**DEQ LANDOWNER NOTIFICATION AFFIDAVIT**

Tier I, II, or III permit applicants must provide notice to the landowner(s). The basis for this requirement is Title 27A of the Oklahoma Statutes, Supplement 1996, § 2-14-103(9), as described in OAC 252:4-7-13 (b).

**Please note that you MUST fill out and return this affidavit even if you don’t have to give any landowner notice.**

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| --- | --- |
| A | NOTICE TO THE LANDOWNER(S) IS NOT REQUIRED because: (check one) |
|  | My application does not involve any land. |
|  | My application involves only land owned by me (or applicant business). |
|  | I have a current lease given to accomplish the permitted purpose. |
|  | I have a current easement given to accomplish the permitted purpose. |

## OR

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| --- | --- | --- | --- |
| **B** | NOTICE TO THE LANDOWNER(S) IS REQUIRED because the land is owned by someone other than myself or the applicant business AND I HAVE NOTIFIED the following (check one): | | |
|  | Landowner(s) |  | Lessor or Administrator or Executor of the land |
| METHOD OF DELIVERY (check one): | | | |
|  | Actual notice, for which I have a signed and dated receipt | | |
|  | Service by Sheriff or private process server, for which I have an affidavit | | |
|  | Service by certified mail, restricted delivery, for which I have a signed return receipt | | |
|  | Legal publication, for which I have an affidavit of publication from the newspaper, because the landowners could not be located through due diligence | | |

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| LANDOWNER AFFIDAVIT CERTIFICATION | | | | | | | |
| I, as the applicant or an authorized representative of the applicant, hereby certify that I own the real property, have a current lease or easement which is given to accomplish the permitted purpose (per Option A above), or have provided legal notice to the landowner(s) (per Option B above) about the permit application for the facility described below. | | | | | | | |
| Company Name |  | | Facility Name | |  | | |
| Facility Address or Legal Description. |  | | | | | | |
| Responsible Official (signature) | |  | | | | Date Signed |  |
| Responsible Official (typed) | |  | | Title | |  | |

If the landowner notice applies to your application (Option B above) you can send the following form to them as your notice:

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NOTICE TO LANDOWNER OF FILING

Dear Landowner: (Name)

(Applicant name) has filed a permit application with the Oklahoma

Department of Environmental Quality for (Facility Name) facility.

This application involves the land owned by you located at:

Address or Legal Description:

Signed: Date: