



June 2018
Form TCEQ-10209-inst

**INSTRUCTIONS FOR COMPLETING
THE DRY FIRE HYDRANT FOR EMERGENCY USE OF WATER
PERMIT EXEMPTION FORM**

Title 30 TAC §297.26

Texas Commission on Environmental Quality

Printed on Recycled Paper

User Information

This section requests information about the User(s). Complete the Form as directed. Submit additional User Information for each hydrant that is greater than the four spaces provided as an attachment to the form.

Landowner's Name and County

1. Please provide the name of the Landowner on who's land the hydrant will be installed; and the county in which the Landowner resides.
2. The name of the individual filling out this Form may differ from the Landowner. The Landowner will be the individual(s) who owns the land in which the Dry Fire Hydrant location is/will be installed

Hydrant Location(s)

All Forms must include all point(s) of hydrants which can also be shown on the Form maps. (30 TAC § 295.26). Attach additional sheet(s) to the Form in the form of supplement(s) if more than four hydrant points are requested/has been installed.

1. In the space provided, indicate the Hydrant Identification Number, this number can be a specific unique identifier located on the hydrant (**example: DFH123456**) or the identifier can be numeric, indicating the hydrants are sequential (**example: #1, #2, and #3**); This will help identify the location of the hydrant relative to its GPS coordinates.
2. Location of hydrant point: latitude and longitude; Provide the latitude and longitude coordinates in decimal degrees, **to at least six decimal places** and indicate the method used to calculate the diversion point location.

EXAMPLE: latitude 98.016330°N, longitude 32.067122°W.

3. In the space provided, indicate the method used to calculate the location of the point (e.g., handheld GPS device, GIS, mapping program, etc.); the Form could also include a map that clearly identifies each point. For more instructions relating to mapping requirements, see below. Acceptable maps include USGS topographic maps, Google Earth imagery, aerial photographs, and similar. Staff can accept maps in a digital format. Staff will not consider county maps.
4. In addition, acceptable maps can be created using TCEQ's website located at <https://www.tceq.texas.gov/gis/sqmaview.html>. There is a link on this page to "GPS Coordinates with Google Maps". You can turn on or enable the satellite image. Once you have navigated to the location of your feature, click on the point and a Latitude and Longitude will be calculated to 6 decimal degrees.

Installing Entity Information:

1. Provide the name of the installing entity, example: "**John Doe Fire Department #2**" and;
2. Provide the date(s) that the entity installed the Dry Hydrant(s).

Mailing Address (User Contact)

1. Provide a complete mailing address for receiving mail from the TCEQ. The address must be verifiable with the US Postal Service (USPS) for regular mail delivery (not overnight express mail).

You may verify the address on the USPS website at

<https://tools.usps.com/go/ZipLookupAction!input.action>

2. If you find that the address is not verifiable using the USPS web search, please submit the address used by the USPS for regular mail delivery.
3. Provide a valid phone number and email for communication information of the person or persons that the TCEQ can contact for additional information regarding this Form. User should complete this section with their own contact information if the User wishes to be the point of contact for their Form, or may include the contact information for User's authorized representative.
4. If the User has a representative, the other User(s) are agreeing to allow one person to receive notices about the exemption on their behalf. Provide the name of an individual that can be contacted by the agency as needed during the duration of the exemption. Include their phone number(s) and mailing addresses if different than the permanent address used for the Form.

Reporting:

A Dry Fire Hydrant Reporting Form will be provided to each User, as required by 30 TAC §297.26 whereby the amount of state water diverted for this Exemption to Use State Water for Fire and Emergency use operation must be reported to the Commission within 60 days of use. To find out more information, or for help submitting a reporting Form, please contact the Water Rights Permitting Team at 512-239-4600 or e-mail us at wras@tceq.texas.gov. (*Pump testing of facilities is not required to be reported*)

Please see **Form TCEQ-10209a Reporting**, "Dry Fire Hydrant for Emergency Use of State Water Permit Exemption Reporting Sheet". The report requests:

1. The month and year of diversion
2. The Hydrant Identification Number associated with diversion
3. The total diverted amount
4. And the final date of use of State water

This reporting Form should also be signed. All persons signing the Form should meet the signatory requirements specified under 30 TAC §295.14.

Unless a Form is signed by an individual user, the person or persons must submit valid written evidence that they meet the signatory requirements in 30 TAC § 295.14.

Rural emergency service providers may also establish Dry Hydrant installations in streams and reservoirs, including exempt reservoirs as long as the following information is provided within 120 days after completion of installation of the hydrant. To find out more information, or for help submitting a reporting Form, please contact the Water Rights Permitting Team at 512-239-4600 or e-mail us at wras@tceq.texas.gov.

User Signature:

ALL FORMS MUST BE SIGNED

This will be your sworn statement of the facts contained in the Form. All individuals and entities listed as Users must print and sign a copy of this page of the Form. All persons signing the Form should meet the signatory requirements specified under 30 TAC §295.14.

Unless an Form is signed by an individual user, the person or persons must submit valid written evidence that they meet the signatory requirements in 30 TAC § 295.14.

30 TAC § 295.14 Signature of User or Entity

The Form shall be signed as follows:

1. If the user is an individual, the Form shall be signed by the User or the User's duly appointed agent. An agent shall provide written evidence of his or her authority to represent the User. If the User is an individual doing business under an assumed name, the User shall attach to the Form an assumed name certificate from the county clerk of the county in which the principle place of business is located.
2. If this Form is submitted by an individual or individuals, the person signing the Form must be the individual or individuals unless a document giving the signatory agency to act on the individuals' behalf is also submitted.
3. A joint Form shall be signed by each User or each User's duly authorized agent, with written evidence of such agency to be submitted with the Form. If land is owned by both husband and wife, each shall sign the Form. Joint Users shall select one among them to act for and represent the others in pursuing the Form with the commission, with written evidence of such representation to be submitted with the Form.
4. If the Form is by a partnership, the Form shall be signed by the general partner or one of the general partners. If the User is a partnership doing business under an assumed name, it shall attach to the Form an assumed name certificate from the county clerk of the county in which the principal place of business is located.
5. If the User is an estate or guardianship, the Form shall be signed by the duly appointed guardian or representative of the estate, and a current copy of the letters issued by the court shall be attached to the Form.
6. If the User is a corporation, public district, county, municipality or other corporate entity, the Form shall be signed by a duly authorized official. Written evidence in the form of by-laws, charters, or resolutions which specify the authority of the official to take such action shall be submitted. A corporation may file a corporate affidavit as evidence of the official's authority to sign.
7. If the User is acting as trustee for another, the User shall sign as trustee, and in the Form, shall disclose the nature of the trust agreement and give the name and current address of each trust beneficiary. Proper and complete trust documents must be submitted.

MISCELLANEOUS INFORMATION

Please note under Texas Administrative Code § 297.26, that ingress and egress authorizations are obtained from private property owners and/or public entities and that the hydrants installations conform to design and installation requirements and guidelines recommended by the USDA, Natural Resources Conservation Service.

1.Site:https://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/national/technical/cp/ncps/?cid=nrcs143_026849

2. Information Page:

https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1046853.pdf