

**Title 30 Texas Administrative Code § 106.261
Permit By Rule (PBR) Checklist
Facilities (Emission Limitations)
Texas Commission on Environmental Quality**

The following checklist is designed to help you confirm that you meet Title 30 Texas Administrative Code § 106.261 (30 TAC § 106.261) requirements. If you do not meet all the requirements, you may alter the project design or operation in such a way that all the requirements of the PBR are met or you may obtain a construction permit. The PBR forms, tables, checklists, and guidance documents are available from the Texas Commission on Environmental Quality (TCEQ) Air Permits Division website at, www.tceq.texas.gov/permitting/air/air_permits.html

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

Check the Most Appropriate Answer.

Check The Most Appropriate Answer	Answer
Is a description or checklist of how this claim meets the general requirements for the use of PBRs in 30 TAC § 106.4 attached?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
b1 Is this claim for construction of a facility authorized in another section of this chapter or for which a standard permit is in effect?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
<i>If YES," this PBR cannot be used to authorize emissions from the project.</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
b2 Is this claim for any change to any facility authorized under another section of this chapter or authorized under a standard permit?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
<i>If "YES," this PBR cannot be used to authorize emissions from the project</i>	
a Does this project represent a physical or operational change to an NSR permitted facility in which the result of the project is an increase in only annual emissions with no impact to the currently authorized hourly emission rate? ¹	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
a1 Are facilities or changes located at least 100 feet from any recreational area or residence or other structure not occupied or used solely by the owner or operator of the facilities or the owner of the property upon which the facilities are located?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
a2 Are total new or increased emissions, including fugitives, less than or equal to 6.0 pounds per hour (lb/hr) and ten tons per year of the following materials ²	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA

¹ Project emission increases associated with a change to a facility that only result in an annual emissions increase can be authorized as part of the PBR claim if the following information is met: 1) the hourly emissions stay at or below current authorized emission limits; 2) there is not a change to any underlying air authorizations for the applicable units associated with BACT or health and environmental impacts; and 3) this claim is certified via PI-7-CERT. The annual emission increases associated with the PBR claim may not circumvent major new source review requirements under 30 TAC Chapter 116.

² Any upstream and/or downstream actual emission increases that result from a project for which this PBR is claimed need to be authorized appropriately. Any associated upstream and/or downstream emissions authorized as part of the PBR claim will need to be included as part of the total new or increased emissions, unless: 1) these emissions stay at or below current authorized emission limits; 2) there is not a change to any underlying air authorizations for the applicable units associated with BACT, health and environmental impacts, or other representations (i.e. construction plans, operating procedures, throughputs, maximum emission rates, etc.); and 3) this claim is certified via PI-7 CERT. Notwithstanding the exclusion of any upstream and/or downstream emissions under this PBR claim, the total of all emission increases, including upstream and/or downstream actual emission increases, are required to be part of the PBR registration to determine major new source review applicability under Title 30 TAC Chapter 116. The emission increases associated with the PBR claim and all upstream and/or downstream actual emission increases may not circumvent major new source review requirements under 30 TAC Chapter 116.

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Check All That Apply			
<input type="checkbox"/> acetylene	<input type="checkbox"/> cyclopentane	<input type="checkbox"/> kaolin	<input type="checkbox"/> propane
<input type="checkbox"/> alumina	<input type="checkbox"/> emery dust	<input type="checkbox"/> limestone	<input type="checkbox"/> propyl alcohol
<input type="checkbox"/> argon	<input type="checkbox"/> ethanol	<input type="checkbox"/> magnesite	<input type="checkbox"/> propyl ether
<input type="checkbox"/> butane	<input type="checkbox"/> ethyl acetate	<input type="checkbox"/> marble	<input type="checkbox"/> propylene
<input type="checkbox"/> calcium carbonate	<input type="checkbox"/> ethyl ether	<input type="checkbox"/> methyl acetylene	<input type="checkbox"/> silicon
<input type="checkbox"/> calcium silicate	<input type="checkbox"/> ethylene	<input type="checkbox"/> methyl chloroform	<input type="checkbox"/> silicon carbide
<input type="checkbox"/> carbon monoxide	<input type="checkbox"/> glycerin mist	<input type="checkbox"/> methyl cyclohexane	<input type="checkbox"/> starch
<input type="checkbox"/> cellulose fiber	<input type="checkbox"/> gypsum	<input type="checkbox"/> neon	<input type="checkbox"/> sucrose
<input type="checkbox"/> cement dust	<input type="checkbox"/> helium	<input type="checkbox"/> nonane	<input type="checkbox"/> sulfur dioxide
<input type="checkbox"/> crude oil	<input type="checkbox"/> iron oxide dust	<input type="checkbox"/> oxides of nitrogen	<input type="checkbox"/> zinc oxide
<input type="checkbox"/> cyclohexane	<input type="checkbox"/> isohexane	<input type="checkbox"/> pentaerythritol	<input type="checkbox"/> zinc stearate
<input type="checkbox"/> cyclohexene	<input type="checkbox"/> isopropyl alcohol	<input type="checkbox"/> plaster of paris	
<input type="checkbox"/> refinery petroleum fractions (except for pyrolysis naphthas and pyrolysis gasoline) containing less than ten volume percent benzene			
<input type="checkbox"/> fluorocarbons Numbers 11, 12, 13, 14, 21, 22, 23, 113, 114, 115, and 116			

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Check The Most Appropriate Answer	Answer
a3 Are total new or increased emissions, including fugitives, less than or equal to 1.0 lb/hr of any chemical having a limit value (L) greater than 200 milligrams per cubic meter (mg/m ³) as listed and referenced in Table 262 of 30 TAC § 106.262 of this title (relating to Facilities (Emission and Distance Limitations))? ³	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
List chemical(s):	
L value(s):	
Are total new or increased emissions, including fugitives, less than or equal to 1.0 lb/hr of any chemical not listed or referenced in Table 262? ⁴	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
List chemical(s):	
Are total new or increased emissions, including fugitives, of a chemical with a limit value of less than 200 mg/m ³ ? ⁵	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
<i>If "YES" the authorization of the chemical is not allowed under this section. We suggest you use 30 TAC § 106.262 to authorize the emissions, if applicable.</i>	
a4 Are there any changes to or additions of any existing air pollution abatement equipment?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
a5 Will there be any visible emissions, except uncombined water, emitted to the atmosphere from any point or fugitive source in amounts greater than 5.0% opacity in any six-minute period?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
a6 Are emission increases five tons per year or greater?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
<i>If "YES," this checklist must be attached to a Form PI-7 within ten days following the installation or modification of the facilities.</i>	
[Note: The notification shall include the 106.261 and 106.262 Workbook, a description of the project, calculations, data identifying specific chemical names, limit values, and a description of pollution control equipment if any.]	
a7 Are emission increases less than five tons per year?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
<i>If "YES," this checklist must be attached to a Form PI-7 and include the 106.261 and 106.262 Workbook, a description of the project, calculations, data identifying specific chemical names, limit values, and a description of pollution control equipment if any. (pick one):</i>	
Within ten days following the installation or modification of the facilities. The notification shall include a description of the project, calculations, data identifying specific chemical names, limit values, and a description of pollution control equipment if any	<input type="checkbox"/>
By March 31 of the following year summarizing all uses of this permit by rule in the previous calendar year.	<input type="checkbox"/>

³ Same as ²

⁴ Same as ²

⁵ Same as ²