Instructions for Registration, Renewal, and Modification of Aggregate Production Operations (APOs)

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To obtain, renew, or modify an Aggregate Production Operation (APO) registration, an applicant must comply with applicable state and local regulations. You can find the state regulations in 30 Texas Administrative Code (TAC) Chapter 324[1]. If you have your APO registration number, you can view the information associated with your registration on the APO search page[2].

Note that your APO site may require additional permits or registrations separate from this registration. This APO registration does not fulfill additional requirements for other authorizations. You are responsible for working to obtain any additional required authorizations. More information about regulated activities at APO sites[3].

Use this form for new (initial) notifications, subsequent notifications (modifications) and renewals. For modifications, complete only the items that have changed.

Facilities with the following activities should register via this form:

- Extraction or removal of aggregate materials from the earth, including the entire areas of extraction, stripped areas, haulage ramps, and the land on which the plant processing the raw materials is located, exclusive of any land owned or leased by the responsible party not being currently used in the production of aggregates.
- "Aggregates" is defined in 30 TAC Chapter 342.2 as any common construction material originating from a site from which dimension stone is extracted such as crushed and broken limestone, crushed and broken granite, crushed and broken stone not elsewhere classified, construction sand and gravel, industrial sand, dirt, soil, or caliche. For this registration, clay or shale mined for use in manufacturing structural clay products are *not* included.

Read the instructions for additional information to determine if this form should be used for your facility and registration type. TCEQ will not process incomplete forms. We will return any incomplete forms to the sender for correction.

Items in bold must be filled out for all notifications. Items with asterisks are required for all new registrations. Print clearly or type.

[1] https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=342

[2] https://www2.tceq.texas.gov/apo_dpa/

[3] https://www.tceq.texas.gov/assistance/industry/aggregate-production

Registration number:

- For new notifications, leave the registration number blank. TCEQ will assign a registration number to your site when we process the registration.
- For modifications and renewals, enter the last seven digits of the 9-character APO registration number assigned to your site. Since all APO registration numbers begin with the letters "AP," the form has the letters "AP" preprinted. If you are unsure of the APO registration number, check the TCEQ Central Registry search[4], or you can find it on your registration certificate.
- The APO registration number is site specific. If the APO operations move to a new site location, the responsible party must submit a new registration form to obtain a new registration number for the site. Do not use numbers assigned to another site address.
- When filling out this form using a computer, the APO Registration Number will automatically populate on the other pages of the form.

Effective Date:

Indicate the date that the information provided on the form went into effect. The date cannot be a future date. When this form is filled out using a computer, the effective date will automatically populate on the other pages of the form.

Submission Reason:

When this form is filled out via computer, the submission reason will automatically populate on the other pages of the form.

New: Mark "New" if this is the first notification for this company/facility or individual at this site address. Items marked with * are required for all new notifications.

Renewal or Modification:

- For modifications and renewals, indicate the APO registration number for the site on all pages submitted.
- Mark "Renewal" to renew the site's APO registration. Submit the renewal each year prior to the expiration date for the registration.
- Mark "Modification" if you have provided updated information about the site but do not yet need to renew the registration. For modifications, submitting the entire form is not necessary. Submit Part F for each submission with the parts that pertain to the updates needed. For instance, to update the contact information, submit Part C and Part F only.

Part A: Site Information

This information refers to the physical location where the aggregate operations occur (where the extraction activities take place.)

1. Regulated Entity Number (RN)

For renewals and modifications, indicate the11-character Regulated Entity Number (RN) number for the site. "RN" is followed by nine digits.

For new notifications, leave the Regulated Entity Number blank unless the site has an existing RN. TCEQ will assign the site an RN as needed.

The RN is site-specific. If the company moves to a new site location, the company should submit a new notification form to obtain a new RN and APO registration for the new site. Do not use numbers assigned to another site address.

[4] https://www15.tceq.texas.gov/crpub/index.cfm

2. Site Name

Enter the name the site will be known as/by, such as a DBA. Be sure to use a fully descriptive name. (For example, ABC Company Pit 4, not Pit 4.) If a site does not have an existing RN, TCEQ will use the site name as the regulated entity name.

When this form is filled out via computer, the site name will automatically populate to the other pages of the form.

In accordance with the TCEQ Central Registry Naming Standards, a site name should not contain INC, CO, LP, etc. in the name unless it is an integral part of the site name. This standard also applies to all the following organizational endings:

- Associated
- Associates
- Association
- ASSOC
- Company
- Corporation
- CO
- CORP
- Incorporated
- INC
- LC
- LLC
- Limited Liability Company
- Limited Company
- LTD
- Limited Partnership
- Limited
- LP
- PA
- Professional Limited Liability Company
- Professional
- PLLC
- PC

Notification paperwork received with any of the above organizational endings in the facility name field may be returned for correction unless a justification is provided. To eliminate any delay in processing your notification, ensure you follow these standards. For any questions regarding standards for organizational endings, contact the TCEQ Central Registry at 512-239-5175.

Site Location

3. Street Address

Enter the physical street address of the site where the aggregate operations/extraction occur. Do not provide a P.O. Box or an office location. If the site has no street address, complete #4 instead.

4. Location Description

This field should be blank unless #3 is not available. Enter specific directions for how to reach the site if the physical location of the site has no street address. Be sure to include at least two cross streets for reference. Sample Entry: “E on County Road 101 from US 83, turn left after 1.3 miles, go 0.3 miles” or “3 mi W of the intersection of FM 685 and SH 130, pit is on left .5 mi.”

5. City

Enter the city for the physical location of the site. If the site is not within city limits, enter the nearest city in this field. Texas is populated for the physical location of the site. TCEQ does not regulate activities outside of Texas.

6. Zip+4

Enter the zip code for the physical location of the site. If the site is not within a zip code, enter the nearest zip code in this field.

7. County

Enter the county in which the site is located. If the site extends over multiple counties, and the site has a physical address confirmed by USPS, enter the county associated to that address per USPS. If the site only has a location description, enter the county with the majority of the pit or disturbed site.

8. Primary SIC

All new notifications must provide a primary Standard Industrial Classification (SIC) code. The code should indicate the classification for the ultimate business use of the site. Choose from the list below or go to https://www.osha.gov/data/sic-manual for a comprehensive list of SIC codes.

1411 - Dimension Stone

1422 - Crushed and Broken Limestone

1423 - Crushed and Broken Granite

1429 - Crushed and Broken Stone, Not Elsewhere Classified (NEC)

1442 - Construction Sand & Gravel

1459 - Clay, Ceramic, Refractory minerals, Not Elsewhere Classified

1499- Miscellaneous Nonmetallic minerals, Not elsewhere Classified

Part B: Applicant Contact Information

9. First Name

Enter the first name of the individual serving as the applicant contact for the site.

10. Last Name

Enter the last name of the individual serving as the applicant contact for the site.

11. Title

Enter the title of the individual serving as the applicant contact for the site.

12. Company Name

Enter the name of the company where the individual serving as the applicant contact works.

13. Mailing Address

Enter the mailing address for the applicant. Ensure that the mailing address is deliverable per USPS at https://tools.usps.com/go/ZipLookupAction_input.

14. City

Enter the city that correlates to the mailing address provided in #13.

15. State

Enter the state that correlates to the mailing address provided in #13.

16. Zip+4

Enter the zip+4 code that correlates to the mailing address provided in #13. Ensure that the zip+4 is correct per USPS at https://tools.usps.com/go/ZipLookupAction_input.

17. Telephone

Enter the telephone number to contact the individual serving as the applicant contact.

18. Fax

Enter the fax number to contact the individual serving as the applicant contact.

19. Email

Enter the email address to contact the individual serving as the applicant contact.

Part C: Responsible Party Information

The customer (responsible party) is the individual or organization responsible for the site. The information included in this part should refer to the legal entity that is the responsible party of the aggregate production operation activities registered on this form.

20. Customer Number

Enter the 9-digit Customer Number (CN) here if TCEQ has already assigned one to the organization/individual. If the organization/individual does not have a customer number, leave this item blank. If the responsible party does not have an existing CN, TCEQ will assign a new CN. A Customer/CN may have multiple sites tied to a single CN.

21. Responsible Party Name

This name should be the complete legal name as filed with the Secretary of State's office or Comptroller of Public Accounts unless the responsible party is an individual or sole proprietor. Verify the correct legal name for the organization by searching the Secretary of State and/or Texas Comptroller Websites or by calling their help lines.

Secretary of State 512-463-5555 http://direct.sos.state.tx.us/acct/acct-login.asp

Texas Comptroller 1-800-252-1386 https://ourcpa.cpa.state.tx.us/coa/Index.html

The responsible party listed may be an individual, trust, firm, joint stock company, federal agency, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of a state, or any interstate body responsible for the overall operation and ownership of a site. Note: This is the legal entity which controls the site rather than the plant or site manager. This is usually a company or business name but may be an individual.

22. Type of Customer

Check the box that best indicates the Customer's relationship to the site. A Limited Liability Company is considered a Corporation. If none of the boxes fit your situation, check "Other" and write in the relationship.

- **Corporation:** The Customer meets all of the following:
  - Is legally incorporated under the laws of any state or country
  - Is recognized as a corporation by the Texas Secretary of State
  - Has proper operating authority to operate in Texas

  Examples of Corporations
  - General Corporations
  - Subchapter S Corporations
  - Limited Liability Companies (LLC)
  - Water Supply Corporations
- **Individual:** An individual is a person regulated by TCEQ but who has not established a business. This category also applies to sole proprietorship – a business owned by only one person and not incorporated. This business may:
  - Be under the person's name
  - Have its own name ("doing business as", or DBA)

  - Have any number of employees
- **Limited Partnership (LP & LLP):** A Texas limited partnership is a partnership formed by two or more persons, having one or more general partners and one or more limited partners. The limited partnership operates in accordance with a partnership agreement, written or oral, of the partners as to the affairs of the limited partnership and the conduct of its business. While the partnership agreement is not filed for public record, the limited partnership must file a certificate of limited partnership with the Texas Secretary of State (SOS). The Secretary of State provides a form for the certificate of limited partnership which meets minimum state law requirements.
- **General Partnership:** A general partnership is created when two or more persons associate to carry on a business for profit. A partnership generally operates in accordance with a partnership agreement, but there is no requirement that the agreement be in writing and no state-filing requirement. General partnerships must file with the county in which they operate. Submit a tax ID if you have a sales tax permit.
- **Government – Federal, State, County or City:** The Customer is either an agency of one of these levels of government or the governmental body itself. (For example, Blanco County, City of Houston, Texas Department of Transportation)
- **Government – Other:** The Customer is a utility district, water district, tribal government, college district, council of governments or river authority. (For example, Lower Colorado River Authority).
- **Other:** Does not fit any of the previous descriptions. (For example, joint venture, trust, or an estate.) Enter a short description of the Customer type in the blank provided.

Tax Information

23. Federal Tax ID

All businesses, except some small sole proprietors and individuals, should have a federal taxpayer identification number (FEIN). Do not enter a Social Security number in this field. Do not use prefixes, dashes, or hyphens. For more information on Federal Tax IDs visit https://www.irs.gov/businesses/small-businesses-self-employed/employer-id-numbers.

24. TX State Tax ID

Leave this field blank if the Customer has not been issued a TX State Tax ID. If one has been issued, enter it here. Check the State Comptroller's website at https://ourcpa.cpa.state.tx.us/coa/Index.html for a listing of the tax ID.

25. Texas SOS/CPA Filing Number

Leave this field blank if the Customer has not filed with SOS/CPA as a Corporation, Limited Partnership or non-profit organization. If the Customer has filed with SOS/CPA, enter the Filing/Charter Number. Search for the SOS Filing number at http://direct.sos.state.tx.us/acct/acct-login.asp or call at 512-463-5555.

26. Number of Employees

Check the box that corresponds to the number of people employed by the responsible party listed in #21.

Responsible Party Contact Information

If this contact is the same as the applicant contact in Part B, check the box and go to Part D.

Provide the contact information for the individual who represents your site for aggregate extraction issues, often an environmental supervisor or plant manager. This individual will receive regulatory mail for this registration.

27. First Name

Enter the first name of the individual serving as the responsible party contact for the site.

28. Last Name

Enter the last name of the individual serving as the responsible party contact for the site.

29. Title

Enter the title of the individual serving as the responsible party contact for the site.

30. Company Name

Enter the name of the company where the individual serving as the responsible party contact works. Usually this is the same as #21.

31. Mailing Address

Enter the mailing address for general correspondence regarding the registration. (For example: renewal reminders, or regulatory information updates.) Ensure that the mailing address is deliverable per USPS at https://tools.usps.com/go/ZipLookupAction_input.

32. City

Enter the city that correlates to the street address provided in #31.

33. State

Enter the state that correlates to the street address provided in #31.

34. Zip+4

Enter the zip+4 code that correlates to the street address provided in #31. Ensure that the zip+4 is correct per USPS at https://tools.usps.com/go/ZipLookupAction_input.

35. Telephone

Enter the telephone number to contact the individual serving as the responsible party contact.

36. Fax

Enter the fax number to contact the individual serving as the responsible party contact.

37. Email

Enter the email address to contact the individual serving as the responsible party contact.

Part D: Aggregate Production Operations Information

38. Materials Extracted from the Site

Check all the boxes that describe the material(s) extracted at the site. If the material extracted is not listed, check the box next to "Other" and write in the name(s) of the material(s).

39. Total Numbers of Acres Disturbed under this Registration

Enter a whole number for the total acres disturbed for this registration. The acreage determines the fee for new registrations and renewals. See Part G for the fee structure.

Part E: Map Required

New applications must provide an 8 1/2 x 11 aerial map showing the specific location of the Aggregate Production Operation activities. Include the boundaries for the entire property where the APO occurs and latitude and longitude coordinates for each pit/excavation site on your site. Indicate your APO registration number on the map you submit. For maps for new registrations, indicate "NEW" on the map you submit. The map can be a drawn or digital map that shows:

- the owned/leased land boundary *and* the interior boundary of the disturbed area(s) labeled with the acreage (the interior boundary determines the registration/renewal fee)
- a center point of the disturbed area labeled with the latitude/longitude values in decimal degrees
- road names and landmarks, as available
- a scale no smaller than 1 in. = 100 ft. (for a smaller site) and no larger than 1 inch = 0.3 mi. (for larger sites)

Modifications or renewals for existing registrations must provide an updated map *only* if there are changes to the property or area disturbed boundaries.

While digital maps are preferred, a hand-drawn map is acceptable if the map follows guidelines above and has clearly drawn outlines over a printed map with labels. Engineer-prepared maps are not required. Examples of acceptable and unacceptable maps are below.

Acceptable Map Example:

Unacceptable Map Example:

The TCEQ website has two tools available to draw maps:

- **Location Mapper**:[5]
  Use Location Mapper to draw one set of property boundaries at a time with acreage measurement and to designate the center point latitude and longitude for the site.
- **GeoTam:**[6]
  Use GeoTam to draw both sets of boundaries with acreage measurements and designate the center point latitude and longitude for the APO site.

Part F: Responsible Party Certification

Include a signed Part F with all submissions. Your signature certifies the following:

- That the information provided in this form is complete and accurate to the best of your knowledge and that you are aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.
- That you understand that the registration listed on this form will be updated with the information provided on the form.
- That you have signature authority to submit this form on behalf of the entity listed as the Responsible Party in #21 and can provide documentation in proof of such authorization upon request.

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[5] https://www.tceq.texas.gov/gis/hb-610-viewer

[6] https://www.tceq.texas.gov/gis/geotam-viewer

Provide information for the person signing form.

Name

Enter the name of the individual who signed the forms.

Signature

We do not accept documents that have digital or stamped signatures. Forms for new notifications require an original signature, not a duplicate. Forms for modifications and renewals may be duplicates of original forms.

Part G: Application Fee Information

New and renewal applications must include fee payment. The number of acres disturbed determines the fee. Effective March 1, 2021, TCEQ implemented updated fees and no longer has a discount for electronic submittals via STEERS.

Acres Disturbed	Fee effective March 1, 2021
0 through 10 acres	$474
> 10 through 50 acres	$790
> 50 through 100 acres	$1106
> 100 acres	$1500

You can pay the fee online using ePay[7] or with a check or money order attached to your application.

If using ePay, you can search for your appropriate fee type. Once logged in, go to Option 3 to "View List of Fees by Media." APO fees are within the "Water" menu. Select the fee for your acreage and go to check out. Be sure to write down the voucher number you receive after paying your fee. If paying online, you may submit your completed and signed form to APOReg@tceq.texas.gov.

Payment amount

Enter the total amount paid. If this payment covers multiple registrations, include a list of each site covered by this payment. On the list, provide the registration number (for renewals) and all of the information in Part A #1-7 of this form for each site.

Method of payment

Check the box next the payment method used.

- **Electronic Payment via ePay**
  Enter the payment voucher number if paying electronically via ePay. This voucher number will be unique to your application.
- **Check**
  Enter the name on the check and the check number.
- **Money Order**
  Enter the money order number if paying by money order.

[7] https://www3.tceq.texas.gov/epay/

Outstanding Fees

Check “Yes” or “No” to indicate whether the company has any outstanding fees or penalties due to TCEQ. If the company has any amounts due, indicate the amounts owed and the account number associated to the fees. Note that registrants must pay all delinquent fees and/or penalties owed to TCEQ in order to obtain a new registration or to renew an existing registration. For questions about payment of outstanding fees, contact the Revenue Section at (512) 239-0300.

Submission Information

Mail completed form to:
Texas Commission on Environmental Quality
Registration and Reporting Section MC-129
PO Box 13087
Austin, TX 78711-3087

Use the following address for any submissions sent via overnight services:
Texas Commission on Environmental Quality
Registration and Reporting Section MC-129
12100 Park 35 Circle Bldg. D
Austin, TX 78753

Email **only modifications or renewals that were paid using ePay** to aporeg@tceq.texas.gov or fax them to (512) 239-6410. Any renewals requiring payment or new registrations submitted by email or fax will be returned to the sender. You must send applications paid with a check or money via postal mail or overnight service.

For any questions about filling out this form not covered above, or for information about the Aggregate Production Operation Program, contact us at (512) 239-6413 or aporeg@tceq.texas.gov.

Individuals are entitled to request and review their personal information the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact the TCEQ Public Information Section at (512) 239-3282.