

Air Permitting Overview

Texas Commission on Environmental Quality
Small Business & Local Government Assistance

Jennifer Schmidt



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1-800-447-2827 www.TexasEnviroHelp.org



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Programs Offer

- Free and confidential technical assistance
- Multi-media compliance tools



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Air Permitting Overview

- TCEQ Permitting Process
 - NSR Construction Authorizations
 - Federal Operating Permits
- Additional permitting concerns



NSR Authorizations

30 TAC §116.110(a)

- “Construction Authorizations”
- Facility--A discrete or identifiable structure, device, item, equipment, or enclosure that constitutes or contains a stationary source...(30 TAC §116.10(4))



Texas Administrative Code

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 116	CONTROL OF AIR POLLUTION BY PERMITS FOR NEW CONSTRUCTION OR MODIFICATION
SUBCHAPTER B	NEW SOURCE REVIEW PERMITS
DIVISION 1	PERMIT APPLICATION
RULE §116.110	Applicability

(a) Permit to construct. Before any actual work is begun on the facility, any person who plans to construct any new facility or to engage in the modification of any existing facility which may emit air contaminants into the air of this state shall either:

- (1) obtain a permit under §116.111 of this title (relating to General Application);
- (2) satisfy the conditions for a standard permit under the requirements in:
 - (A) Subchapter F of this chapter (relating to Standard Permits);
 - (B) Chapter 321, Subchapter B of this title (relating to Concentrated Animal Feeding Operations);
 - (C) Chapter 332 of this title (relating to Composting); or
 - (D) Chapter 330, Subchapter N of this title (relating to Landfill Mining);
- (3) satisfy the conditions for a flexible permit under the requirements in Subchapter G of this chapter (relating to Flexible Permits);
- (4) satisfy the conditions for facilities permitted by rule under Chapter 106 of this title (relating to Permits by Rule); or
- (5) satisfy the criteria for a de minimis facility or source under §116.119 of this title (relating to De Minimis Facilities or Sources).

(b) Modifications to existing permitted facilities. Modifications to existing permitted facilities may be handled through the amendment of an existing permit.

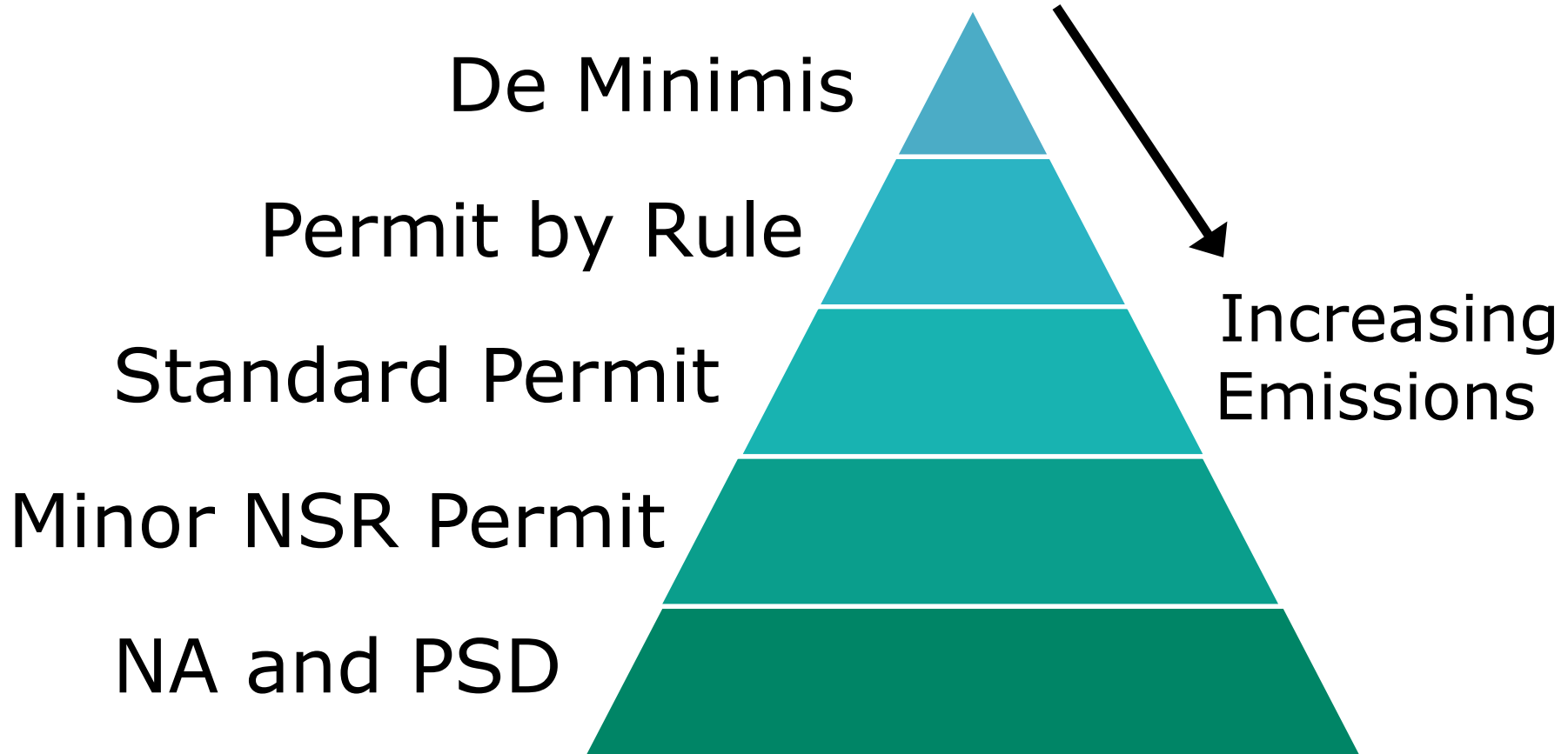
(c) Compliance history. For all authorizations listed in subsections (a) and (b) of this section or §116.116 of this title (relating to Changes to Facilities), compliance history records shall be maintained under Chapter 60 of this title (relating to Compliance History).

(d) Exclusion. Owners or operators of affected sources (as defined in §116.15(1) of this title (relating to Section 112(g) Definitions)) subject to Subchapter C of this chapter (relating to New Source Review Permits) shall not be subject to the requirements of this section.

[https://texreg.sos.state.tx.us/public/readtac\\$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&p_g=1&p_tac=&ti=30&pt=1&ch=116&rl=110](https://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&p_g=1&p_tac=&ti=30&pt=1&ch=116&rl=110)

NSR Authorizations

30 TAC §116.110(a)



Air Contaminants

- Criteria Pollutants & precursors

Carbon Monoxide (CO), Lead (Pb), Nitrogen Dioxide (NO₂), Ozone (O₃), Sulfur Oxides (SO_x), Particulate Matter (PM), Volatile Organic Compounds (VOC)

- Hazardous Air Pollutants (HAP)



Quantify Emissions

- Actual vs. Potential
- Major vs. Minor
- Major Sites*:
 - PTE > 100 tpy of any pollutant
 - PTE > 10 tpy single HAP; > 25 tpy combination of HAPs.



NSR Authorizations

De Minimis

Permit by Rule

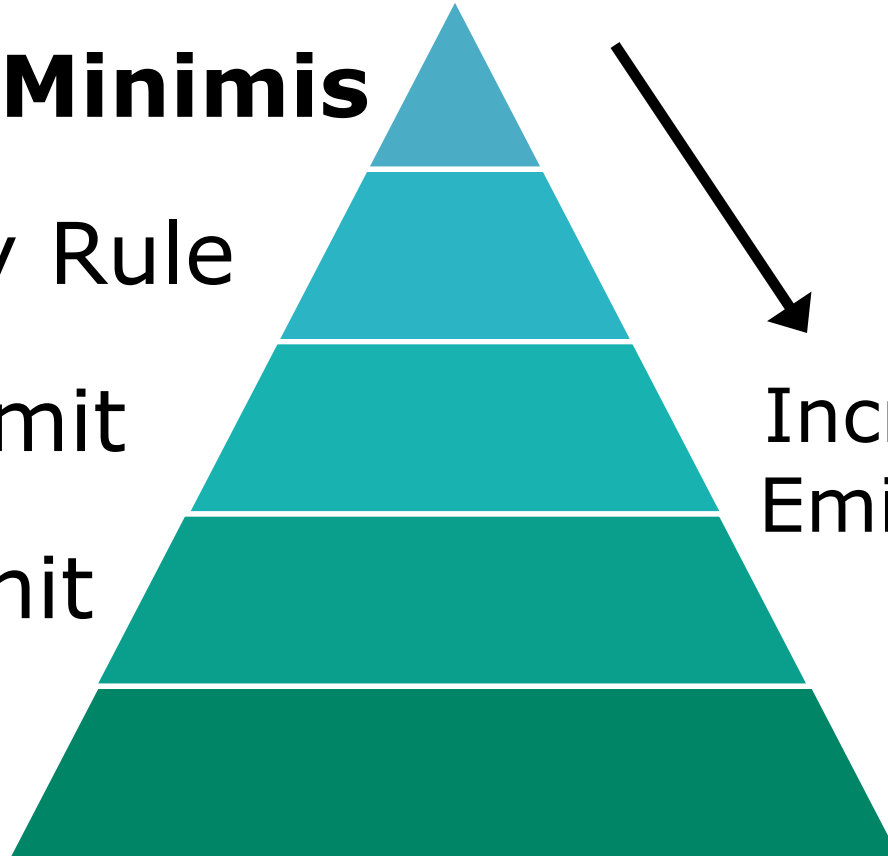
Standard Permit

Minor NSR Permit

NA and PSD



Increasing
Emissions



De Minimis

- 30 TAC §116.110(a)(5)
- Rule Requirements in 30 TAC §116.119
- Negligible sources
- Industry or activity specific



De Minimis

- No paperwork submitted
- Keep records
- Must meet all conditions exactly
- No Violations!



De Minimis

4 routes:

- 30 TAC §116.119 limits
- De Minimis list
- Effects Screening Levels (ESL)
- Petition the Executive Director



De Minimis

[<<Prev Rule](#)

[Next Rule>>](#)

Texas Administrative Code

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DIVISION 1	PERMIT APPLICATION
RULE §116.119	De Minimis Facilities or Sources

(a) Facilities or sources that meet the conditions of one or more of the paragraphs of this subsection are considered by the commission to be de minimis, which means that registration or authorization prior to construction is not required:

- (1) categories of facilities or sources included on the list entitled "De Minimis Facilities or Sources;"
- (2) facilities or sources at a site which, in combination, use the following materials at no more than the rate prescribed in subparagraphs (A) - (F) of this paragraph:
 - (A) cleaning and stripping solvents, 50 gallons per year;
 - (B) coatings (excluding plating materials), 100 gallons per year;
 - (C) dyes, 1,000 pounds per year;
 - (D) bleaches, 1,000 gallons per year;
 - (E) fragrances (excluding odorants), 250 gallons per year;

[https://texreg.sos.state.tx.us/public/readtac\\$ext.TacPage?sl=R&app=9&pdire=&ploc=&ploc=&pg=1&tac=&ti=30&pt=1&ch=116&rl=119](https://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=R&app=9&pdire=&ploc=&ploc=&pg=1&tac=&ti=30&pt=1&ch=116&rl=119)



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De Minimis List of Facilities or Sources

**Texas Commission on Environmental Quality
Air Permits Division
De Minimis Facilities or Sources
Version – December 2015**

The following list contains facilities or sources that are de minimis for air emissions, which means that registration or authorization prior to construction is not required per Title 30, Texas Administrative Code, Section 116.119 (a)(1). Even though New Source Review preconstruction authorizations are not required for the following facilities or sources, other TCEQ environmental authorizations may be applicable.

Unconditional Facilities/Sources

- Music and Film Studios
- Farm and Ranch Refueling Operations
- Office Equipment
- Modular, Self-contained Abrasive Blasting Cabinets (Parts Cleaning)
- Deer Block Manufacturing
- Laundromats (Excluding Dry Cleaning)
- Warehouses (Storage of Closed Containers Only)
- Educational Laboratories/Training
- Equipment used for hydraulic or hydrostatic testing.
- Platen presses used for lam
- Vacuum-producing devices



<https://www.tceq.texas.gov/permitting/air/guidance/newsourcereview/list-of-de-minimis-facilities.html>



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De Minimis Example

- Paint shop that uses:
 - Less than 100 gallons of coating &
 - Less than 50 gallons of solvent
- Paint shop uses 250 gallons/year (by hand)



NSR Authorizations

De Minimis

Permit by Rule

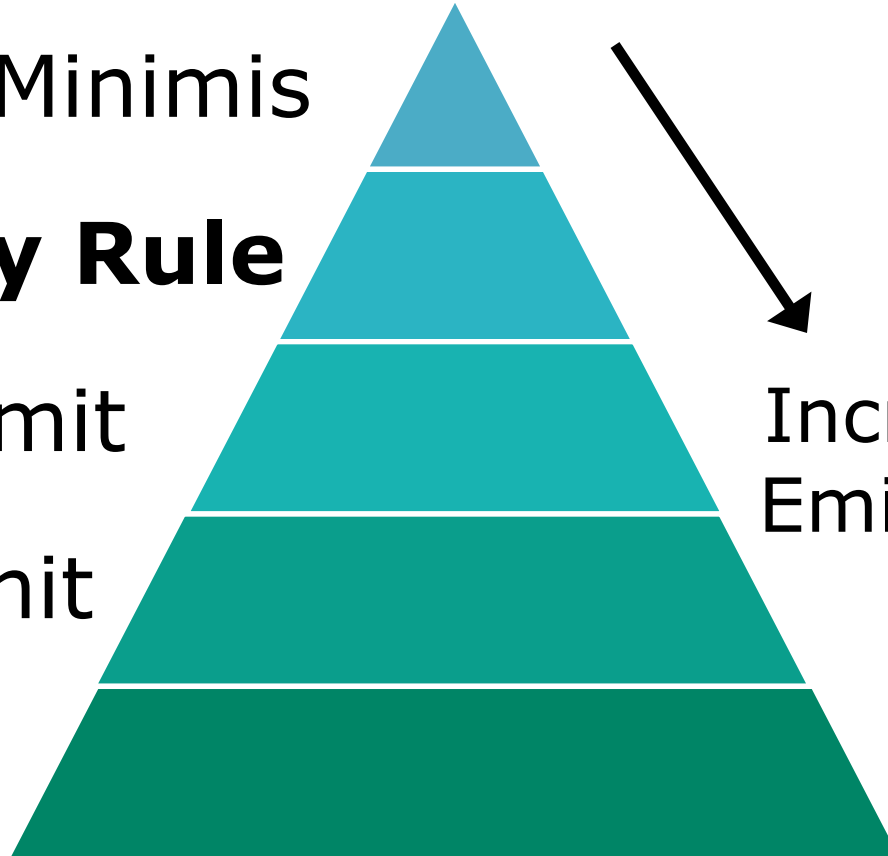
Standard Permit

Minor NSR Permit

NA and PSD



Increasing
Emissions



Permits by Rule (PBR)

- 30 TAC §116.110(a)(4)
- Permits listed in §106
- Most are industry or activity specific.



Permits By Rule: 30 TAC Ch. 106

Texas Administrative Code

[TITLE 30](#) ENVIRONMENTAL QUALITY
[PART 1](#) TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
[CHAPTER 106](#) PERMITS BY RULE

Subchapters

[SUBCHAPTER A](#) [GENERAL REQUIREMENTS](#)
[SUBCHAPTER B](#) [REGISTRATION FEES FOR NEW PERMITS BY RULE](#)
[SUBCHAPTER C](#) [DOMESTIC AND COMFORT HEATING AND COOLING](#)
[SUBCHAPTER D](#) [ANALYSIS AND TESTING](#)
[SUBCHAPTER E](#) [AGGREGATE AND PAVEMENT](#)
[SUBCHAPTER F](#) [ANIMAL CONFINEMENT](#)
[SUBCHAPTER G](#) [COMBUSTION](#)
[SUBCHAPTER I](#) [MANUFACTURING](#)
[SUBCHAPTER J](#) [FOOD PREPARATION AND PROCESSING](#)
[SUBCHAPTER K](#) [GENERAL](#)
[SUBCHAPTER L](#) [FEED, FIBER, AND FERTILIZER](#)
[SUBCHAPTER M](#) [METALLURGY](#)
[SUBCHAPTER N](#) [MIXERS, BLENDEES, AND PACKAGING](#)
[SUBCHAPTER O](#) [OIL AND GAS](#)
[SUBCHAPTER P](#) [PLANT OPERATIONS](#)
[SUBCHAPTER Q](#) [PLASTICS AND RUBBER](#)
[SUBCHAPTER R](#) [SERVICE INDUSTRIES](#)
[SUBCHAPTER S](#) [SURFACE COATING](#)
[SUBCHAPTER T](#) [SURFACE PREPARATION](#)
[SUBCHAPTER U](#) [TANKS, STORAGE, AND LOADING](#)
[SUBCHAPTER V](#) [THERMAL CONTROL DEVICES](#)
[SUBCHAPTER W](#) [TURBINES AND ENGINES](#)
[SUBCHAPTER X](#) [WASTE PROCESSES AND REMEDIATION](#)



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[http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=106](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=106)

PBR Example

- §106.433 – Surface Coat Facilities
- §106.452 – Dry Abrasive Cleaning
- §106.227 - Soldering, Brazing, Welding



General PBRs

- 30 TAC §106.261 and §106.262
- Facilities that do not have a PBR specific to them
- Registration required



PBR Requirements

- 30 TAC §106.4 & §106.8
- Emissions limits
- Meet PBR version in effect at time of construction or installation



PBR Requirements

- Meet all other federal, state, and local requirements
- Check for permit condition limits at site



Specific PBR Requirements

- Registration vs. “one liners”
- No renewal requirements *
- Distance requirements & site approval
- Must meet **all** conditions exactly



Registering or Claiming a PBR

- **Register** PBRs that require registration. “the facility shall be registered with the commission using Form PI-7.”
- **Claim** PBRs that do not require registration but must follow the requirements of the PBR rule



Voluntary Registrations

- If PBR does not require registration, you may still voluntarily register the PBR
- Fee still required



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PBR Example

- §106.433 – Surface Coat Facilities
- §106.452 – Dry Abrasive Cleaning
- §106.227 - Soldering, Brazing, Welding



PBR Registration

- PI-7 or PI-7-CERT
- §106.4 & specific PBR Checklists
- Core Data Form
- Additional Technical Information



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Technical Information

- Cover letter
- Introduction
- Process Description
- Process flow diagram
- Summary of emissions
- Checklists
- Emissions calculations
- NAAQS Compliance
- Explanation of how you meet the rule
- Lab Analysis
- Site map
- Other Data as needed



PBR Registration

- Fast – 45 days processing time
- Fee required at time of registration (\$450/\$100)
- Mail the forms or
- Submit electronically through STEERS



State of Texas Electronic Reporting System (STEERS)

Why use STEERS?


- Streamlines the application process
- Shortens the process time
- Immediate confirmation application has been received



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ePBRs & STEERS



TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY

Questions or Comments >>

[TCEQ Home](#)

Welcome to STEERS, the State of Texas Environmental Electronic Reporting System.

1 Here is what you can do online in STEERS:

e-Permits\Registration:

- » Aggregate Production Operations Registration
- » Air New Source Review Registrations
- » CAFO General Permit
- » Municipal Solid Waste Notifications
- » Pesticide General Permit
- » Petroleum Storage Tank (PST) Self-Certifications
- » Storm Water General Permits (Construction & Multi-Sector)

e-Reporting:

- » Annual Emissions Inventory Report (AEIR)
- » Air Emissions & Maintenance Events (AEME) Reporting
- » Emissions Banking and Trading (EBT)
- » Industrial & Hazardous Waste (IHW) NOR and Summaries
- » Municipal Solid Waste (MSW) Reporting
- » Pollution Prevention Planning (P2PLAN) Reporting
- » Training Roster Online Submittal (TROLS)

See [details of what you can do](#).

This is STEERS version 6.0.

2 Enter STEERS:

ER Account Number: (ER + 6 digits)

Password:

3 I need:

- [my password](#)
- [to create a new account](#)
- [to authorize another user's account](#)

Find Out When STEERS Will Be Offline

We do our best to ensure that STEERS is online when you need it. But for upgrades, security measures, and other maintenance, we must bring STEERS or one of its modules offline. We cannot predict emergency outages, but for scheduled downtimes, see our [STEERS maintenance schedule](#).

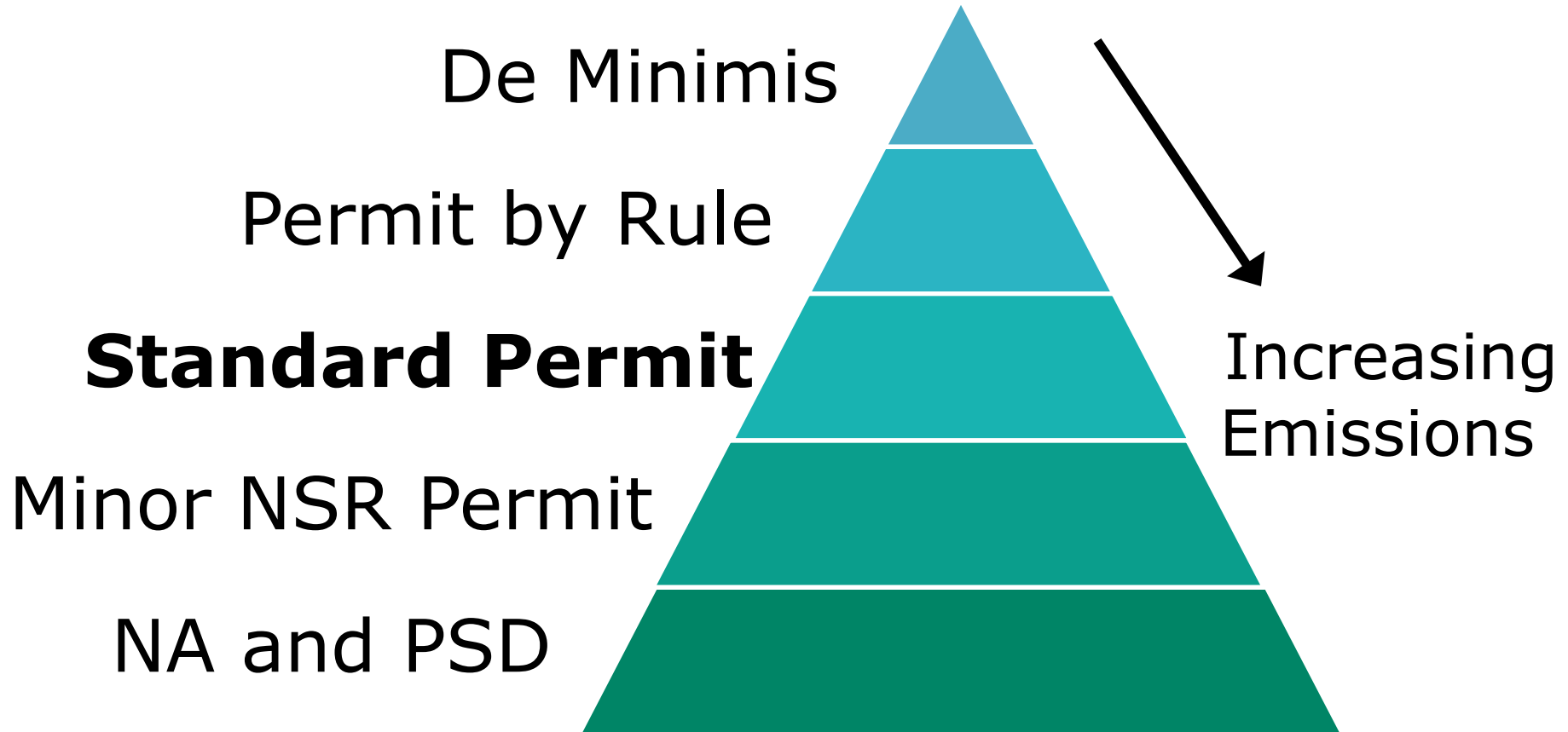
Site Help | Disclaimer | Web Policies | Accessibility | Our Compact with Texans | TCEQ Homeland Security | Contact Us
Statewide Links: [Texas.gov](#) | [Texas Homeland Security](#) | [TRAIL Statewide Archive](#) | [Texas Veterans Portal](#)



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NSR Authorizations



Standard Permits

- 30 TAC §116.110(a)(2)
- Industry or activity specific
- Sources above PBR limits, but below PSD or nonattainment limits



Standard Permits

- Concrete Batch Plants
- Rock Crushers
- Oil and Gas Facilities
- Temporary Hot Mix Asphalt Plants
- Boilers



Standard Permits

The screenshot shows the TCEQ website interface. At the top right, there is a search bar and a link for 'Org Chart | A to Z index'. The main header features the TCEQ logo and the text 'TEXAS COMMISSION ON ENVIRONMENTAL QUALITY'. Below this is a navigation menu with tabs for 'Home', 'Public', 'Businesses', 'Governments', 'Air', 'Land', and 'Water'. The 'Air' tab is currently selected. On the left side, there is a vertical menu with various categories such as 'Cleanups, Remediation', 'Emergency Response', 'Licensing', 'Permits, Registration', 'Preventing Pollution', 'Recycling', 'Reporting', and 'Rules'. The main content area displays the title 'Standard Air Permits' and a brief description: 'Permits for specific, well-characterized classes of facilities. If a standard permit fits your operations, you may choose this permitting option.' Below this, there is a 'Featured Items' section with a link to 'March 10, 2011: Implementation of New Non-Rule Air Standard Permit for Pollution Control Projects'. A 'Topics Under this Category' section follows, listing several specific permit types with brief descriptions: 'Air Quality Standard Permit for Air Quality Pollution Control Projects', 'Air Quality Standard Permit for Anhydrous Ammonia Storage and Distribution Operations', 'Air Quality Standard Permit for Animal Carcass Incinerators', and 'Air Quality Standard Permit for Boilers'. At the bottom left of the page, there is a link for 'How's our Customer service?'.

Org Chart | A to Z index | Search Site Search

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Home Public Businesses Governments Air Land Water

- Cleanups, Remediation
- Emergency Response
- Licensing
- Permits, Registration
- Preventing Pollution
- Recycling
- Reporting
- Rules

You are here: Home / Permits, Registrations, and Reporting / Air Permits / Air Navigation Folder / Standard Air Permits

>> Questions or Comments: airperm@tceq.texas.gov

Standard Air Permits

Permits for specific, well-characterized classes of facilities. If a standard permit fits your operations, you may choose this permitting option.

Featured Items

[March 10, 2011: Implementation of New Non-Rule Air Standard Permit for Pollution Control Projects](#)
On February 9, 2011, the TCEQ adopted a new non-rule standard permit for pollution control projects.

Topics Under this Category

[Air Quality Standard Permit for Air Quality Pollution Control Projects](#)
Describes how a pollution control project will be permitted and helps you use the tools needed to get authorized.

[Air Quality Standard Permit for Anhydrous Ammonia Storage and Distribution Operations](#)
Use this information to claim the Air Quality Standard Permit for Anhydrous Ammonia Storage and Distribution Operations.

[Air Quality Standard Permit for Animal Carcass Incinerators](#)
Links to forms and other information needed to claim the Air Quality Standard Permit for Animal Carcass Incinerators.

[Air Quality Standard Permit for Boilers](#)
Describes how a boiler with a heat input of greater than 40 MMBtu, may be authorized by a standard permit and provides links to the forms needed to get authorized.

How's our Customer service?
Please Fill out our Customer



<https://www.tceq.texas.gov/permitting/air/nav/standard.html>



Standard Permit

- PI-1S Form
- Checklists and spreadsheets
- \$900 Fee
- Renew every 10 years



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Technical Information

- Cover letter
- Introduction
- Process Description
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- Emissions calculations
- NAAQS Compliance
- Explanation of how you meet the rule
- Lab Analysis
- Site map
- Other Data as needed



NSR Authorizations

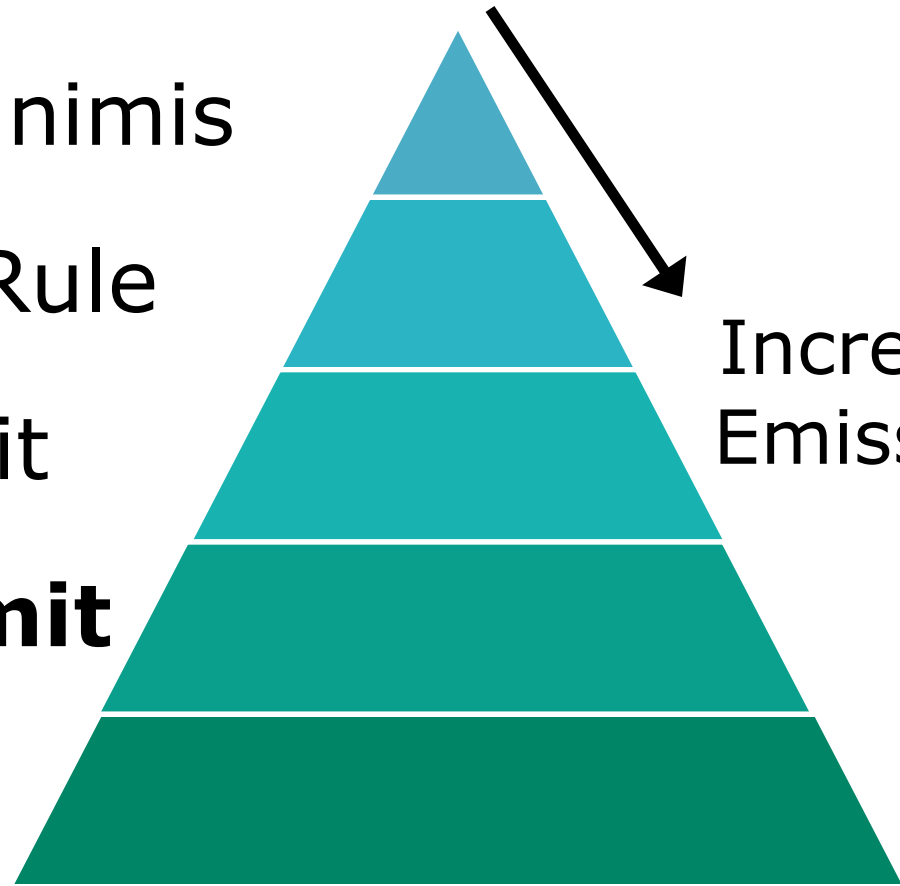
De Minimis

Permit by Rule

Standard Permit

Minor NSR Permit

NA and PSD



Increasing Emissions

Minor NSR Permits

- 30 TAC §116.110(a)(1)
- Issued before construction
- a.k.a. State Permits, Individual Permits, Case-by-Case Permits, NSR Permits



Minor NSR Permits

- Case-by-case review
- Emissions, BACT, impacts evaluations
- Public Participation



Minor NSR Permit Application

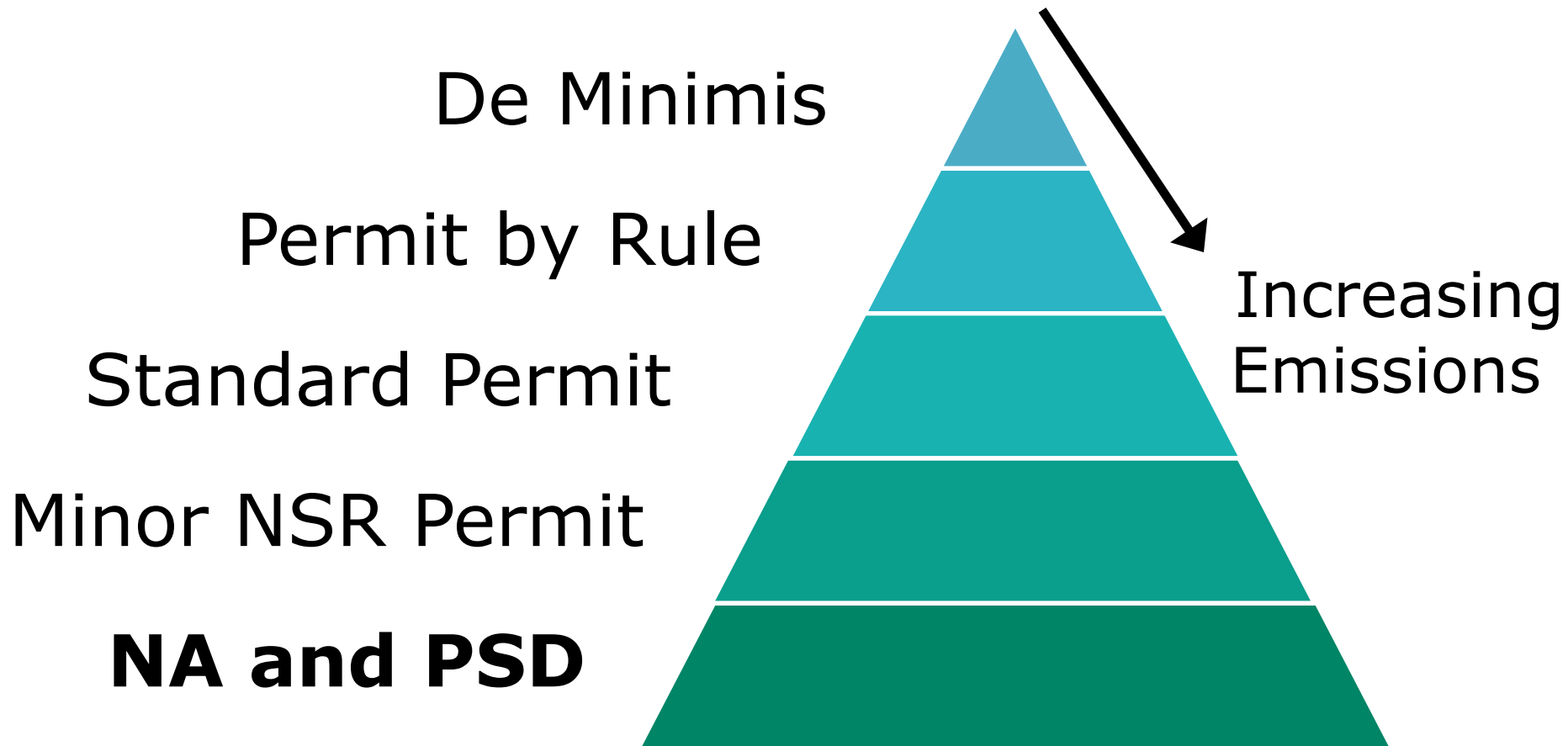
- PI-1 form and associated information
- Minimum \$900.00 fee
- Not so fast



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NSR Authorizations

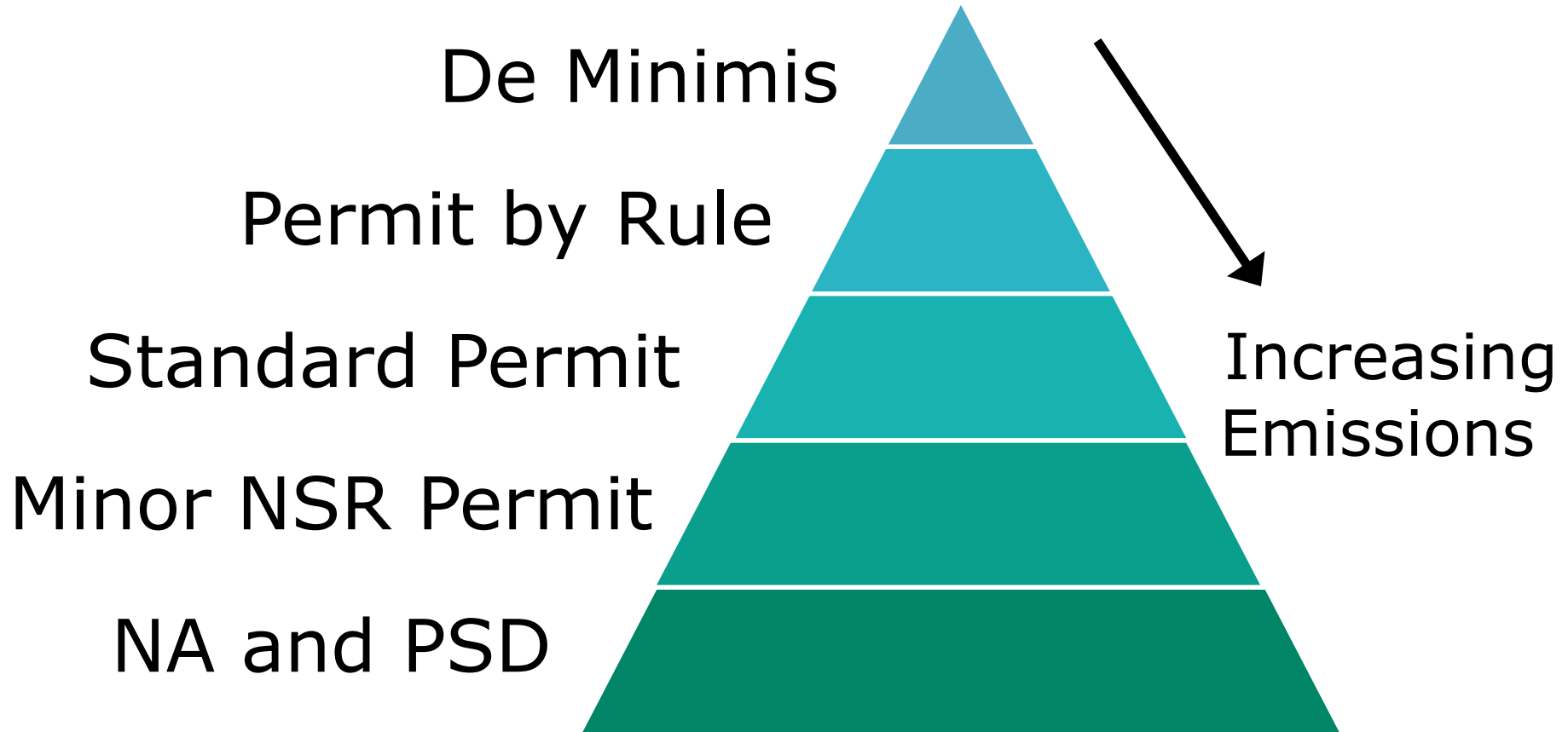


Major Source Permits

- Prevention of Significant Deterioration. (PSD)
- Nonattainment New Source Review. (NNSR)



NSR Authorizations



Federal Operating Permit

- Title V of the Clean Air Act
- In addition to your New Source Review authorization
- Issued through TCEQ

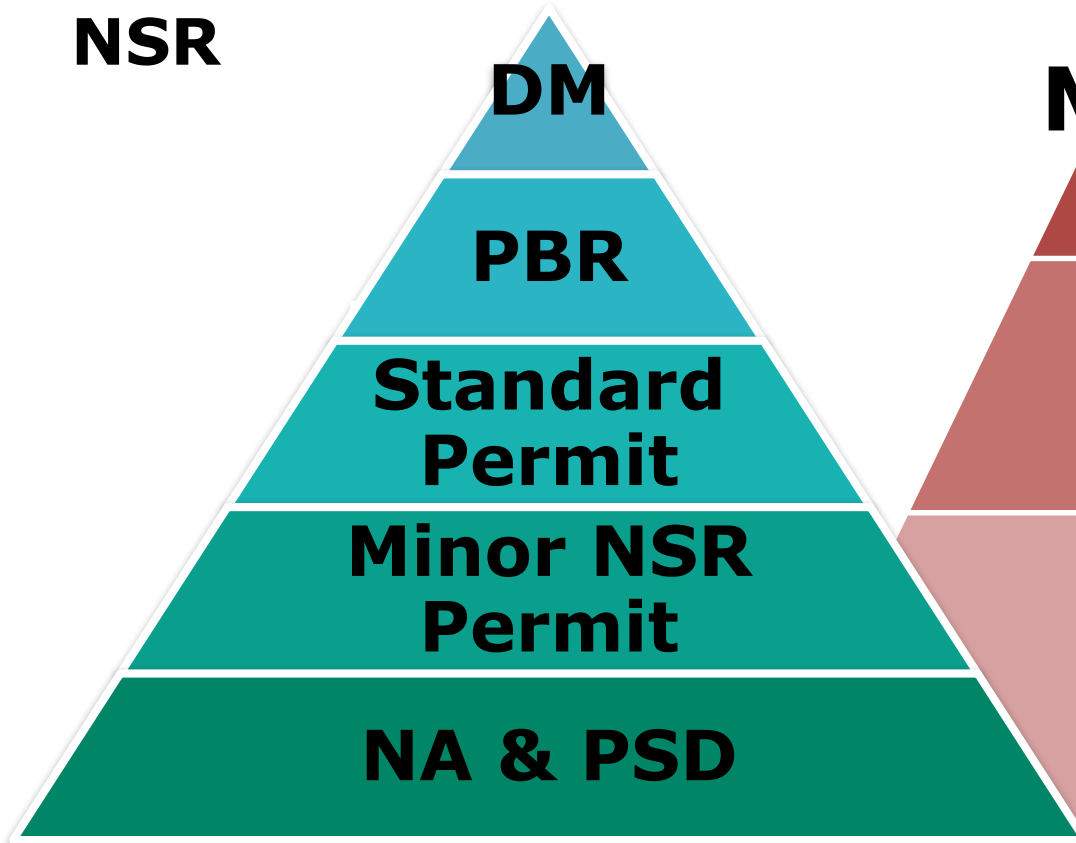


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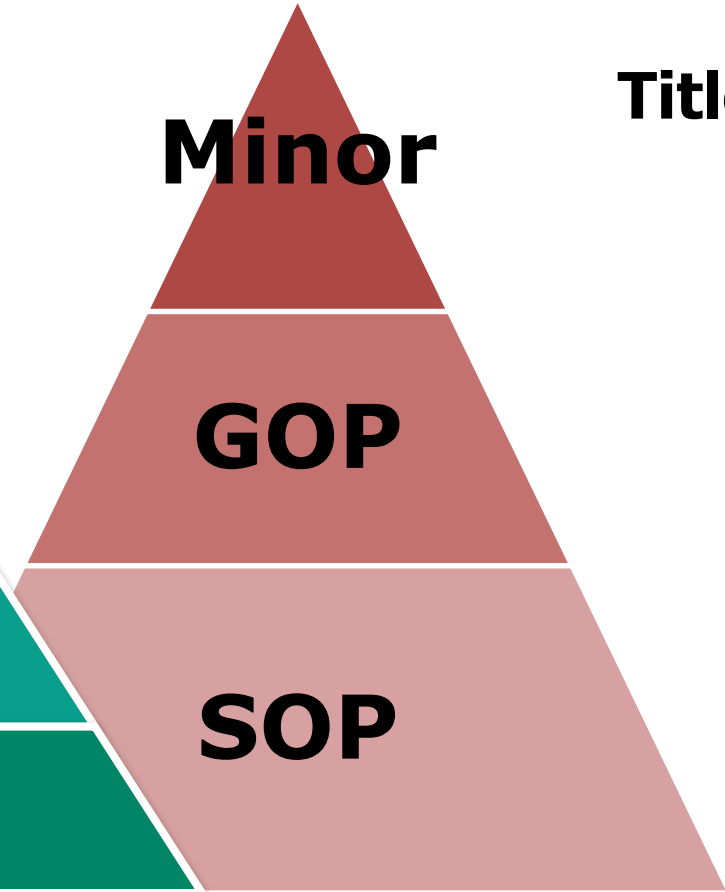


Federal Operating Permits

NSR



Title V



Federal Operating Permit

- Facility vs. Site
 - NSR Permits- Based on **facility** emissions
 - Federal Title V Operating permits- based on **site** emissions
 - A site is required to obtain an operating permit if it is considered to be a major source (per [30 TAC Section 122.10](#)).
 - Or is a listed industry (ex. ACI)



Federal Operating Permit

- Major vs. Minor
- In general, major sites have PTE:
 - > 100 tpy of any pollutant
 - > 10 tpy single HAP; > 25 tpy combination of HAPs

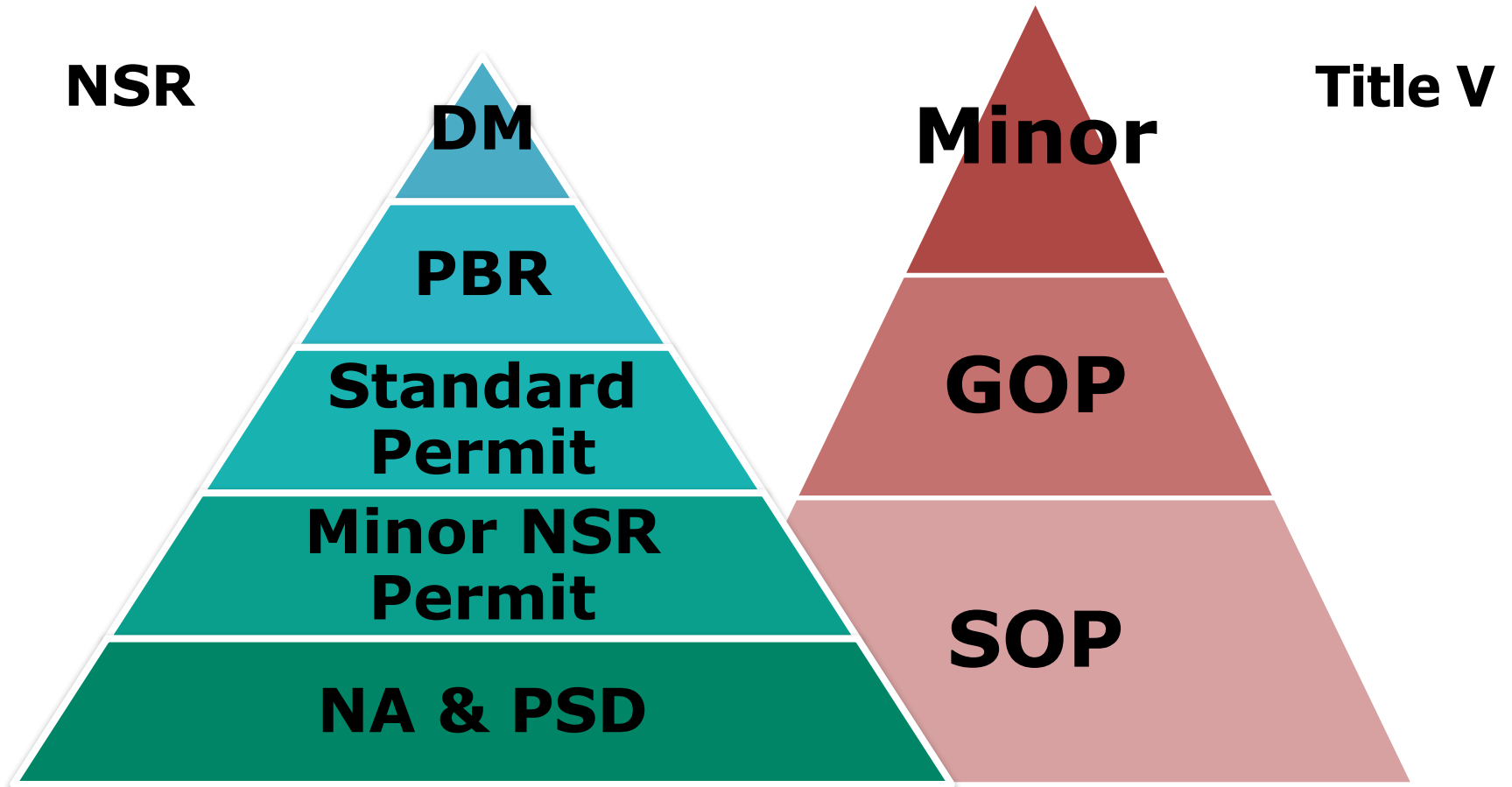


Synthetic Minor

- PTE above major source levels
- Actual emissions are below
- Certify emissions
 - PI-7-CERT or
 - APD-CERT



NSR & Title V Perspective

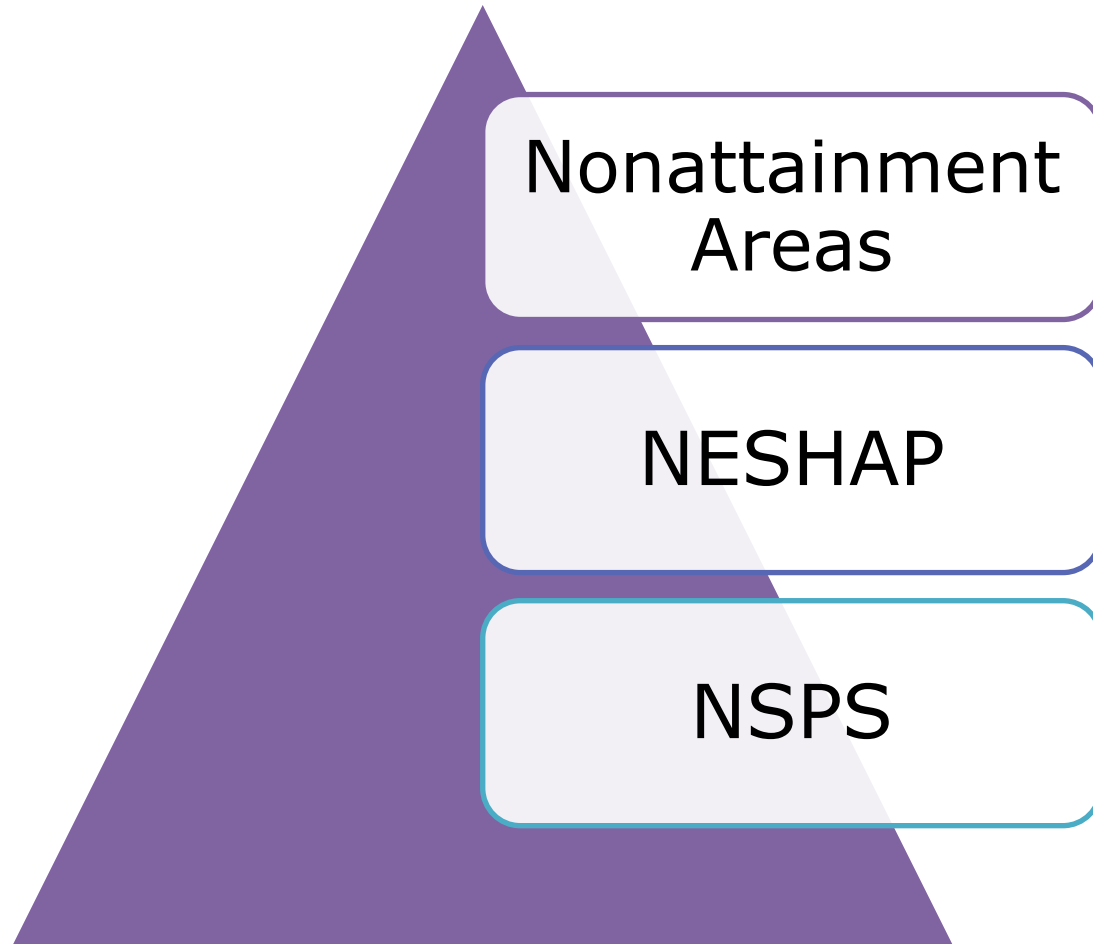


Additional Considerations

- Nonattainment areas
- National Emission Standards for Hazardous Air Pollutants (NESHAP)
- New Source Performance Standards. (NSPS)



Additional Considerations



Nonattainment Areas

- EPA NAAQS for criteria pollutants
- Areas in TX do not meet the NAAQS for Ozone
 - DFW (Serious) & HGB (Severe)



Nonattainment Areas

- Major vs. Minor & Potential to Emit
- Control of NO_x (Chapter 117)
- Control of VOC (Chapter 115)



NESHAP/MACT

- National Emission Standards for Hazardous Air Pollutants
- Federal Standards – nationwide
- Hazardous Air Pollutants



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NESHAP/MACT

- Title 40 CFR Part 63 & 61
- Major and Minor (Area) Sources
 - 10/25
- Comply, even if TCEQ does not have delegation.



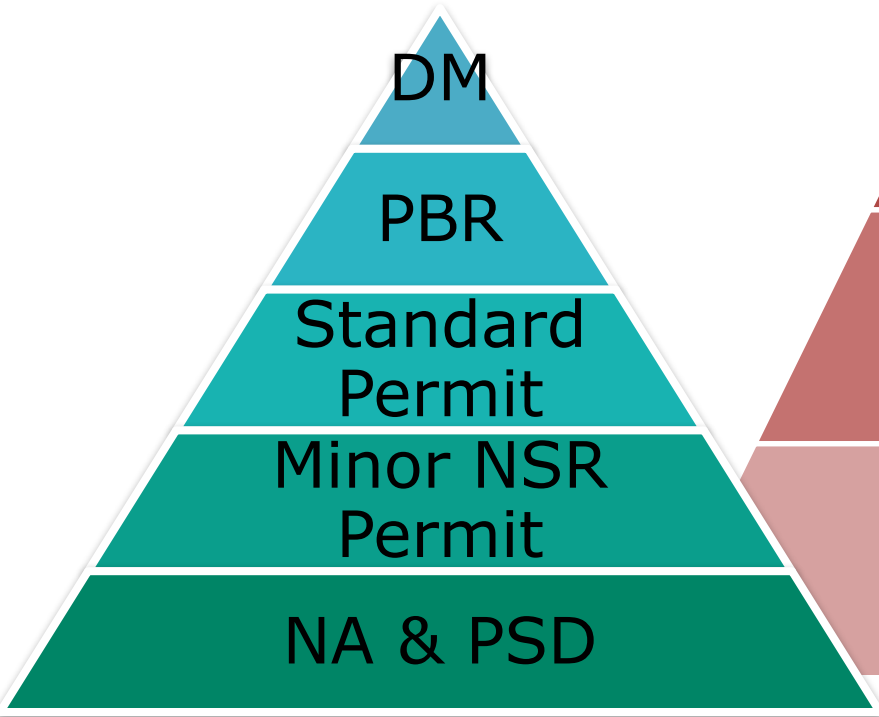
NSPS

- New Source Performance Standard
- Title 40 CFR Part 60
- New, modified and reconstructed sources

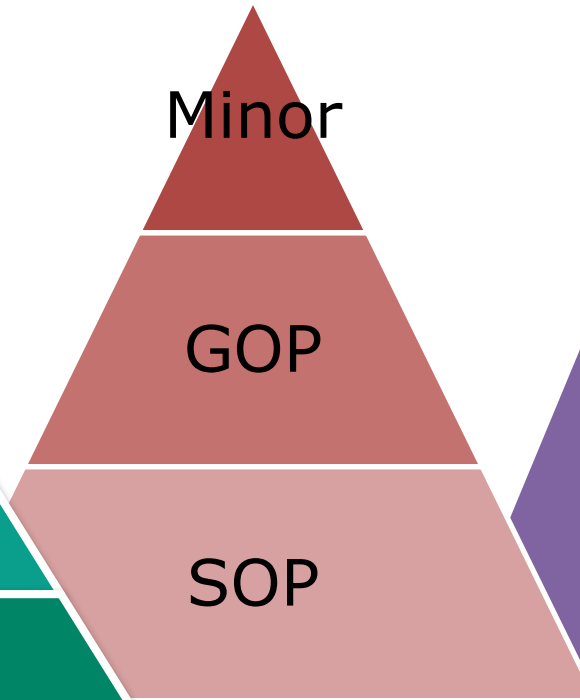


Summary

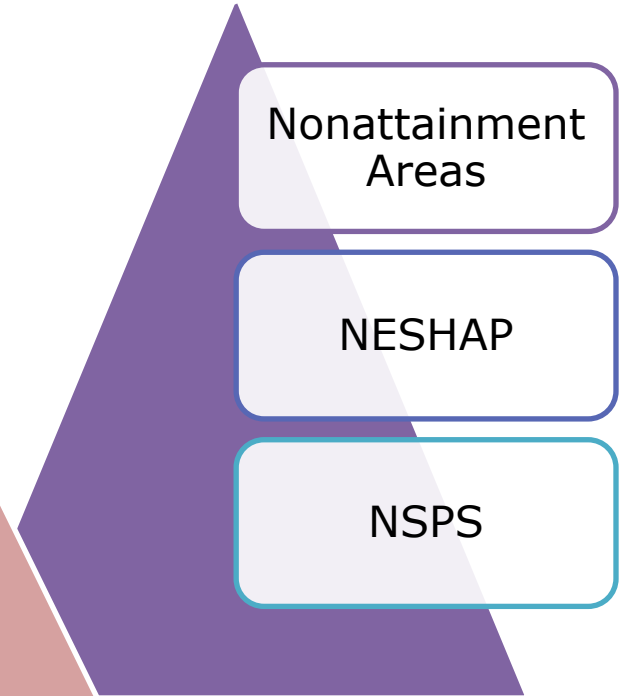
NSR



Title V



Additional



Expedited Permitting

- 30 TAC Chapter 101
- Pre-application meeting recommended but not required
- Additional Surcharge



Expedited Permitting

- Use form APD-EXP (STEERS)
- Surcharge Amounts:
 - Range from \$500 for PBR & SP not requiring public notice (non-refundable, flat surcharge)
 - To \$20,000 for Major NSR (NA or PSD)



ePBRs & STEERS

- Presentation TOMORROW!
- Learn to:
 - Set up an account in STEERS
 - Submit a PBR application through STEERS



Questions?

Jennifer Schmidt

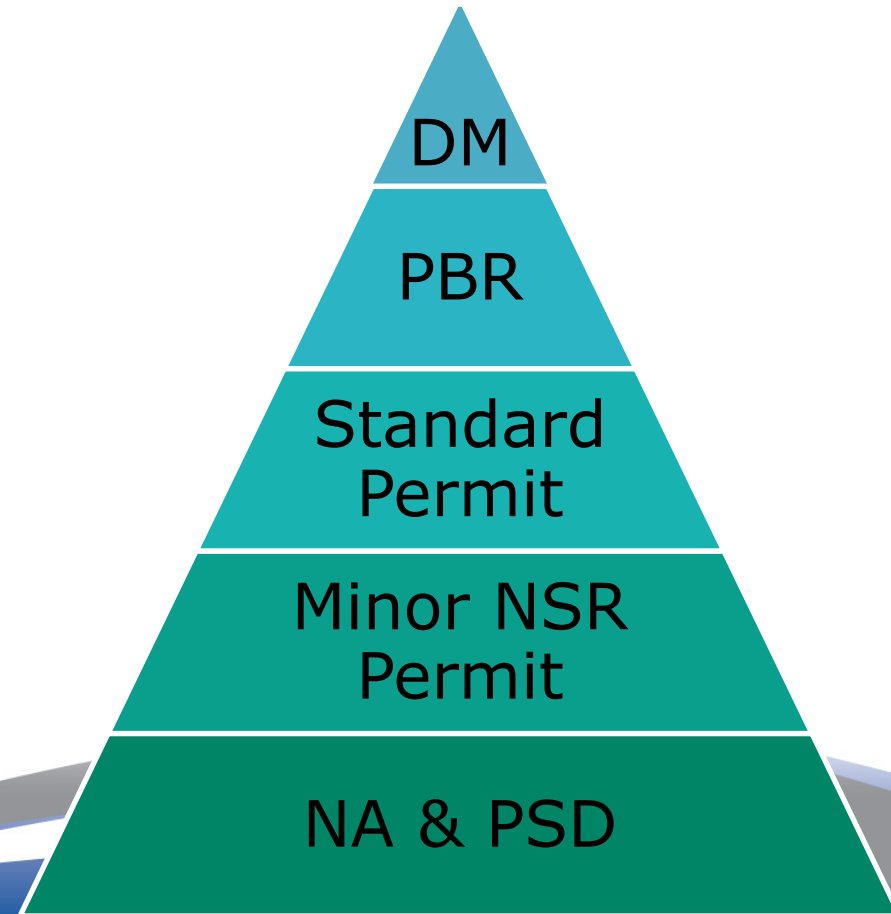
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