permit area]), and you do not want to combine the two FOPs, then you must submit this form for the change of ownership and re-evaluate your site’s major source pollutants.

If your site does not require an FOP but you purchase a portion of a site **adjacent** to your site that has an existing FOP (for that portion [permit area]), and as a result, your site becomes a major source, then you must submit this form for the change of ownership and an FOP revision application to incorporate the emission units and applicable requirements that are new to the FOP.

If you purchase a portion of a site and the portion requires a new FOP (the other portion of the site keeps the existing FOP that was issued to the original site), you must submit an initial issuance FOP application.

Information and guidance on applicability of 30 TAC Chapter 122, FOP initial issuance applications, and FOP revision applications can be accessed from the TCEQ Air Operating Permits homepage located at www.tceq.state.tx.us/permitting/air/nav/air_oppermits_v.html. If you have questions about the applicability of 30 TAC Chapter 122 or your FOP, please contact the TCEQ APD at (512) 239-1250.

- F. Indicate all pollutants for which the site is a major source based on the site’s potential to emit. Enter “YES” below all of the pollutants for which the site is classified as a major source, **as defined in 30 TAC § 122.10**, based on the site’s potential to emit. Enter “NO” below all of the pollutants for which the site is not a major source. Do not leave any spaces blank.

The column “Other” is provided for listing of non-criteria regulated air pollutants for which a site is a major source. (Example: chlorinated compounds, inorganic acids) List the pollutant name in the space provided (maximum 20 characters). If there are none, enter “NO” in the space provided.

Further information regarding potential to emit can be found in the Potential to Emit Guidance, which is located on the TCEQ website at www.tceq.state.tx.us/permitting/air/guidance/titlev/tv_fop_guidance.html.

VI. AIR AUTHORIZATIONS THAT ARE AFFECTED BY THIS ACTION

- A. List all NSR authorizations (including permit by rule (PBR) registrations, standard exemption (SE) registrations, standard permit registrations, and NSR permits), as applicable.

Note that the previous owner may have authorized some sources by unregistered PBRs or SEs, which do not have to be listed but must be complied with (including recordkeeping) or the sources need to be authorized appropriately by the new owner. Copies of the registered and unregistered authorizations and records should be obtained from the owner before ownership transfer.

- B. List all FOP authorizations pursuant to 30 TAC Chapter 122 (including site operating permits (SOPs) and authorizations to operate (ATOs) under general operating permit (GOPs)), as applicable.

VII. NSR CONDITIONS FOR CHANGE IN OWNERSHIP UNDER 30 TAC § 116.110(e)

- The new owner agrees to be bound by all the permit conditions and all representations made in the permit and any amendments and alterations.
- The new owner asserts there will be no change in the type of pollutants emitted.
- The new owner asserts there will be no increase in the quantity emitted.

VIII. FOP CONDITIONS FOR CHANGE IN OWNERSHIP

- For SOP holders:
Pursuant to 30 TAC § 122.210 and § 122.211, the permit holder (new owner) is required to submit a permit revision application for a change to the permit identification of ownership or operational control of a site. The change must be facilitated by a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the old and new permit holder. This written agreement is maintained with the permit.
 - For GOP holders:
Pursuant to 30 TAC § 122.503, the permit holder (new owner) is required to submit (before the change is operated) an application for a new authorization to operate for a change to the permit identification of ownership or operational control of a site. The change must be facilitated by a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the old and new permit holder. This written agreement is maintained with the permit.
- A. Are any other changes needed for the FOP? Please check “Yes” or “No”. If yes, submit a separate revision application that contains, at a minimum, the following forms:
- Form OP-2 (Form No. 10059) and
 - Form OP-CRO1 (Form No. 10009).
- B. Is there an Acid Rain permit or a Clean Air Interstate Rule (CAIR) permit (pursuant to 30 TAC Chapter 122, Subchapter E) included in the SOP? Please check “Yes” or “No”. If yes, submit the following with this application:
- A copy of the EPA Certificate of Representation and
 - Form OP-CRO1, **Page 2** (Certification by Designated Representative).

IX. AUTHORIZATION

The appropriate company official (owner, plant manager, president, vice president, or environmental director) must sign the form. It is not appropriate for the applicant’s consultant to sign this form.

30 TAC § 122.165 (relating to “Certification by a Responsible Official”) requires that a Responsible Official (RO), or appropriate designee, certify all documents submitted to the TCEQ in support of an FOP, or that are required by 30 TAC Chapter 122 or by an FOP condition.

MAILING INFORMATION

Air Permits Initial Review Team (APIRT), TCEQ	Regular, Certified, Priority Mail Mail Code 161, P.O. Box 13087, Austin, Texas 78711-3087 or Hand Delivery, Overnight Mail Mail Code 161, 12100 Park 35 Circle, Building C, Third Floor, Room 300 W, Austin, Texas 78753
Appropriate TCEQ regional office	To find your regional office address go to: www.tceq.state.tx.us/about/directory/region/reglist.html or call (512) 239-1250
Appropriate local air pollution control program(s)	To find your local air pollution control programs go to: www.tceq.state.tx.us/nav/permits/air_permits.html



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I. Application Type		
<input type="checkbox"/> Change in Ownership <input type="checkbox"/> Change in Company Name		
II. Name of the New Owner or Operator of the Facilities or Equipment <i>(Legal Entity Name of the new permittee)</i>		
A. Customer Name:		
B. Customer Reference Number (CN) <i>(if issued)</i> :		
C. Submittal Date:		
D. Effective Date of Change:		
E. Is the new owner an affiliate of the previous owner?		<input type="checkbox"/> YES <input type="checkbox"/> NO
III. Responsible Official (RO) Contact Information		
Name (<input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Dr.):		
Title:		
Company Name:		
Mailing Address:		
City:	State:	Zip Code:
Territory:	Country:	
Foreign Postal Code:	Internal Mail Code:	
Telephone No.:	Fax No.:	
E-mail Address:		
IV. Technical Contact Information		
Name (<input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Dr.):		
Title:		
Company Name:		
Mailing Address:		
City:	State:	Zip Code:
Territory:	Country:	
Foreign Postal Code:	Internal Mail Code:	
Telephone No.:	Fax No.:	
E-mail Address:		
V. Site Information		
A. Site Name:		
B. Regulated Entity Number (RN) <i>(if issued)</i> :		
C. Account Number <i>(if issued)</i> :		



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V. Site Information (continued)								
D. If action is transfer of ownership, is the change for the entire site?							<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	
E. If action is transfer of ownership for a portion of the existing site, will the new site be a major source?							<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	
F. Indicate all pollutants for which the site is a major source based on the site's potential to emit.								
Pollutant:	VOC	NO _x	SO ₂	PM ₁₀	CO	PB	HAPs	Other
Major at the Site (YES/NO):								
VI. Air Authorizations That Are Affected By This Action								
A. List all NSR authorizations (including PBR, SE, and standard permit registrations, and NSR permits), as applicable:								
B. List all FOPs (including SOPs and ATOs under GOPs), as applicable:								
VII. NSR Conditions for Change of Ownership under 30 TAC § 116.110(e)								
<ul style="list-style-type: none"> The new owner agrees to be bound by all the permit conditions and all representations made in the permit and any amendments and alterations. The new owner asserts there will be no change in the type of pollutants emitted. The new owner asserts there will be no increase in the quantity emitted. 								
VIII. FOP Conditions for Change of Ownership								
<ul style="list-style-type: none"> For SOP holders: Pursuant to 30 TAC § 122.210 and § 122.211, the permit holder (new owner) is required to submit a permit revision application for a change to the permit identification of ownership or operational control of a site. The change must be facilitated by a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the old and new permit holder. This written agreement is maintained with the permit. For GOP holders: Pursuant to 30 TAC § 122.503, the permit holder (new owner) is required to submit (before the change is operated) an application for a new authorization to operate for a change to the permit identification of ownership or operational control of a site. The change must be facilitated by a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the old and new permit holder. This written agreement is maintained with the permit. 								
A. Are any other changes needed for the FOP? <i>(If YES, submit the information as explained in the instructions.)</i>							<input type="checkbox"/> YES <input type="checkbox"/> NO	
B. Is there an Acid Rain permit or Clean Air Interstate Rule (CAIR) permit included in the SOP? <i>(If YES, submit the information as explained in the instructions.)</i>							<input type="checkbox"/> YES <input type="checkbox"/> NO	
IX. Authorization								
I, _____, certify that I am the responsible official for this application and that, based on information and belief formed after reasonable inquiry, the statements and information on this form are true, accurate, and complete.								
Signature: _____					Signature Date: _____			
Title: _____								