

## METALS GLOSSARY

1. Statutory Agent – The person or entity to whom any legal notice may be delivered at each location.
2. Required Ownership Documents - In order to conduct business in the State of Texas, business owners must file the proper documentation with the State and/or County. As part of your Metals Registration Application, please select your business type from the list below and be prepared to upload or fax the appropriate documentation.
  - a) **Sole proprietorship:** If the business is conducted under an assumed name (a name other than the surname of the individual), then an **assumed name certificate** is necessary. If the owner conducts business under his own surname, then a letter to that affect must be submitted instead of the assumed name certificate.
  - b) **General partnership:** If the business of the partnership is conducted under an assumed name (a name that does not include the surname of all of the partners), then an **assumed name certificate**. If the partners conduct business under their own surnames, then a letter to that affect must be submitted instead of the assumed name certificate.
  - c) **Corporations, Limited Liability Companies, Limited Partnerships:** A copy of the **certificate of formation** filed with the Texas Secretary of State. (If the Corporation is filed outside the State of Texas, the Corporation must file as a Foreign Corporation with the Texas Secretary of State. Foreign Corporations must then submit a copy of the **certificate of filing** for this application.)
  - d) **Limited Liability Partnership:** A copy of the **registration form** filed with the Texas Secretary of State.

For more information see the Secretary of State link:

<http://www.sos.state.tx.us/corp/businessstructure.shtml>

3. Business Owner(s) – A proprietor, partner, member or individual listed in the ownership documents
4. Location – A building or structure at which the applicant proposes to conduct business for which a certificate of occupancy can be issued. **(combined language from 36.1(f) and 36.3 (d))**
5. City/County Permits – Any license/permit issued by a county, municipality or political subdivision to a business to allow the business to act as a metal recycling entity.
6. Issuing Authority – Any county, municipality or political subdivision that issues permits to businesses allowing the business to act as a metal recycling entity.
7. Metal Recycling Entity – A business that is operated from a fixed location and predominantly engaged in:

- a. Performing the manufacturing process by which scrap, used, or obsolete ferrous or nonferrous metal is converted into raw material products consisting of prepared grades and having an existing or potential economic value, by a method that in part requires the use of powered tools and equipment, including processes that involve processing, sorting, cutting, classifying, cleaning, baling, wrapping, shredding, shearing, or changing the physical form of that metal;
- b. The use of raw material products described under Paragraph (A) in the manufacture of producer or consumer goods; or
- c. Purchasing or otherwise acquiring scrap, used, or obsolete ferrous or nonferrous metals for the eventual use of the metal for the purposes described by Paragraph (A) or (B).