

APPLICATION FOR UNDERGROUND STORAGE TANK CONTRACTOR REGISTRATION

TCEQ-0548

**Texas Commission on Environmental Quality
Permitting & Registration Support Division
Operator Licensing Section
P.O. Box 13088, MC-214
Austin, TX 78711-3088**

**INSTRUCTIONS
APPLICATION FOR CERTIFICATE OF REGISTRATION FOR
UNDERGROUND STORAGE TANK CONTRACTORS**

GENERAL INSTRUCTIONS

The TCEQ is allowed 45 days to evaluate a properly completed application. Be sure that the entire form has been filled out as completely and accurately as possible. Any incomplete or omitted information may delay the processing of the application. The form should be completed by either typing or printing legibly in black ink. All attachments to the application form should be securely attached and should include the applicant's name.

SECTION I - APPLICANT INFORMATION:

- a) The applicant's name should reflect the official company or business name as shown on the applicant's federal or state taxpayer identification form. Any difference in the applicant's name should be explained in Section IV of the form. If the company's mailing address is a P.O. Box, also provide the physical address of the business' main office.
- b) The authorized representative should be a person who is properly authorized by the applicant to conduct business and to execute documents on behalf of the applicant. This authorized representative should be responsible for compliance with the applicable statutes and regulations relating to underground storage tank construction and contracting procedures, and should be available to answer questions about the application.
- c) Indicate the applicant's specific type of business organization. For incorporated businesses, indicate the state in which the corporate charter was filed, any appropriate charter identification information, and the year of incorporation.
- d) List all branch offices in Texas which are organized and which operate under the same business name and which will be operating under the requested UST contractor registration certificate. List the authorized representative for each branch office. Branch offices which operate under a different business name (different tax I.D. No.) will be required to apply for a separate certificate of registration.

SECTION II - GENERAL INFORMATION:

- a) Indicate the length of time that the applicant has operated this contracting business. Describe in Section IV of the application any changes in business ownership or business name within the last two years.
- b) Indicate the types of construction activities normally performed by the applicant. Specify and explain any underground utilities construction or other engineering construction performed by the applicant.
- c) Provide all pertinent information regarding any registration as a UST contractor in Texas or in any other state.
- d) Include specific information about the circumstances of any suspension or revocation of a certification or registration by the applicant as a UST contractor in Texas or in any other state, whether under the current name or another business name.

SECTION III - ATTACHMENTS:

The application will not be processed and a UST contractor certificate of registration will not be issued unless and until all the attachments required in this section are submitted.

- a) Statutory fees in a total amount of \$232 should be submitted with the initial application. Fees should be paid by check, certified check, or money order made payable to the "Texas Commission on Environmental Quality". To facilitate application processing, the check or money order should be **attached to the front of the application package**.
- b) The applicant must provide an insurance certificate (original, copy not acceptable) showing general liability coverage for UST construction of at least \$1,000,000. The certificate must name the TCEQ-Registration & Support Division/Operator Licensing Section, MC-214, P.O. Box 13087, Austin, Texas 78711-3087 as the certificate holder. Environmental pollution, workers' compensation, or other insurance coverage is not acceptable.

Note: The agency shall have the option to review the form and type of the insurance including coverage, limitations, exclusions, and insurance company rating.

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- c) The applicant must provide a current financial statement demonstrating that the applicant has a net worth of at least \$25,000. This financial statement must be prepared in conformity with general accounting principles defined by the American Institute of Public Accountants, and must include a balance sheet, or a letter from a Certified Public Accountant who is not employed by the applicant or does not receive payment from the applicant on a regular basis verifying that the applicant's current net worth is not less than \$25,000.
- b/c) In the event that an applicant cannot reasonably meet the commercial liability insurance and/or the financial statement requirements of (b) and/or (c), then the applicant may submit alternative evidence of financial assurance. In this case, the applicant must provide a detailed explanation (including all appropriate supporting documents) of its inability to meet the insurance and financial statement requirements. The agency shall review each request for consideration of alternative financial assurance mechanisms on a case-by-case basis, and shall not approve an alternative mechanism unless the applicant has reasonably demonstrated that it is sufficient to satisfy the requirements for a UST contractor under Commission rules.
- d) The applicant shall provide sworn statements, on TCEQ forms, from at least three persons, not related to the applicant by blood or marriage, who have engaged the applicant within the **previous 12 months** to perform construction activities in one or more of the following areas: **1) UST installations, repairs, or removals; 2) PUBLIC underground utility construction; or 3) other engineering construction** (i.e. work performed from construction plans designed by, and that carry the seal of, a registered professional engineer who possesses qualifications and experience in the field of civil or mechanical engineering.) The reference forms should be filled out as completely as possible, and must be signed by the person providing the reference.

Public underground utility construction, defined as underground water line, sanitary sewer, or storm sewer construction, this does not include private underground pipe systems such as commercial or residential plumbing, power or communication cables, or natural gas lines.

Other engineering construction, is work performed from engineered construction plans prepared by and bearing the seal and signature of a registered professional engineer who is qualified and experienced in one or more areas of construction design normally performed within the branches of civil or mechanical engineering and meets legal requirements governing the practice of engineering in the State of Texas where the construction was performed.

IMPORTANT: THE REFERENCES MUST BE FOR WORK THAT HAS BEEN PERFORMED WITHIN THE PREVIOUS 12 MONTHS, AND MUST BE IN ONE OR MORE OF THE AREAS OF CONSTRUCTION LISTED ABOVE. REFERENCES FOR OTHER TYPES OF WORK SUCH AS OIL FIELD CONSTRUCTION, ENVIRONMENTAL CONSULTING, SITE REMEDIATION, SITE ASSESSMENT OR UST TIGHTNESS TESTING ARE NOT ACCEPTABLE, UNLESS THAT CONSTRUCTION ACTIVITY WAS DESIGNED BY A REGISTERED CIVIL OR MECHANICAL ENGINEER.

If the applicant is not able to provide the Texas Commission on Environmental Quality with at least three references, the applicant must provide a written explanation, on company letter-head, indicating good cause for not providing the required references. [Example: Applicants who perform construction work solely for themselves, on company owned UST systems and not for the general public would not be expected to provide the prescribed references.] Such explanations should include detailed descriptions of at least three case histories of typical construction activities performed by the applicant during the previous 12 months in any of the following areas: **1) UST installation, repairs or removal; 2) PUBLIC underground utility construction; or 3) other engineering construction.** The agency shall evaluate the stated cause for failure to provide the required references. If the explanation is not considered adequate, the certificate of registration will not be issued.

NOTE: EACH REFERENCE OR CASE HISTORY MUST DESCRIBE A SINGLE JOB, PERFORMED WITHIN THE LAST 12 MONTHS!

SECTION IV - ADDITIONAL INFORMATION:

Use the space provided for any additional information relevant to this application. Please indicate the applicable section to which the additional information relates.

SECTION V - SIGNATURE:

The authorized representative must certify, sign and date the application to certify that all the information and attachments are true and correct.

CHECK AND BE SURE THE ENTIRE APPLICATION IS COMPLETE AND THAT ALL REQUIRED ATTACHMENTS ARE ENCLOSED. KEEP A COPY OF ALL DOCUMENTS FOR YOUR FILES, SEND ONLY ORIGINALS TO TCEQ.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Permitting & Registration Support Division, Operator Licensing
P.O. BOX 13088, MC-214
Austin, Texas 78711-3088
512/239-6133

APPLICATION FOR CERTIFICATE OF REGISTRATION FOR
UNDERGROUND STORAGE TANK CONTRACTORS

On behalf of the applicant indicated below, I hereby apply for a certificate of registration for underground storage tank contractors under the provisions of Title 30, Texas Administrative Code, Chapter 30, Subchapter I, of the Texas Commission on Environmental Quality rules.

PLEASE TYPE OR PRINT NEATLY IN INK

I. APPLICANT INFORMATION:

a). Business name: _____

Mailing address: _____ Telephone Number: _____

City _____ County _____ State: _____ Zip code: _____

Physical address: _____

(if different from above) _____ Telephone Number: _____

City: _____ County: _____ State: _____ Zip code: _____

Federal taxpayer identification number: _____

b). Authorized representative: Name: _____

Title: _____ Telephone Number: _____

c). Type of business (check one): Individual Corporation* Partnership Sole Proprietor
 Other (Specify): _____

* State and year incorporated (for corporations only): _____

d). List any branch offices in Texas which will use the same company name and same certificate of registration:

Physical Address: Telephone number: Authorized representative for branch office:

1) _____

2) _____

3) _____

[If more space is needed, please include additional information in Section IV of this form.]

II. GENERAL INFORMATION:

a). How long has the applicant been in the contracting business under the current ownership?

b). Type of construction activities normally performed in Texas by the applicant (check all that apply):

UST Installation Underground utility construction (specify): _____

UST Repair Other engineering construction (specify): _____

UST Removal

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c). Has applicant been previously certified or registered as a UST contractor? _____

State

Registration Number

Expiration Date

1) _____

2) _____

d). Has the applicant's certificate or registration ever been suspended or revoked (in Texas or any other state)?

If yes, explain: _____

[If more space is needed, please include additional information in Section IV of this form.]

III. ATTACHMENTS: The following documents must be attached in order to complete the requirements for application filing and certificate issuance:

- a). \$232 initial application fee (see instructions).
- b). proof of commercial liability insurance [\$1,000,000 minimum] (see instructions).
- c). a financial statement, prepared in conformity with accounting principles as defined by the American Institute of Public Accountants, indicating that the applicant's net worth is not less than \$25,000 [or a letter from a Certified Public Accountant who is not employed by the applicant or does not receive payment from the applicant on a regular basis verifying that the applicant's net worth is not less than \$25,000] (see instructions).
- d). sworn statements, on TCEQ forms, from at least three references (see instructions).

IV. ADDITIONAL INFORMATION (identify applicable section number):

V. TO BE COMPLETED BY THE AUTHORIZED REPRESENTATIVE OF THE APPLICANT:

I, (name) _____, (title) _____ do certify under penalty of law that this application and any attachments contain no willful or negligent misrepresentation or falsification and that all information is true, accurate, and complete to the best of my belief and knowledge. I understand that any misrepresentation or falsification may result in the rejection of this application.

Signature

Date

TCEQ CONSTRUCTION REFERENCE FORM
UNDERGROUND STORAGE TANK CONTRACTOR
512/239-6133

INSTRUCTIONS FOR PERSON COMPLETING THIS REFERENCE STATEMENT

The rules of the Texas Commission on Environmental Quality [30 TAC, Subchapter 30.315(5)(A)] require that an applicant for a certificate of UST contractor registration must submit sworn statements from persons, not related by blood or marriage, who have engaged the applicant within the **previous 12 months** to perform either: (1) UST installations, repairs, or removals; (2) public underground utilities construction; or (3) other engineering construction which was designed by a registered civil or mechanical engineer. **PLEASE LIMIT EACH REFERENCE TO ONE SPECIFIC JOB, PERFORMED WITHIN ONE SPECIFIC TIME PERIOD.**

I. Business name of applicant: _____
(name of the business/company applying for registration)

II. CLIENT INFORMATION: (customer for whom the work was done)

Client Representative: _____ Title: _____
(name of person completing form)

Business Name: _____ Phone: _____

Job-site Address: _____

City: _____ State: _____ Zip: _____

III. Evaluation of Construction Activity: **REFERENCE 1 SPECIFIC JOB PERFORMED DURING 1 SPECIFIC TIME PERIOD**

A. Show the project dates that this company participated in the construction activity:
FROM _____, 200____ to _____, 200____
(work must have been performed within the last 12 months prior to the date of the application)

B. Which of the following construction activities was performed by the applicant on the above construction dates?
____ Underground storage tank: ____ installation ____ repair ____ removal

Provide name and registration no. of registered contractor responsible for this job: _____

Public underground utilities construction (specify): _____

Public Underground Utility Construction is defined as underground water line, sanitary sewer, or storm sewer construction, this does not include private underground pipe systems such as commercial or residential plumbing, power or communication cables, or natural gas lines.

____ Other engineering construction: Provide name & registration no. of project engineer: _____
Phone: _____

Other Engineering Construction is work performed from engineered construction plans prepared by and bearing the seal and signature of a registered professional engineer who is qualified and experienced in one or more areas of construction design normally performed within the branches of civil or mechanical engineering and meets legal requirements governing the practice of engineering in the State of Texas where the construction was performed.

C. Please provide a detailed description of the job or work performed by this company (number of tanks, type of utility or engineered construction): _____

-- CONTINUED ON BACK --

D. (1) Was a written contract between you and the applicant executed for this construction? _____

(2) If yes, did the applicant reasonably fulfill the contract requirements? _____

E. (1) Generally, was the construction activity completed to your satisfaction? _____. If not, please explain in section IV below.

(2) After completion, has the constructed system, structure, or facility performed as expected? _____. If not, please explain in section IV below.

F. If the opportunity occurs, would you employ the applicant again as a contractor for another construction activity? _____. If not, explain in section IV below.

G. Would you recommend (or have you recommended) the applicant as a contractor to your business associates or colleagues? _____. If not, explain in section IV below.

H. Please indicate your general assessment of the applicant in the following categories:

	Excellent	Good	Poor	Don't know
Quality of performance				
Business integrity				

IV. Additional information (please identify applicable section number):

V. Signature

I, _____, do hereby attest that the above statements and information are true and correct to the best of my belief and knowledge.

Signature: _____ **Date:** _____

TCEQ CONSTRUCTION REFERENCE FORM
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Provide name and registration no. of registered contractor responsible for this job: _____

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Signature: _____ **Date:** _____

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	Excellent	Good	Poor	Don't know
Quality of performance				
Business integrity				

IV. Additional information (please identify applicable section number):

V. Signature

I, _____, do hereby attest that the above statements and information are true and correct to the best of my belief and knowledge.

Signature: _____ **Date:** _____

NOTICE

CONCERNING CONSTRUCTION/CLIENT REFERENCES WHICH REFER TO “OTHER ENGINEERING CONSTRUCTION” FOR PERSONS AND COMPANIES APPLYING UNDER 30 TAC §30, SUBCHAPTER “I” OF TCEQ RULES FOR REGISTRATION AS A UST CONTRACTOR OR LICENSURE AS A UST ON-SITE SUPERVISOR

“Other engineering construction” is work performed in the State of Texas in accordance with Texas Water Code §26.456(a)(2) from engineered construction plans prepared by **and bearing the seal and signature** of a registered professional engineer who is qualified and experienced in one or more areas of construction design normally performed within the branches of civil or mechanical engineering and which meets the legal requirements governing the practice of engineering in the State of Texas.

A construction reference for “other engineering construction” must be accompanied by a signed statement from the engineer who signed and sealed the plans used to perform the construction, specifically stating: 1) that the referenced construction was performed in the State of Texas and in strict accordance with plans which he/she **signed and sealed**, and 2) that said plans were prepared, signed and sealed in accordance with applicable laws in the State of Texas. *(If the plans were not sealed, the engineer’s signed statement must also include an explanation as to why the plans were exempt from sealing requirements under applicable laws governing the practice of engineering in the State of Texas.)*

If it is not possible to obtain the aforementioned signed statement from the engineer responsible for the construction plans applicable to the construction reference being provided, said construction reference must be accompanied by a **sworn** statement, signed by the person providing the reference and by the applicant, which: 1) states the reason why the responsible engineer’s statement cannot be obtained; 2) states that construction was performed in the State of Texas and in strict accordance with plans which were prepared, signed and sealed by a qualified registered professional engineer; and 3) provides a copy of at least one page of said plans which clearly shows a significant portion of the design which was implemented by the applicant and clearly shows the engineer’s seal and signature. In addition, said sworn statement must also be accompanied by a written statement from the Texas State Board of Registered Professional Engineers stating, to the best of their knowledge, that the engineer whose seal and signature appears on the portion of the plans being submitted met legal requirements governing the practice of engineering in the State of Texas at the time the plans were prepared. *(If the plans were not sealed, the applicant must provide a written statement, from another registered professional engineer licensed to practice in the State of Texas, explaining why the plans were exempt from sealing requirements under applicable laws governing the practice of engineering in the State of Texas.*