

DEQ LANDOWNER NOTIFICATION AFFIDAVIT

Tier I, II, or III permit applications in which the applicant does not own all the land subject to the application must notify the owner(s) of leases and/or pipeline right-of-ways. The basis for this requirement is Title 27A of the Oklahoma Statutes § 2-14-103(9), as described in OAC 252:004-7-13(b).

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

A	NOTICE TO THE LANDOWNER(S) IS NOT REQUIRED because: (check one)		
	<input type="checkbox"/> My application does not involve any land.		<input type="checkbox"/> My application involves only land owned by me (or applicant business).

OR

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):		
	<input type="checkbox"/> Landowner(s)		<input type="checkbox"/> Lessor or Administrator or Executor of the land
METHOD OF DELIVERY (check one):			
	<input type="checkbox"/> Actual notice, for which I have a signed and dated receipt		
	<input type="checkbox"/> Service by Sheriff or private process server, for which I have an affidavit		
	<input type="checkbox"/> Service by certified mail, restricted delivery, for which I have a signed return receipt		
	<input type="checkbox"/> Legal publication, for which I have an affidavit of publication from the newspaper, because the landowners could not be located through due diligence		
MY RIGHT TO USE THIS LAND is by:			
	<input type="checkbox"/> Lease	<input type="checkbox"/> Easement	<input type="checkbox"/> Other, Specify _____

LANDOWNER AFFIDAVIT CERTIFICATION			
I, as the applicant or an authorized representative of the applicant, hereby certify that notice to the landowner(s) about the permit application for the facility described below was provided per Option A or B above.			
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:

NOTICE TO LANDOWNER OF FILING	
Dear Landowner: (Name) _____	
(Applicant name) _____ has filed a permit application with the Oklahoma Department of Environmental Quality for (Name) _____ facility.	
This application involves the land owned by you located at:	
Address or Legal Description: _____	
Signed: _____	Date: _____