

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

I. Registrant Information
A. Company or Other Legal Customer Name:
B. Company Official Contact Information (<input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Other:) _____
Name:
Title:
Mailing Address:
City:
State:
ZIP Code:
Telephone Number:
Fax Number:
Email Address:
<i>All PBR registration responses will be sent via email.</i>
C. Technical Contact Information (<input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Other:) _____
Name:
Title:
Company Name:
Mailing Address:
City:
State:
ZIP Code:
Telephone Number:
Fax Number:
Email Address:

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II. Facility and Site Information
A. Name and Type of Facility
Facility Name:
Type of Facility: <input type="checkbox"/> Permanent <input type="checkbox"/> Temporary
For portable units, please provide the serial number of the equipment being authorized below.
Serial No(s):
B. Facility Location Information
Street Address:
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 type="checkbox"/> NO
If "NO," provide customer reference number (CN) and regulated entity number (RN) below.
Customer Reference Number (CN):
Regulated Entity Number (RN):
D. TCEQ Account Identification Number (if known):
E. Type of Action
<input type="checkbox"/> Initial Application <input type="checkbox"/> Change to Registration
For Change to Registration provide the Registration Number:
F. PBR number(s) claimed under 30 TAC Chapter 106
(List all the individual rule number(s) that are being claimed.)
106
106
106

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II. Facility and Site Information (continued)	
G. Historical Standard Exemption or PBR	
Are you claiming a historical standard exemption or PBR? <input type="checkbox"/> YES <input type="checkbox"/> NO	
If "YES," enter rule number(s) and associated effective date in the spaces provided below.	
Rule Number(s):	Effective Date:
Rule Number(s):	Effective Date:
Rule Number(s):	Effective Date:
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 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:	
Standard Exemption and PBR Registration Number(s):	
Effective Date:	
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 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 and PBR Registration Number(s):	
Effective Date:	
Standard Exemption and PBR 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 type="checkbox"/> NO	
If "YES," enter permit number(s) in the spaces provided below.	
Permit Number(s):	
Permit Number(s):	

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II. Facility and Site Information (continued)
K. Affected Air Preconstruction Permits
Does the PBR being claimed directly affect any permitted facility? <input type="checkbox"/> YES <input type="checkbox"/> NO
If "YES," enter the permit number(s) in the spaces provided below.
Permit Number(s):
Permit Number(s):
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 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:
1. Check the requirements of 30 TAC Chapter 122 that will be triggered if this claim is accepted <i>(check all that apply)</i> .
<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 type="checkbox"/> None
2. Identify the type(s) of FOP issued and/or FOP application(s) submitted/pending for the site. <i>(check all that apply)</i>
<input type="checkbox"/> SOP <input 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 type="checkbox"/> YES <input type="checkbox"/> NO
If "NO," specify the exception. There are three exceptions to paying a PBR fee. <i>(check all that apply)</i>
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"/>

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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)	
B. Fee Amount	
1. A \$100 fee is required if <i>any</i> of the answers in III.B.1 are "YES."	
This business has less than 100 employees.	<input type="checkbox"/> YES <input type="checkbox"/> NO
This business has less than \$6 million dollars in annual gross receipts.	<input type="checkbox"/> YES <input type="checkbox"/> NO
This registration is submitted by a governmental entity with a population of less than 10,000.	<input type="checkbox"/> YES <input type="checkbox"/> NO
This registration is submitted by a non-profit organization.	<input type="checkbox"/> YES <input type="checkbox"/> NO
2. A \$450 fee is required for all other registrations.	
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	
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:	
A. List any PBRs that are being voluntarily registered.	
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? <input type="checkbox"/> YES <input type="checkbox"/> NO	
<ul style="list-style-type: none"> • <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> <p style="padding-left: 20px;">(If "NO" then you must provide all technical information outlined in Section V.)</p>	
C. Distances to 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

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V. Technical Information Including State and Federal Regulatory Requirements	
<p>Check the appropriate box to indicate what is included in your submittal. <i>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.</i></p>	
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
<p><i>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.</i></p>	
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	
<p>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.</p>	



TCEQ Core Data Form

For detailed instructions on completing this form, please read the Core Data Form Instructions or call 512-239-5175.

SECTION I: General Information

1. Reason for Submission (If other is checked please describe in space provided.)		
<input type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)		
<input checked="" type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)	<input type="checkbox"/> Other	
2. Customer Reference Number (if issued)	Follow this link to search for CN or RN numbers in Central Registry**	3. Regulated Entity Reference Number (if issued)
CN 600753990		RN 106369697

SECTION II: Customer Information

4. General Customer Information		5. Effective Date for Customer Information Updates (mm/dd/yyyy)	
<input type="checkbox"/> New Customer		<input checked="" type="checkbox"/> Update to Customer Information	
<input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)		<input type="checkbox"/> Change in Regulated Entity Ownership	
<i>The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).</i>			
6. Customer Legal Name (If an individual, print last name first: eg: Doe, John)		<i>If new Customer, enter previous Customer below:</i>	
Hidalgo County			
7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits) 746000717	10. DUNS Number (if applicable)
11. Type of Customer:		Partnership: <input type="checkbox"/> General <input type="checkbox"/> Limited	
Government: <input type="checkbox"/> City <input checked="" type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> Local <input type="checkbox"/> State <input type="checkbox"/> Other		<input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Other:	
12. Number of Employees		13. Independently Owned and Operated?	
<input type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input checked="" type="checkbox"/> 501 and higher		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
14. Customer Role (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check one of the following			
<input type="checkbox"/> Owner <input type="checkbox"/> Operator <input checked="" type="checkbox"/> Owner & Operator <input type="checkbox"/> Other:			
<input type="checkbox"/> Occupational Licensee <input type="checkbox"/> Responsible Party <input type="checkbox"/> VCP/BSA Applicant			
15. Mailing Address:	1051 North Doolittle Road		
	City	Edinburg	State TX ZIP 78542 ZIP + 4
16. Country Mailing Information (if outside USA)		17. E-Mail Address (if applicable)	
		ELLIE.TORRES@CO.HIDALGO.TX.US	

18. Telephone Number	19. Extension or Code	20. Fax Number (if applicable)
(956) 383-3112		() -

SECTION III: Regulated Entity Information

21. General Regulated Entity Information (If 'New Regulated Entity' is selected, a new permit application is also required.)							
<input type="checkbox"/> New Regulated Entity <input checked="" type="checkbox"/> Update to Regulated Entity Name <input type="checkbox"/> Update to Regulated Entity Information							
<i>The Regulated Entity Name submitted may be updated, in order to meet TCEQ Core Data Standards (removal of organizational endings such as Inc, LP, or LLC).</i>							
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)							
TRENCH BURNER S27FBN07316							
23. Street Address of the Regulated Entity: (No PO Boxes)	6055 EAST DAVIS ROAD						
	City	Edinburg	State	TX	ZIP	78542	ZIP + 4
24. County							

If no Street Address is provided, fields 25-28 are required.

25. Description to Physical Location:	6055 EAST DAVIS ROAD							
26. Nearest City	Edinburg				State	TX	Nearest ZIP Code	78542
<i>Latitude/Longitude are required and may be added/updated to meet TCEQ Core Data Standards. (Geocoding of the Physical Address may be used to supply coordinates where none have been provided or to gain accuracy).</i>								
27. Latitude (N) In Decimal:	26.3513			28. Longitude (W) In Decimal:	-98.0888			
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds			
29. Primary SIC Code	30. Secondary SIC Code	31. Primary NAICS Code	32. Secondary NAICS Code					
(4 digits)	(4 digits)	(5 or 6 digits)	(5 or 6 digits)					
33. What is the Primary Business of this entity? (Do not repeat the SIC or NAICS description.)								
Local government – public works and environmental services.								
34. Mailing Address:	1051 North Doolittle Road							
	City	Edinburg	State	TX	ZIP	78542	ZIP + 4	
35. E-Mail Address:								
36. Telephone Number	37. Extension or Code	38. Fax Number (if applicable)						
(956) 383-3112		() -						

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form. See the Core Data Form instructions for additional guidance.

<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS
<input type="checkbox"/> Sludge	<input type="checkbox"/> Storm Water	<input checked="" type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Wastewater	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

SECTION IV: Preparer Information

40. Name:	Diana Cortes	41. Title:	Program Manager, Environmental
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(956) 383-0111	7313	() -	diana.cortes@hchd.org

SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

Company:	Hidalgo County	Job Title:	Commissioner, Precinct 4
Name (In Print):	Ellie Torres	Phone:	(956) 383- 3112
Signature:		Date:	

**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.

1. 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 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 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 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 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 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 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 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 type="checkbox"/> NO
Are emissions increasing above significance levels at an existing major site?	<input type="checkbox"/> YES <input 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 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 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 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 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 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 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.</i>		
<i>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 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 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		

**Title 30 Texas Administrative Code § 106.496
Texas Commission of Environmental Quality**

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 checked="" type="checkbox"/> YES <input 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
(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

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Rule	Daily Operation (<i>continued</i>)	
(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 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 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 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 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

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Rule	Firebox Burning	
(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
(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?	
	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 type="checkbox"/> YES <input checked="" type="checkbox"/> NO
	Will ash be disposed of by sending it to a Type I landfill and be containerized with no hot coals?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
	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 ?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(f)(2)	Indicate the acceptable beneficial use:	
	<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>	
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

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Rule	Other Applicable Rules and Regulations
	Note: <i>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>
	Note: <i>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 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 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 type="checkbox"/> YES <input type="checkbox"/> NO
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

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Rule	Administrative Requirements <i>(continued)</i>
(h)(2)(B)	<p>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</p> <p>Is this a re-registration due to the five year expiration date Including checklist, Core Data Form, and PI-7 Form? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>
(h)(2)(C)	For an emergency clean-up operation only, was the APD Relocation/Notification Form submitted to the Air Permits Division? <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
(h)(3)(B)	For relocation notification, was the APD Relocation/Notification Form submitted to the Air Permits Division 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 APD Relocation/Notification Form must be sent to the Air Permits Division with this checklist attached to a Core Data Form.</i>
(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 Air Permits Division 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