



Standardized Authorizations: Permits by Rule and Standard Permits

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Air Permits Division

Environmental Trade Fair 2023

Overview

- Types of NSR Authorizations
- 106.261/106.262 Case Study
- Submitting Applications
- ePermitting

Types of NSR Authorizations

De Minimis

Permit by Rule

Standard
Permit

Case-by-Case

Emissions Increasing



De Minimis

- Negligible Sources
- Industry/Activity Specific
- Typically, no paperwork
- Keep Records

Permit by Rule

Standard
Permit

Case-by-Case

Emissions Increasing



De Minimis

Permit by Rule

- Must meet all conditions
- Register or claim

Standard
Permit

Case-by-Case

Emissions Increasing



De Minimis

Permit by Rule

Standard
Permit

- Industry / facility specific
- Renew every 10 years

Case-by-Case

Emissions Increasing



De Minimis

Permit by Rule

Standard
Permit

Case-by-Case

- Special conditions and emission rates
- Renew every 10 years
- Public notice
- Not specific to an industry

Emissions Increasing



Chapter 106 Subchapters

- Subchapter E: Aggregate and Pavement
- Subchapter K: General
- Subchapter O: Oil and Gas
- Subchapter S and T: Surface Coating and Surface Preparation
- Subchapter U: Tanks, Storage, and Loading

Subchapter E: Aggregate and Pavement

- 30 TAC § 106.141 - Batch Mixers
- 30 TAC § 106.144 - Bulk Mineral Handling
- 30 TAC § 106.146 - Soil Stabilization
Plants

Subchapter K: General

- 30 TAC § 106.261 – Facilities (Emission Limitations)
- 30 TAC § 106.262 – Facilities (Emission & Distance Limitations)
- 30 TAC § 106.264 – Replacement of facilities

Subchapter O: Oil and Gas

- 30 TAC § 106.352 – Oil and Gas Handling and Production Facilities
- 30 TAC § 106.359 – Planned Maintenance, Startup, and Shutdown (MSS) at Oil and Gas Handling and Production Facilities

Subchapters S and T

- 30 TAC § 106.433 – Surface Coating
- 30 TAC § 106.436 – Autobody Refinishing Facility
- 30 TAC § 106.452 – Dry Abrasive Cleaning

Subchapter U

- 30 TAC § 106.472 – Organic and Inorganic Loading and Unloading
- 30 TAC § 106.473 – Organic Loading and Unloading
- 30 TAC § 106.478 – Storage Tank and Change of Service

Permit By Rule

30 TAC Chapter 106



Emission Rates



Conditions



Claim/Register/Certify

Emission Thresholds

§106.4 – General Thresholds

- 250 tpy CO & NO_x
- 25 tpy VOC, SO₂, & PM
- 15 tpy PM₁₀
- 10 tpy PM_{2.5}

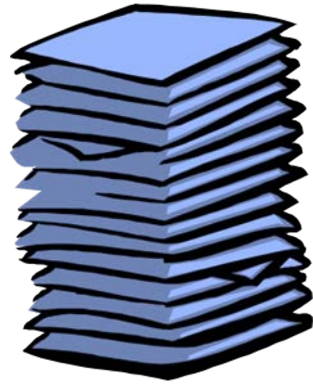
§106.261 – PBR Specific Thresholds

- 6 lb/hr
- 10 tpy
- 1 lb/hr
- 4.38 tpy

Conditions

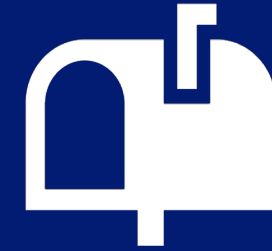
All conditions of the rule must be met, no exceptions.

All facilities on a site must be authorized appropriately.



Claiming

- Maintain records on site to show compliance with rules and regulations



Registering

- Submit documentation to TCEQ with fee
- Emission limits must stay within §106.4 or PBR-specific limits

Certifying



- [§106.6\(a\)](#): Federally enforceable emission rates
- [§106.6\(b\)](#): What the company represents, they are bound to
- [§106.6\(c\)](#): Changes of representation, that result in change to emissions, require a revised certification

Reasons to Certify

Emission limitations for Title V applicability

Federal and State applicability

Control/destruction efficiency claims

Limiting operating hours

Standard Permits

- General requirements are listed in 30 TAC §116.610-615
- Registration Requirements under §116.615(2):
 - New facilities – Submit registration prior to construction
 - Modifications – Submit notification no later than 30 days after the change
- 10-year renewal cycle

Standard Permits Reviewed by Rule Registrations

- Oil and Gas
- Municipal Solid Waste
- Pollution Control Projects
- Animal Carcass Incinerator
- Boilers
- Electric Generating Units
- Marine Loading Operations

Standard Permits Reviewed by Mechanical / Coatings

- Concrete Batch Plants
- Rock and Concrete Crushers
- Hot Mix Asphalt Plants
- Feedmills, Portable Augers, and Hay Grinders
- Temporary and Permanent Polyphosphate Blenders

Claimed Standard Permits

- Anhydrous Ammonia Storage and Distribution Operations
- Cotton Gin Facilities and Cotton Burr Tub Grinders
- Grain Elevator/Grain Handling Operations and Portable Grain Augers
- Dry Bulk Fertilizer Handling Operations
- Peanut-Handling Operations
- Feedmills, Portable Augers, and Hay Grinders [Other than (5)(A)]

**Permits by Rule
§106.261 and §106.262**

Facilities Limits

§106.261

- 6 lb/hr
- 10 tpy

- 1 lb/hr
- 4.38 tpy

§106.262

$$E = L/K$$

Emissions table in 262

1997 TLVs and BEIs

§106.261

Annual notification:

Prepare it all together

5 tpy threshold

Account for upstream/downstream

Represent associated NSR permit(s)

**Permits by Rule
§106.261 and §106.262
Workbook**

Permits by Rule General Facilities Workbook - Single Project

Rule Regulation Section

Air Permits Division

Texas Commission on Environmental Quality

Form 20895, Version 4.0

This workbook is a tool provided for projects being authorized under Permits by Rule (PBR) 30 TAC §§ 106.261 and/or 106.262.

Instructions:

This workbook 20895 or 20896 (in Excel format) is required for all PBR applications submitted under these rules. Please answer the questions and fill in emissions data in the input / yellow cells.

Please check our website to be sure you use the latest version of the workbook for all the features and accurate information. Also, please complete the workbook in the order of the worksheets.

Under Texas Government Code 559.003(a), individuals are entitled to receive and review any information collected by TCEQ about the individual by means of a form that that is completed and filed with TCEQ in a paper or electronic format on the TCEQ website consistent with Texas Government Code sec., 559.003(b). The individual is also entitled to have TCEQ correct information about the individual that is incorrect.

If you have questions on how to fill out this form or about the Air Permits Division, please contact us at 512-239-1250.

For rule language of §§106.261 and 106.262, please visit the Texas Secretary of State (SOS) website:

[https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=5&ti=30&pt=1&ch=106&sch=K&rl=Y](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=30&pt=1&ch=106&sch=K&rl=Y)

General Information

This sheet provides general rule information for both General Facility PBRs.

Instructions:

Please fill out all input / yellow cells unless marked optional. Attach the federal applicability review to the application for each project.

An optional supplemental information field has been provided at the end of this worksheet. This field should be used for demonstration of rule or policy compliance.

I. Project Information

Requested Information

Response

Company Name

Site Description

General Project Description

I acknowledge that I am submitting an authorized TCEQ workbook and any necessary attachments. Except for inputting the requested data and adjusting row height, I have not changed the TCEQ application workbook in any way, including but not limited to changing formulas, formatting, content, or protections.

Please indicate which rule, or both, are applicable to this project:

Does this project authorize a new facility, modify a New Source Review (NSR) Case-by-Case existing permitted facility, or both?

Is this site only authorized under Permits by Rule?

Is this located at a federal NSR major source (PSD or NNSR)?

Is there an associated NSR Case-by-Case permit?

Please enter the associated NSR permit(s):

II. General Rule Requirements for §106.261 and/or §106.262

30 TAC §106.261 Checklist

This sheet provides compliance demonstration and emission thresholds for 30 TAC §106.261.

Instructions:

Please fill out all input / yellow cells unless marked optional. Also, please note that emissions must be fully speciated and cannot have general categories listed (e.g. "

I. General Information

Are emission increases being authorized under §106.261 five tons per year or greater?

Is this project an annual notification?

II. §106.261(a)(2)

Are there new or increased emissions listed under §106.261(a)(2), including fugitives, less than or equal to 6.0 pounds per hour (lb/hr) and ten tons per year? Yes

Please select chemical and enter emission rates:

Chemical	Criteria Pollutant Designation	CAS No. (optional input)	Emission Threshold (lb/hr)	Emission Threshold (tpy)	Hourly Emissions (lb/hr)	Annual Emissions (tpy)	Meets Threshold?
			6.00	10.00			
			6.00	10.00			
			6.00	10.00			
			6.00	10.00			
			6.00	10.00			
			6.00	10.00			
			6.00	10.00			
			6.00	10.00			
			6.00	10.00			
			6.00	10.00			
			6.00	10.00			
			6.00	10.00			
			6.00	10.00			
			6.00	10.00			
			6.00	10.00			

List-261 chemicals

This reference sheet provides the list of chemicals detailed in §106.261(a)(2).

Instructions:

Search or use the filter to review applicable chemicals.

Chemical

Acetylene

Argon

Butane

Crude Oil

Refinery Petroleum Fractions (except for pyrolysis naphthas and pyrolysis gasoline)
containing less than ten volume percent benzene

Carbon Monoxide

Cyclohexane

Cyclohexene

Cyclopentane

Ethyl Acetate

Ethanol

Ethyl Ether

Ethylene

Fluorocarbons Numbers 11, 12, 13, 14, 21, 22, 23, 113, 114, 115, and 116

Helium

This reference sheet provides the list of chemicals detailed in §106.262(a)(2).

Instructions:

Search or use the filter to review applicable chemicals.

Chemical	L mg/m ³
Acetone	590
Acetaldehyde	9
Acetone Cyanohydrin	4
Acetonitrile	34
Acetylene	2662
N-Amyl Acetate	2.7
Sec-Amyl Acetate	1.1
Benzene	3
Beryllium and Compounds	0.0005
Boron Trifluoride, as HF	0.5
Butyl Alcohol, -	76
Butyl Acrylate	19
Butyl Chromate	0.01
Butyl Glycidyl Ether	30
Butyl Mercaptan	0.3
Butyl Methacrylate	1.1

List-1997 ACGIH

This reference sheet provides the list of chemicals detailed in §106.262(a)(2).

Instructions:

Search or use the filter to review applicable chemicals.

Substance	CAS No.
6 Acetaldehyde	75-07-0
7 Acetic acid	64-19-7
8 Acetic anhydride	108-24-7
9 Acetophenone	98-86-2
10 Acetylene dichloride	
11 Acetylene tetrabromide	79-27-6
12 Acetylsalicylic acid (Aspirin)	50-78-2
13 Acrolein	107-02-8
14 Acrylamide	79-06-1
15 Acrylic acid	79-10-7
16 Acrylonitrile	107-13-1
17 Adipic acid	124-04-9
18 Adiponitrile	111-69-3
19 Aldrin	309-00-2

§§106.261/262 Case Study

Chemical plant with an NSR permit

Adding 10 flanges to existing piping for maintenance

Emits Butane, Benzene, Emery, Di-n-butyl-ether, and Heptane

§§106.261/262 Case Study Order

§106.261(a)(2)

§106.262

§106.261(a)(3)

7 Is this project an annual notification? No

8

9 **II. §106.261(a)(2)**

10 Are there new or increased emissions listed under §106.261(a)(2), including fugitives, less than or equal to 6.0 pounds per hour (lb/hr) and ten tons per year? Yes

11 **Please select chemical and enter emission rates:**

12	Chemical	Criteria Pollutant Designation	CAS No. (optional input)	Emission Threshold (lb/hr)	Emission Threshold (tpy)	Hourly Emissions (lb/hr)	Annual Emissions (tpy)	Meets Threshold?
13	Butane			6.00	10.00			
14	Butane			6.00	10.00			
15	Crude Oil			6.00	10.00			
16	Refinery Petroleum Fractions (except for py			6.00	10.00			
17	Carbon Monoxide			6.00	10.00			
18	Cyclohexane			6.00	10.00			
19	Cyclohexene			6.00	10.00			
20	Cyclopentane			6.00	10.00			
21	Ethyl Acetate			6.00	10.00			
22				6.00	10.00			
23				6.00	10.00			
24				6.00	10.00			
25				6.00	10.00			
26				6.00	10.00			
27				6.00	10.00			
28				6.00	10.00			
29				6.00	10.00			
30				6.00	10.00			
31				6.00	10.00			
32				6.00	10.00			

7 Is this project an annual notification? No

8

9 **II. §106.261(a)(2)**

10 Are there new or increased emissions listed under §106.261(a)(2), including fugitives, less than or equal to 6.0 pounds per hour (lb/hr) and ten tons per year? Yes

11 **Please select chemical and enter emission rates:**

12	Chemical	Criteria Pollutant Designation	CAS No. (optional input)	Emission Threshold (lb/hr)	Emission Threshold (tpy)	Hourly Emissions (lb/hr)	Annual Emissions (tpy)	Meets Threshold?
13	Butane			6.00	10.00	2.33	1.89	Yes
14		VOC		6.00	10.00			
15		PM		6.00	10.00			
16		Other		6.00	10.00			
17				6.00	10.00			
18				6.00	10.00			
19				6.00	10.00			
20				6.00	10.00			
21				6.00	10.00			
22				6.00	10.00			
23				6.00	10.00			
24				6.00	10.00			
25				6.00	10.00			
26				6.00	10.00			
27				6.00	10.00			
28				6.00	10.00			
29				6.00	10.00			
30				6.00	10.00			
31				6.00	10.00			
32				6.00	10.00			

List-262 chemicals

This reference sheet provides the list of chemicals detailed in §106.262(a)(2).

Instructions:

Search or use the filter to review applicable chemicals.

Chemical	L mg/m ³
Acetone	590
Acetaldehyde	9
Acetone Cyanohydrin	4
Acetonitrile	34
Acetylene	2662
N-Amyl Acetate	2.7
Sec-Amyl Acetate	1.1
Benzene	3
Beryllium and Compounds	0.0005
Boron Trifluoride, as HF	0.5
Butyl Alcohol, -	76
Butyl Acrylate	19
Butyl Chromate	0.01
Butyl Glycidyl Ether	30
Butyl Mercaptan	0.3
Butyl Methacrylate	1.1

30 TAC §106.262 Checklist

This sheet provides compliance demonstration and emission thresholds for 30 TAC §106.262.

Instructions:

Please fill out all input / yellow cells unless marked optional. For multiple K values, please submit additional copies of this worksheet, or submit the multiple projects version. For the same chemical, the worst-case distance shall be used.

I. §106.262(a)(2)

New or increased emissions, including fugitives, of chemicals shall not be emitted in a quantity greater than five tons per year nor in a quantity greater than E as determined using the equation $E = L/K$.

Are the chemicals being registered included in Table 262 of 30 TAC §106.262(a)(2)? Yes

Distance to nearest off-plant receptor (feet): 300

K value: 139

Chemicals listed in the 1997 Edition of the ACGIH TLV and BEI Guide are available in this worksheet beginning on Row 36.

Please select applicable chemicals from dropdown and enter emission rates:

Chemical	Criteria Pollutant Designation	CAS No. (optional input)	L Value (mg/m ³)	E, maximum Hourly Emission Threshold (lb/hr)	Annual Emission Threshold (tpy)	Actual Hourly Increases (lb/hr)	Actual Annual Increase (tpy)	Meets Threshold?
			0	0	0			
			0	0	0			
			0	0	0			
			0	0	0			
			0	0	0			
			0	0	0			

30 TAC §106.262 Checklist

This sheet provides compliance demonstration and emission thresholds for 30 TAC §106.262.

Instructions:

Please fill out all input / yellow cells unless marked optional. For multiple K values, please submit additional copies of this worksheet, or submit the multiple chemical, the worst-case distance shall be used.

I. §106.262(a)(2)

New or increased emissions, including fugitives, of chemicals shall not be emitted in a quantity greater than five tons per year nor in a quantity greater than equation $E = L/K$.

Are the chemicals being registered included in Table 262 of 30 TAC §106.262(a)(2)?

Distance to nearest off-plant receptor (feet):

K value:

Chemicals listed in the 1997 Edition of the ACGIH TLV and BEI Guide are available in this worksheet beginning on Row 36.

Please select applicable chemicals from dropdown and enter emission rates:

Chemical	Criteria Pollutant Designation	CAS No. (optional input)	L Value (mg/m ³)	E, maximum Hourly Emission Threshold (lb/hr)	Annual Emission Threshold (tpy)	Actual Hourly Increases (lb/hr)	Actual Annual Increases (tpy)
			0	0	0		
Acetonitrile			0	0	0		
Acetylene			0	0	0		
N-Amyl Acetate			0	0	0		
Sec-Amyl Acetate			0	0	0		
Benzene			0	0	0		
Beryllium and Compounds			0	0	0		
Boron Trifluoride, as HF			0	0	0		
Butyl Alcohol, -			0	0	0		

30 TAC §106.262 Checklist

This sheet provides compliance demonstration and emission thresholds for 30 TAC §106.262.

Instructions:

Please fill out all input / yellow cells unless marked optional. For multiple K values, please submit additional copies of this worksheet, or submit the multiple projects versus same chemical, the worst-case distance shall be used.

I. §106.262(a)(2)

New or increased emissions, including fugitives, of chemicals shall not be emitted in a quantity greater than five tons per year nor in a quantity greater than E as determined by the equation $E = L/K$.

Are the chemicals being registered included in Table 262 of 30 TAC §106.262(a)(2)?	Yes
Distance to nearest off-plant receptor (feet):	300
K value:	139

Chemicals listed in the 1997 Edition of the ACGIH TLV and BEI Guide are available in this worksheet beginning on Row 36.

Please select applicable chemicals from dropdown and enter emission rates:

Chemical	Criteria Pollutant Designation	CAS No. (optional input)	L Value (mg/m ³)	E, maximum Hourly Emission Threshold (lb/hr)	Annual Emission Threshold (tpy)	Actual Hourly Increases (lb/hr)	Actual Annual Increase (tpy)	Meet Threshold
Benzene	VOC		3	0.02	0.09	0.02	3.00E-03	Yes
	VOC		0	0	0			
	PM		0	0	0			
	Other		0	0	0			
			0	0	0			
			0	0	0			
			0	0	0			
			0	0	0			
			0	0	0			
			0	0	0			

232	Dipropylene glycol methyl ether	34590-94-8
233	Dipropyl ketone	123-19-3
234	Diquat - Inhalable	2764-72-9
235	Diquat - Respirable	2764-72-9
236	Di-sec-octyl phthalate	117-81-7
237	Disulfiram	97-77-81
238	Disulfoton	298-04-4
239	2,6-Di-tert-butyl-p-cresol	128-37-0
240	Diuron	330-54-1
241	Divinyl benzene	1321-74-0
242	Emery	1302-74-5
243	Endosulfan	115-29-7
244	Endrin	72-20-8
245	Enflurane	13838-18-9
246	Enzymes	
247	Epichlorohydrin	106-89-8
248	EPN	2104-64-5
249	2,3-Epoxy-1-propanol	
250	Ethanol	64-17-5
251	Ethanolamine	141-43-5
252	Ethion	563-12-2

34 Are the chemicals being registered not listed in Table 262, but have a published TLV in the 1997 Edition of the ACGIH TLV and BEI Guide? Yes

35 Please select applicable chemicals from dropdown and enter emission rates:

	Chemical	Criteria Pollutant Designation	CAS No.	L Value (mg/m ³)	E, maximum Hourly Emission Threshold (lb/hr)	Annual Emission Threshold (tpy)	Actual Hourly Increases (lb/hr)	Actual Annual Increase (tpy)	Meets Thres
36									
37	Emery		1302-74-5	10	0.07	0.32			
	<div style="border: 1px solid black; padding: 2px;"> Emery Endosulfan Endrin Enflurane Enzymes Epichlorohydrin EPN 2,3-Epoxy-1-propanol </div>								
43									
44									
45									
46									
47									
48									
49									
50									
51									
52									
53									
54									
55									
56									

NOTE: The time weighted average (TWA) Threshold Limit Value (TLV) published by the American Conference of Governmental Industrial Hygienists (ACGIH), in its TLV and BEIs (Biological Exposure Indices) guide (1997 Edition) shall be used for compounds not included in the table. The Short Term Exposure Level (STEL) or Ceiling Limit Value (CLV) shall be used for compounds included in the table.

34 Are the chemicals being registered not listed in Table 262, but have a published TLV in the 1997 Edition of the ACGIH TLV and BEI Guide?

35 Please select applicable chemicals from dropdown and enter emission rates:

	Chemical	Criteria Pollutant Designation	CAS No.	L Value (mg/m ³)	E, maximum Hourly Emission Threshold (lb/hr)	Annual Emission Threshold (tpy)	Actual Hourly Increases (lb/hr)
36							
37	Emery		1302-74-5	10	0.07	0.32	0.02
38							
39							
40							
41							
42							
43							
44							
45							
46							
47							
48							
49							
50							
51							
52							
53							
54							

34 **III. §106.261(a)(3)**

35 Are there new or increased emissions, including fugitives, less than or equal to 1.0 lb/hr of any chemical having a limit value (L) greater than 200 milligrams per cubic meter (mg/m³) as listed and referenced in Table 262 of 30 TAC § 106.262 relating to Facilities (Emission and Distance Limitations)?

36 Are there new or increased emissions, including fugitives, less than or equal to 1.0 lb/hr of any chemical not listed or referenced in Table 262?

37 Please enter the chemical name, L value (for chemicals listed in table 262), and emission rates:

If there is no L value available for the chemical, then leave the L value blank.

38	Chemical	Criteria Pollutant Designation	L Value (mg/m ³)	CAS No. (optional input)	Emission Threshold (lb/hr)	Emission Threshold (tpy)	Hourly Emissions (lb/hr)	An Em
39	Di-n-butyl-ether	VOC			1.00	4.38	0.80	1.3
40								
41								
42								
43								
44								
45								
46								
47								
48								
49								
50								
51								
52								
53								
54								
55								

§106.261(a)(3) Rule Language L Value

(3) ...emissions, including fugitives, shall not exceed 1.0 lb/hr of any chemical having a limit value (L) greater than 200 milligrams per cubic meter...

34 **III. §106.261(a)(3)**

35 Are there new or increased emissions, including fugitives, less than or equal to 1.0 lb/hr of any chemical having a limit value (L) greater than 200 milligrams per cubic meter (mg/m³) as listed and referenced in Table 262 of 30 TAC § 106.262 relating to Facilities (Emission and Distance Limitations)?

36 Are there new or increased emissions, including fugitives, less than or equal to 1.0 lb/hr of any chemical not listed or referenced in Table 262? Ye

37 Please enter the chemical name, L value (for chemicals listed in table 262), and emission rates:

If there is no L value available for the chemical, then leave the L value blank.

38	Chemical	Criteria Pollutant Designation	L Value (mg/m ³)	CAS No. (optional input)	Emission Threshold (lb/hr)	Emission Threshold (tpy)	Hourly Emissions (lb/hr)	Annual Emissions (tpy)	Me Th
39	Di-n-butyl-ether	VOC			1.00	4.38	0.80	1.36	Ye
40	Heptane	VOC			1.00	4.38	0.35	1.53	Ye
41									
42									
43									
44									
45									
46									
47									
48									
49									
50									
51									
52									
53									
54									
55									
56									
57									
58									

The Totals Must Match

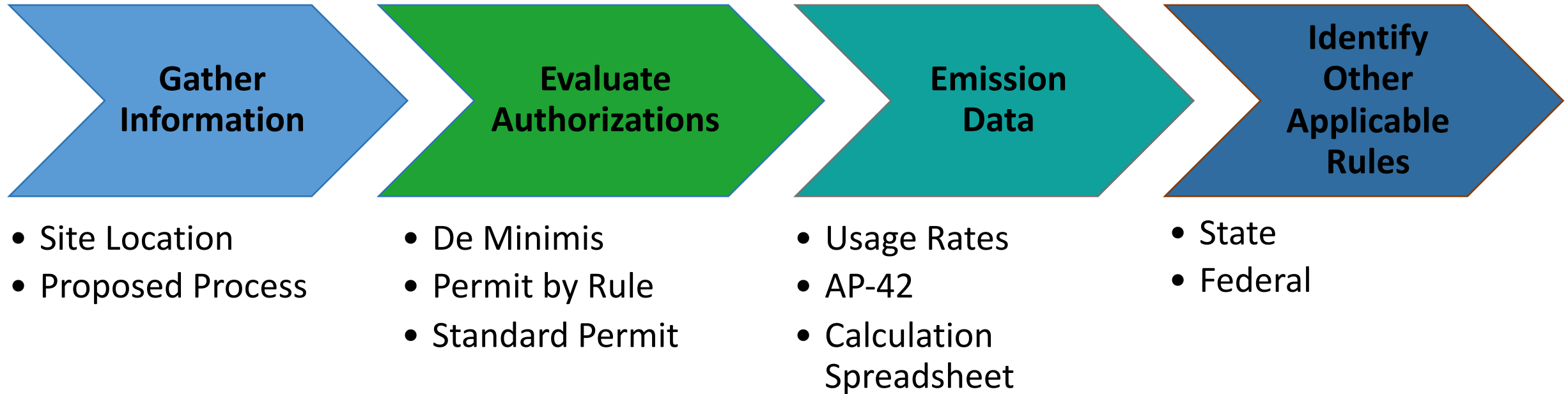
§§106.261/262 Table:

VOC= 3.52 lb/hr and 4.79 tpy

Emission Summary Table:

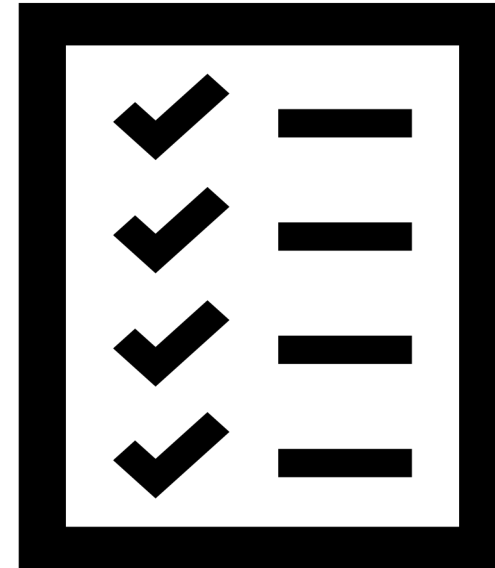
VOC = 3.52 lb/hr and 4.79 tpy

Permitting Approach



The Application Package

- Site and customer information
- Process and project description
- Process flow diagram
- Rule compliance demonstration
- Estimated emissions and supporting calculations

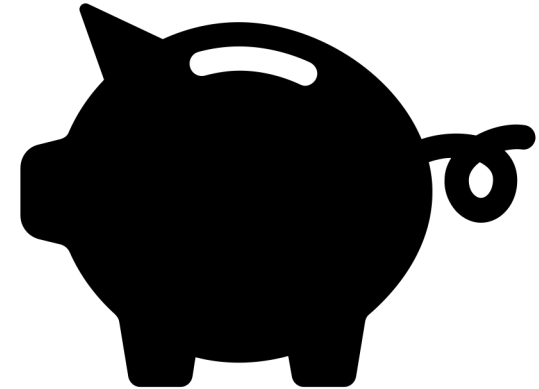


Application Acceptance Criteria

- Effective September 1, 2022, the TCEQ may not accept Permit by Rule registrations that do not include a Table 1(a) or equivalent emission summary table, emission calculations, or a process/project description.
- Beginning September 1, 2023, TCEQ may not accept certain Standard Permit applications if the above listed documents are not included.
- If a registration is not accepted, the company will be notified and the registration can be submitted within six months at no additional cost.

Registration Fees

- Permits by Rule
- Standard Permits
- Case-by-Case Permits
- Expedited



Streamlining

- STEERS (ePermitting)
- Expedited
- TCEQ Calculation Spreadsheets
 - §106.261/§106.262 Workbook
 - Marine Loading Operation PI-1S Workbook

Contact Information

Crystal DelaCruz

Rule Registrations Section | Air Permits Division

Texas Commission on Environmental Quality

Email: Crystal.DelaCruz@tceq.Texas.gov