

**Texas Commission on Environmental Quality
Registration for Permits by Rule (PBR)
Form PI-7
(Page 1)**

I. Registrant Information		
A. Company or Other Legal Customer Name:		
Hidalgo County Precinct 4		
B. Company Official Contact Information (<input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input checked="" type="checkbox"/> Other:) <u>Doctor</u>		
Name: Jennifer Culbertson		
Title: Precinct # 4 Chief Administrator- Internal Affairs		
Mailing Address: 1051 N. Doolittle Rd.		
City: Edinburg	State: TX	ZIP Code: 78541
Phone: 956-383-3112	Fax:	
E-mail Address: jennifer.mendoza@co.hidalgo.tx.us		
<i>All PBR registration responses will be sent via e-mail.</i>		
C. Technical Contact Information (<input checked="" type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Other:) _____		
Name: Martin Ramirez		
Title: Hidalgo County Environmental Health Manager		
Company Name: Hidalgo County Health and Human Services Department		
Mailing Address: 1304 S. 25th Ave.		
City: Edinburg	State: TX	ZIP Code: 78542
Phone: 956-383-0111	Fax: 956-383-7351	
E-mail: martin.ramirez@hchd.org		
II. Facility and Site Information		
A. Name and Type of Facility		
Facility Name: Trench Burner S27FBN07316		
Type of Facility: <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Temporary		
For portable units, please provide the serial number of the equipment being authorized below.		
Serial No:	Serial No:	

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II. Facility and Site Information (continued)		
B. Facility Location Information		
Street Address: 6055 E. Davis Rd., Edinburg, TX		
If there is no street address, provide written driving directions to the site and provide the closest city or town, county, and ZIP code for the site (attach description if additional space is needed).		
City:	County:	ZIP Code:
C. TCEQ Core Data Form		
Is the Core Data Form (TCEQ Form Number 10400) attached?		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
If "NO," provide customer reference number (CN) and regulated entity number (RN) below.		
Customer Reference Number (CN): CN603912098		
Regulated Entity Number (RN): RN106369697		
D. TCEQ Account Identification Number (if known): 960496H		
E. Type of Action		
<input type="checkbox"/> Initial Application <input checked="" type="checkbox"/> Change to Registration		
For Change to Registration provide the Registration Number: 101686L002		
F. PBR number(s) claimed under 30 TAC Chapter 106		
(List all the individual rule number(s) that are being claimed.)		
106. 496	106.	
106.	106.	
106.	106.	
G. Historical Standard Exemption or PBR		
Are you claiming a historical standard exemption or PBR?		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
If "YES," enter rule number(s) and associated effective date in the spaces provided below.		
Rule Number(s)	Effective Date	

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II. Facility and Site Information (continued)	
H. Previous Standard Exemption or PBR Registration Number	
Is this authorization for a change to an existing facility previously authorized under a standard exemption or PBR?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
If "YES," enter previous standard exemption number(s) and PBR registration number(s); and associated effective date in the spaces provided below.	
Standard Exemption and PBR Registration Number(s)	Effective Date
106.496; 101686L002	10/21/2016
I. Other Facilities at this Site Authorized by Standard Exemption, PBR, or Standard Permit	
Are there any other facilities at this site that are authorized by an Air Standard Exemption, PBR, or Standard Permit?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
If "YES," enter standard exemption number(s), PBR registration number(s), and Standard Permit registration number(s), and associated effective date in the spaces provided below.	
Standard Exemption, PBR Registration, and Standard Permit Registration Number(s)	Effective Date
J. Other Air Preconstruction Permits	
Are there any other air preconstruction permits at this site?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
If "YES," enter permit number(s) in the spaces provided below.	
K. Affected Air Preconstruction Permits	
Does the PBR being claimed directly affect any permitted facility?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
If "YES," enter the permit number(s) in the spaces provided below.	

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II. Facility and Site Information (continued)	
L. Federal Operating Permit (FOP) Requirements (30 TAC Chapter 122 Applicability)	
Is this facility located at a site that is required to obtain an FOP pursuant to 30 TAC Chapter 122?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> To Be Determined
If the site currently has an existing FOP, enter the permit number: <u>O3527</u>	
1. Check the requirements of 30 TAC Chapter 122 that will be triggered if this claim is accepted (check all that apply).	
<input type="checkbox"/> Initial Application for an FOP <input type="checkbox"/> Significant Revision for an SOP <input type="checkbox"/> Minor Revision for an SOP <input type="checkbox"/> Operational Flexibility/Off Permit Notification for an SOP <input type="checkbox"/> Revision for a GOP <input type="checkbox"/> To be Determined <input checked="" type="checkbox"/> None	
2. Identify the type(s) of FOP issued and/or FOP application(s) submitted/pending for the site. (check all that apply)	
<input type="checkbox"/> SOP <input checked="" type="checkbox"/> GOP <input type="checkbox"/> GOP application/revision (submitted or under APD review) <input type="checkbox"/> N/A <input type="checkbox"/> SOP application/revision (submitted or under APD review)	
III. Fee Information (see Section VII. for address to send fee or go to www.tceq.texas.gov/epay to pay online)	
A. Fee Requirements	
Is a fee required per 30 TAC § 106.50?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
If "NO," specify the exception. There are three exceptions to paying a PBR fee. (check all that apply)	
1. Registration is solely to establish a federally enforceable emission limit.	<input type="checkbox"/>
2. Registration is within six months of an initial PBR review, and is addressing deficiencies, administrative changes, or other allowed changes.	<input type="checkbox"/>
3. Registration is for a remediation project (30 TAC § 106.533).	<input type="checkbox"/>
B. Fee Amount	
1. A \$100 fee is required if any of the answers in III.B.1 are "YES."	
This business has less than 100 employees.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
This business has less than \$6 million dollars in annual gross receipts.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
This registration is submitted by a governmental entity with a population of less than 10,000.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
This registration is submitted by a non-profit organization.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
2. A \$450 fee is required for all other registrations.	

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III. Fee Information (see Section VII. for address to send fee or go to www.tceq.texas.gov/epay to pay online) (continued)		
C. Payment Information		
Check/money order/transaction or voucher number:		
Individual or company name on check:		
Fee Amount: \$		
Was fee paid online?		<input type="checkbox"/> YES <input type="checkbox"/> NO
IV. Selected Facility Reviews and Voluntary Registrations Only		
<i>Note: If registering any of the PBRs listed in IV.B., or if voluntarily registering any other PBR(s), complete this section, then skip to Section VI. below:</i>		
A. List any PBRs that are being voluntarily registered.		
106. 496	106.	106.
106.	106.	106.
B. PBR Checklists		
If you are registering any of the following PBRs, did you attach the applicable PBR checklists that shows your facility meets all general and specific requirements? • <i>Animal Feeding Operations § 106.161, Livestock Auction Facilities § 106.162, Saw Mills § 106.223, Grain Handling, Storage and Drying § 106.283, Auto Body Refinishing Facilities § 106.436, or Air Curtain Incinerator § 106.496</i> (If "NO" then you must provide all technical information outlined in Section V.)		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
C. Distances to Property Line and Nearest Off-Property Structure		
Distance from this facility's emission release point to the nearest property line:	579.3	feet
Distance from this facility's emission release point to the nearest off-property structure:	813.0	feet

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V. Technical Information Including State and Federal Regulatory Requirements
 Check the appropriate box to indicate what is included in your submittal.
NOTE: Any technical or essential information needed to confirm that facilities are meeting the requirements of the PBR must be provided. Not providing key information could result in a deficiency of the project.

A. PBR requirements (Checklists are optional; however, your review will go faster if you provide applicable checklists.)	
Did you demonstrate that the general requirements in 30 TAC § 106.4 are met?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Did you demonstrate that the individual requirements of the specific PBR are met?	<input type="checkbox"/> YES <input type="checkbox"/> NO
B. Confidential Information Included (If confidential information is submitted with this registration, all confidential pages must be properly marked "CONFIDENTIAL.")	<input type="checkbox"/> YES <input type="checkbox"/> NO
C. Process Flow Diagram	<input type="checkbox"/> YES <input type="checkbox"/> NO
D. Process Description	<input type="checkbox"/> YES <input type="checkbox"/> NO
E. Maximum Emissions Data and Calculations	<input type="checkbox"/> YES <input type="checkbox"/> NO

Note: If the facilities listed in this registration are subject to the Mass Emissions Cap & Trade program under 30 TAC Chapter 101, Subchapter H, Division 3, the owner/operator of these facilities must possess NO_x allowances equivalent to the actual NO_x emissions from these facilities.

F. Distance from Property Line and Nearest Off-Property Structure	
Distance from this facility's emission release point to the nearest property line:	feet
Distance from this facility's emission release point to the nearest off-property structure:	feet

G. Project Status	
Has the company implemented the project or waiting on a response from TCEQ?	<input type="checkbox"/> Implemented <input type="checkbox"/> Waiting

H. Projected Start of Construction and Projected Start of Operation Dates:	
Projected Start of Construction (provide date):	
Project Start of Operation (provide date):	

VI. Delinquent Fees and Penalties
 This form **will not be processed** until all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ is paid in accordance with the Delinquent Fee and Penalty Protocol. For more information regarding Delinquent Fees and Penalties, go to the TCEQ website at www.tceq.texas.gov/agency/financial/fees/delin/index.html.

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VII. Copies of the Registration		
Processing delays may occur if copies are not sent as noted. Copies must be sent as listed below:		
<i>Who</i>	<i>Where</i>	<i>What</i>
Air Permits Initial Review Team (APIRT)	Regular, Certified, Priority Mail MC 161, P.O. Box 13087 Austin, Texas 78711-3087 Hand Delivery, Overnight Mail MC 161, 12100 Park 35 Circle, Building C, Third Floor Austin, Texas 78753	Originals of Form PI-7, Core Data Form, and all attachments. Not required if using ePermits ¹
Revenue Section, TCEQ	Regular, Certified, Priority Mail MC 214, P.O. Box 13088 Austin, Texas 78711-3088 Hand Delivery, Overnight Mail MC 214, 12100 Park 35 Circle, Building A, Third Floor Austin, Texas 78753	Original Money Order or Check, Copy of Form PI-7, and Core Data Form. Not required if fee was paid using ePay ² .
Appropriate TCEQ Regional Office	To find your Regional Office address, go to the TCEQ website at www.tceq.texas.gov/agency/directory/region or call (512) 239-1250.	Copy of Form PI-7, Core Data Form, and all attachments. Not required if using ePermits ¹ .
Appropriate Local Air Pollution Control Program(s)	To Find your local or Regional Air Pollution Control Programs go to the TCEQ, APD website at www.tceq.texas.gov/permitting/air/local_programs.html or call (512) 239-1250	Copy of Form PI-7, Core Data Form, and all attachments

¹ ePermits located at www3.tceq.texas.gov/steers/

² ePay located at www.tceq.texas.gov/epay/

TCEQ-10228 (APDG 5096v27 revised 07/19) PI-7

This form is used by sources subject to air quality permit requirements and may be revised periodically.

**Texas Commission on Environmental Quality
Permit by Rule Applicability Checklist
Title 30 Texas Administrative Code § 106.4**

The following checklist was developed by the Texas Commission on Environmental Quality (TCEQ), **Air Permits Division**, to assist applicants in determining whether or not a facility meets all of the applicable requirements. Before claiming a specific Permit by Rule (PBR), a facility must first meet all of the requirements of **Title 30 Texas Administrative Code § 106.4** (30 TAC § 106.4), "Requirements for Permitting by Rule." Only then can the applicant proceed with addressing requirements of the specific Permit by Rule being claimed.

The use of this checklist is not mandatory; however, it is the responsibility of each applicant to show how a facility being claimed under a PBR meets the general requirements of 30 TAC § 106.4 and also the specific requirements of the PBR being claimed. If all PBR requirements cannot be met, a facility will not be allowed to operate under the PBR and an application for a construction permit may be required under 30 TAC § 116.110(a).

Registration of a facility under a PBR can be performed by completing **Form PI-7** (Registration for Permits by Rule) or **Form PI-7-CERT** (Certification and Registration for Permits by Rule). The appropriate checklist should accompany the registration form. Check the most appropriate answer and include any additional information in the spaces provided. If additional space is needed, please include an extra page and reference the question number. The PBR forms, tables, checklists, and guidance documents are available from the TCEQ, Air Permits Division website at: www.tceq.texas.gov/permitting/air/nav/air_pbr.html.

I. 30 TAC § 106.4(a)(1) and (4): Emission Limits	Answer
List emissions in tpy for each facility (add additional pages or table if needed):	
Are the SO ₂ , PM ₁₀ , VOC, or other air contaminant emissions claimed for each facility in this PBR submittal less than 25 tpy?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Are the NO _x and CO emissions claimed for each facility in this PBR submittal less than 250 tpy?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<i>If the answer to both is "Yes," continue to the question below. If the answer to either question is "No," a PBR cannot be claimed.</i>	
Has any facility at the property had public notice and opportunity for comment under 30 TAC Section 116 for a regular permit or permit renewal? (This does not include public notice for voluntary emission reduction permits, grandfathered existing facility permits, or federal operating permits.)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<i>If "Yes," skip to Section 2. If "No," continue to the questions below.</i>	
If the site has had no public notice, please answer the following:	
Are the SO ₂ , PM ₁₀ , VOC, or other emissions claimed for all facilities in this PBR submittal less than 25 tpy?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Are the NO _x and CO emissions claimed for all facilities in this PBR submittal less than 250 tpy?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<i>If the answer to both questions is "Yes," continue to Section 2.</i>	
<i>If the answer to either question is "No," a PBR cannot be claimed. A permit will be required under Chapter 116.</i>	

**Texas Commission on Environmental Quality
Permit by Rule Applicability Checklist
Title 30 Texas Administrative Code § 106.4**

2. 30 TAC § 106.4(a)(2): Nonattainment Check	Answer
Are the facilities to be claimed under this PBR located in a designated ozone nonattainment county?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<i>If "Yes," please indicate which county by checking the appropriate box to the right.</i>	
(Moderate) - Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller counties:	<input type="checkbox"/> HGB
(Moderate) - Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise counties:	<input type="checkbox"/> DFW
<i>If "Yes," to any of the above, continue to the next question. If "No," continue to Section 3.</i>	
Does this project trigger a nonattainment review?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Is the project's potential to emit (PTE) for emissions of VOC or NO _x increasing by 100 tpy or more?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<i>PTE is the maximum capacity of a stationary source to emit any air pollutant under its worst-case physical and operational design unless limited by a permit, rules, or made federally enforceable by a certification.</i>	
Is the site an existing major nonattainment site and are the emissions of VOC or NO _x increasing by 40 tpy or more?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<i>If needed, attach contemporaneous netting calculations per nonattainment guidance.</i>	
Additional information can be found at: www.tceq.texas.gov/permitting/air/forms/newsource/tables/nsr_table8.html and www.tceq.texas.gov/permitting/air/nav/air_docs_newsource.html	
<i>If "Yes," to any of the above, the project is a major source or a major modification and a PBR may not be used. A Nonattainment Permit review must be completed to authorize this project. If "No," continue to Section 3.</i>	
3. 30 TAC § 106.4(a)(3): Prevention of Significant Deterioration (PSD) check	
Does this project trigger a review under PSD rules?	
To determine the answer, review the information below:	
Are emissions of any regulated criteria pollutant increasing by 100 tpy of any criteria pollutant at a named source?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Are emissions of any criteria pollutant increasing by 250 tpy of any criteria pollutant at an unnamed source?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Are emissions increasing above significance levels at an existing major site?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
PSD information can be found at: www.tceq.texas.gov/assets/public/permitting/air/Forms/NewSourceReview/Tables/10173tbl.pdf and www.tceq.texas.gov/permitting/air/nav/air_docs_newsource.html	
<i>If "Yes," to any of the above, a PBR may not be used. A PSD Permit review must be completed to authorize the project.</i>	
<i>If "No," continue to Section 4.</i>	

**Texas Commission on Environmental Quality
Permit by Rule Applicability Checklist
Title 30 Texas Administrative Code § 106.4**

4. 30 TAC § 106.4(a)(6): Federal Requirements	Answer
Will all facilities under this PBR meet applicable requirements of Title 40 Code of Federal Regulations (40 CFR) Part 60, New Source Performance Standards (NSPS)?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
If "Yes," which Subparts are applicable? <i>(answer below.)</i>	
Will all facilities under this PBR meet applicable requirements of 40 CFR Part 63, Hazardous Air Pollutants Maximum Achievable Control Technology (MACT) standards?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> NA
If "Yes," which Subparts are applicable? <i>(answer below.)</i>	
Will all facilities under this PBR meet applicable requirements of 40 CFR Part 61, National Emissions Standards for Hazardous Air Pollutants (NESHAPs)?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> NA
If "Yes," which Subparts are applicable? <i>(answer below.)</i>	
<i>If "Yes" to any of the above, please attach a discussion of how the facilities will meet any applicable standards.</i>	
5. 30 TAC § 106.4(a)(7): PBR prohibition check	
Are there any air permits at the site containing conditions which prohibit or restrict the use of PBRs?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<i>If "Yes," PBRs may not be used or their use must meet the restrictions of the permit. A new permit or permit amendment may be required.</i>	
List permit number(s):	
6. 30 TAC § 106.4(a)(8): NO_x Cap and Trade	
Is the facility located in Harris, Brazoria, Chambers, Fort Bend, Galveston, Liberty, Montgomery, or Waller County?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<i>If "Yes," answer the question below.</i>	
<i>If "No," continue to Section 7.</i>	
Will the proposed facility or group of facilities obtain required allowances for NO _x if they are subject to 30 TAC Chapter 101, Subchapter H, Division 3 (relating to the Mass Emissions Cap and Trade Program)?	<input type="checkbox"/> YES <input type="checkbox"/> NO

**Texas Commission on Environmental Quality
Permit by Rule Applicability Checklist
Title 30 Texas Administrative Code § 106.4**

7. Highly Reactive Volatile Organic Compounds (HRVOC) check		
Is the facility located in Harris County?		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<i>If "Yes," answer the next question. If "No," skip to the box below.</i>		
Will the project be constructed after June 1, 2006?		<input type="checkbox"/> YES <input type="checkbox"/> NO
<i>If "Yes," answer the next question. If "No," skip to the box below.</i>		
Will one or more of the following HRVOC be emitted as a part of this project?		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<i>If "Yes," complete the information below:</i>		
Information	lb/hr	tpy
▶ 1,3-butadiene		
▶ all isomers of butene (e.g., isobutene [2-methylpropene or isobutylene])		
▶ alpha-butylene (ethylethylene)		
▶ beta-butylene (dimethylethylene, including both cis- and trans-isomers)		
▶ ethylene		
▶ propylene		
Is the facility located in Brazoria, Chambers, Fort Bend, Galveston, Liberty, Montgomery, or Waller County?		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<i>If "Yes," answer the next question. If "No," the checklist is complete.</i>		
Will the project be constructed after June 1, 2006?		<input type="checkbox"/> YES <input type="checkbox"/> NO
<i>If "Yes," answer the next question. If "No," the checklist is complete.</i>		
Will one or more of the following HRVOC be emitted as a part of this project?		<input type="checkbox"/> YES <input type="checkbox"/> NO
<i>If "Yes," complete the information below:</i>		
Information	lb/hr	tpy
▶ ethylene		
▶ propylene		

Save Form

Reset Form

Texas Commission of Environmental Quality
Air Permits by Rule (PBR) Checklist
Title 30 Texas Administrative Code § 106.496
Air Curtain Incinerators

Check the most appropriate answer and include any additional information in the spaces provided. If additional space is needed, please include an extra page and reference the rule number. The permit by rule (PBR) forms, tables, checklists, and guidance documents are available from the Texas Commission on Environmental Quality (TCEQ), Air Permits Division Web site at:
www.tceq.texas.gov/permitting/air/nav/air_pbr.html.

This PBR (§ 106.496) requires registration with the TCEQ, in Austin before construction begins. Registration of the facility can be performed by completing Form PI-7, "Registration for Permits by Rule," or Form PI-7-CERT, "Registration and Certification for Permits by Rule." This checklist should accompany the registration form.

For additional assistance with your application, including resources to help calculate your emissions, please visit the Small Business and Local Government Assistance (SBLGA) webpage at the following link:
www.TexasEnviroHelp.org

Definitions:

The following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise.

- A. **Air curtain incinerator (ACI):** An incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which combustion occurs. Incinerators of this type may be constructed above or below ground and with or without refractory walls or floor.
- B. **Clean lumber:** Wood or wood products that have been cut or shaped, including wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate, copper arsenate, pentachlorophenol, or creosote.
- C. **Emergency cleanup:** The removal and disposal of wastes resulting from events such as high winds, floods, and other events of nature that is necessary to protect public health and safety.
- D. **Land-clearing:** The removal of trees, brush, and other vegetative matter from agriculture, forest management, or land development.
- E. **Municipal solid waste sites:** Landfills that may burn on-site or off-site generated waste as specifically authorized by the executive director under 30 TAC § 330 of this title (relating to Permit Required)
- F. **Noncommercial industrial sites:** Locations at which on-site generated waste resulting from the processing or manufacturing of products may be burned. These industrial sites must be noncommercial, as limited by 30 TAC § 335.2(d)(1) of this title (relating to Permit Required), and burn only on-site generated waste that results from the processing or manufacturing of products, and do not include sites that accept off-site generated waste for disposal or destruction.
- G. **Site:** One or more contiguous or adjacent properties that are under common control of the same person, or persons.

**Texas Commission of Environmental Quality
Air Permits by Rule (PBR) Checklist
Title 30 Texas Administrative Code § 106.496
Air Curtain Incinerators**

Questions/Descriptions and Response	
Rule	Applicability
(a)	Will the ACI be used only for the burning of trees, clean lumber, and brush from land clearing? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(a)	Will the material burned come from land-clearing, right-of-way maintenance, emergency clean-up operations, noncommercial industrial sites, and municipal solid waste sites? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Rule	Scope
(b)	The ACI will be located at/for (pick one.)
<input type="checkbox"/> Land Clearing Site <input type="checkbox"/> Non-commercial Industrial Site <input type="checkbox"/> Emergency Clean-up <input checked="" type="checkbox"/> Municipal Solid Waste Site <input type="checkbox"/> Land Clearing Public Right-of-Way	
Rule	Operational Limits
(c)(1)	Will the ACI be located at least 300 feet from the closest property line and any other facility with an air permit, or any ACI operating under PBR? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(c)(2)(A)	Will the ACI be located at the site operate no more than 600 hours in any rolling 12-month period? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(c)(2)(B)	Will the portable ACI be temporarily located at a site and operate up to 180 consecutive calendar days or 600 hours, whichever occurs first, and removed from the site after ceasing operation? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Rule	Daily Operation
(c)(3)(A)	Will the daily burning commence no earlier than one hour after sunrise? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(c)(3)(B)	Will the daily burning be completed on the same day, not later than one hour before sunset? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<i>Note: At the end of the burn, embers shall not be flaming or smoking, and no additional fuel shall be added to the ACI.</i>	
(c)(3)(C)	Will material added to the ACI be below the air curtain? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(c)(3)(D)	Will an operator remain with the ACI at all times it is operating? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(c)(3)(E)	Will the ACI blower remain on until the end of daily burning or until enough material is consumed so that any remaining material in the trench does not flame or cause smoke that exceeds the requirements of this section when the blower is turned off? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

**Texas Commission of Environmental Quality
Air Permits by Rule (PBR) Checklist
Title 30 Texas Administrative Code § 106.496
Air Curtain Incinerators**

Questions/Descriptions and Response	
Rule	Daily Operation (continued)
(c)(3)(F)	Will material not being worked and material being stockpiled to be burned at a later date be kept at least 75 feet from the trench or fire box? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(c)(4)(A)	Will visible emissions from the ACI, stockpiles, work areas, and any in-plant roads associated with the facility leave the property for a period exceeding 30 seconds in any six-minute period as determined by United States Environmental Protection Agency Test Method 22? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(c)(4)(B)	Will best management practices be used to ensure that the ACI blower is operated in a manner to minimize smoke and ash becoming airborne? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(c)(5)	Will the facility be operated in compliance with all requirements of this section? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(c)(6)	Upon notification by a representative of the commission or any local air pollution control program having jurisdiction that the ACI is not complying with the conditions of this section, will any additional material be added to the ACI until the facility returns to compliance? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Rule	Trench Burning
(d)	Does this facility use a trench and air manifold fan system? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(d)(1)	At all times, will the trench be less than 12 feet wide, 35 feet long, and no less than 10 feet deep? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(d)(2)	Does the length of the trench exceed the length of the air manifold fan system? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(d)(3)	Will the walls of the trench be maintained such that they remain sufficiently vertical to maintain the air curtain? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(d)(4)	Will any ash left in the trench be completely covered with incombustible material and soil? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Rule	Firebox Burning
(e)	Does the facility use an above-ground firebox and air manifold fan system? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(e)(1)	Are the interior dimensions of the firebox not greater than 8 feet wide, 35 feet long, and at least 6 feet deep? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(e)(2)	Will the walls of the firebox be maintained such that they remain sufficiently vertical to maintain the air curtain? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

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Questions/Descriptions and Response	
Rule	Firebox Burning: (continued)
(e)(3)	Is the length of the air blower manifold equal to the length of the firebox burning area? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(e)(4)	Will the firebox be equipped with refractory walls and above-fire air supply, and will it operate no more than 750 hours in any rolling 12-month period? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Rule	Ash Processing
(f)(1)(A)	Will all ash be removed from the ACI burning as necessary to maintain efficient combustion? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(f)(1)(B)	Will the ash be removed in such a way that ash dust is minimized during handling? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(f)(1)(C)	Will ash be completely extinguished (not smouldering) before being disposed of or placed in contact with combustible material, and stored so no fire hazard is created? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(f)(2)	Which one of the following methods will be used to dispose of the ash?
<input type="checkbox"/>	Will ash be disposed of by being buried on-site in the ACI trench, be deed recorded, and will a copy of the document be provided to the executive director as required by 30 TAC § 330 (relating to Deed Recordation)?
<input checked="" type="checkbox"/>	Will ash be disposed of by sending it to a Type I landfill and be containerized with no hot coals?
<input type="checkbox"/>	If ash is being disposed of by beneficial use, has it been determined to be acceptable by the executive director in accordance with 30 TAC § 330?
(f)(2)	Indicate the acceptable beneficial use: _____
<p><i>Note: If you have not determined if ash is being disposed of by an acceptable beneficial use, please call the TCEQ Air Permits Division at 512-239-1250.</i></p>	

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Rule	Other Applicable Rules and Regulations
(g)(1)-(2)	Do you understand that authorization under this section does not exempt the ACI from any local government regulations or other local government requirements, permits, registrations, or other authorizations required by local authorities, or compliance with any additional state air regulations, state waste regulations, or state water regulations? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<i>Note: It is recommended that the owner or operator of the incinerator contact the city, county, or other local government and/or the local fire marshal to determine if there are any additional requirements or burn bans in effect that may apply to the facility.</i>	
(g)(3)	For a permanent ACI, is the unit used for Commercial and Industrial Solid Waste Incineration? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A
<i>If "YES," commercial and industrial solid waste incinerators must address the applicability of 40 CFR Part 60, NSPS Subpart CCCC, Standards of Performance for Commercial and Industrial Solid Waste Incineration Units for Which Construction is Commenced after November 30, 1999 or for Which Modification or Reconstruction is Commenced on or After June 1, 2001 (as published in the December 1, 2000 issue of the Federal Register).</i>	
<i>If "YES," proceed to the next section.</i>	
<i>Note: Commercial and Industrial Solid Waste Incinerators must demonstrate compliance with this federal regulation, including initial stack sampling, opacity reading, reporting, and record keeping.</i>	
(g)(4)(A)	For an ACI located at a landfill site, is a separate waste authorization under 30 TAC § 330 (relating to Permit Required) being obtained? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(g)(4)(A)	Will the below-ground ACI at a landfill site be located in undisturbed soil not previously excavated, built up, compacted, or used in any type of active landfill operation? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(g)(4)(B)	Do you understand that compliance with all the requirements of this PBR will serve as authorization to store, process, remove, and/or dispose of the ash resulting from the operation of an ACI? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(g)(5)	Do you understand that nothing in this section removes the responsibility of the owner/operator from obtaining any necessary authorization under 30 TAC Chapter 308 of this title (relating to Criteria and Standards for the National Pollutant Discharge Elimination System)? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

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Questions/Descriptions and Response	
Rule	Administrative Requirements
(h)(1)	Will multiple ACIs, or multiple locations of a single ACI, at a given site meet all design requirements, operating restrictions, and the cumulative annual hourly limitation? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(h)(2)(A)	Is this an initial registration including checklist, Core Data Form, and PI-7 Form? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(h)(2)(B)	Is this a re-registration due to a Notice of Enforcement including checklist, Core Data Form and PI-7 Form? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(h)(2)(C)	For an emergency clean-up operation only, was the Regional Notification Standard Permit/Permit by Rule Relocation Form submitted to the Regional Office and local air pollution control program? <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
(h)(2)(D)	Is this a registration renewal including checklist, Core Data Form and PI-7 Form? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(h)(3)(B)	For relocation notification, was the Regional Notification Standard Permit/Permit by Rule Relocation Form submitted to the Regional Office and local air pollution control program at least 14 days prior to proposed operation? <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
<i>If "YES," the relocation notification must be sent to the Regional Director with this checklist attached to a Core Data Form.</i>	
(h)(4)	Will records be kept to demonstrate compliance with the permit by rule conditions listed above? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(h)(4)(A)	Is the ACI equipped with a run time meter and a written record or log of the hours of operation of the ACI maintained at this site and made available at the request of personnel from the commission or any air pollution control program having jurisdiction? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(h)(4)(B)	Will records be kept to demonstrate compliance with all operational or location requirements? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<i>Note: These records must include a copy of the return receipt demonstrating notification to the appropriate regional office and local air pollution control programs having jurisdiction, and plot plans showing distance limits are met. For portable facilities once relocated to a new site, records will be maintained at a central location for a two-year rolling period.</i>	
(h)(4)(C)	Will a copy of the PBR rule and any operating instructions be kept at the burn site, followed by owners or operators, and be made available at the request of personnel from the commission or any local air pollution control program having jurisdiction? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(h)(4)(D)	Will the ACI unit be clearly and permanently marked with the regulated entity (preferred) or account identification number on the fan manifold or aboveground unit? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

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- Form PI-7 (Registration for Permits by Rule)
- Core Data Form (See: Instructions for completing the Core Data Form)
- Regional Notification Standard Permit/Permit by Rule Relocation Form (Only complete this form if you are relocating an ACI that has been previously registered with the TCEQ within the past five years. If you are providing notification of relocation, you only need to notify the TCEQ Regional Office and any local air control program in the region in which the ACI will be located.)

For questions about completing forms or about rule requirements, please call (512) 239-1250.

Record Keeping: In order to demonstrate compliance with the general and specific requirements for this PBR, the owner or operator of the ACI, at a minimum, must meet the following requirements:

- A. The ACI must be equipped with a run time meter. A written record or log of the hours of operation of the ACI must be maintained at the site and made available at the request of personnel from the commission or any air pollution control program having jurisdiction. This run time record or log must be organized such that compliance with the requirements of this section can be readily determined.
- B. Records must be kept to demonstrate compliance with all operational or location requirements of this section. These records must include a copy of the return receipt demonstrating notification to the appropriate regional office and local air pollution control programs having jurisdiction, and plot plans showing distance limits are met. For portable facilities, once relocated to a new site, records must be maintained at a central location for a two-year rolling period.
- C. A copy of this section and any operating instructions must be kept at the burn site and must be followed by the owners or operators, and must be made available at the request of personnel from the commission or any local air pollution control program having jurisdiction.
- D. The ACI must be clearly and permanently marked with the regulated entity (preferred) or account identification number on the fan manifold or aboveground unit.

In addition, the required record keeping in accordance with 30 TAC § 106.8 may be based upon one time calculations, monitoring devices, data sets, or periodic calculations based upon actual production. If you have any question about the type of records that should be maintained, contact the Air Program in the TCEQ Regional Office for the county in which the site is located.

Recommended Calculation Method: In general, air emissions estimates are not required during a PBR registration review for this facility. However, in order to demonstrate compliance with the general requirements for PBRs, the registrant may be asked to estimate air emissions during an investigation. These estimates can be made by compiling the required records. If sufficient records are maintained on-site and requirements are being met, the applicant and the TCEQ will be able to establish these emission rates if needed.

PRINT FORM

RESET FORM