Title 30 Texas Administrative Code § 106.262
Permit by Rule (PBR) Checklist
Facilities (Emission and Distance Limitations)
Texas Commission on Environmental Quality

The following checklist is designed to help you confirm that you meet Title 30 Texas Administrative Code § 106.262 (30 TAC § 106.262) 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/nav/permits/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		
Is a description or checklist of how this claim meets the general requirements for the use of PBRs in 30 TAC § 106.4 attached?		☐ YES ☐ NO ☐ N/A
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 current authorized hourly emission rate? [1]	☐ YES ☐ NO ☐ N/A
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? *If "YES," this PBR cannot be used to authorize emissions from the project.*	☐ YES ☐ NO ☐ N/A
b2.	Is this claim for any change to any facility authorized under another section of this chapter or authorized under a standard permit? *If "YES," this PBR cannot be used to authorize emissions from the project.*	☐ YES ☐ NO ☐ N/A
c.	Is the facility authorized under another section of this chapter or under a standard permit? *If "YES," subsection (a)(2) and (3) of this section may be used to qualify the use of other chemicals at the facility.*	☐ YES ☐ NO ☐ N/A
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?	☐ YES ☐ NO ☐ N/A
a2.	Are new or increased emissions, including fugitives, emitted in a quantity less than five tons per year or in a quantity less than E as determined by using the equation E=L/K?[2] See Table 262 Figures 1 and 2. *If "YES," the notification shall include the 106.261 and 106.262 Workbook, a description of the project, calculations for all emissions being claimed under this PBR:*	☐ YES ☐ NO ☐ N/A
Chemical:		
L value:		
D:		
K:		

[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.

Check the Most Appropriate Answer			
a3. Is this checklist attached to a Form PI-7 within ten days following the installation or modification of the facilities? *If "YES," the notification shall include the 106.261 and 106.262 Workbook, a description of the project, calculations, and data identifying specific chemical names, L values, and a description of pollution control equipment, if any*.		☐ YES ☐ NO ☐ N/A	
a4. Are one or more of the following chemicals is handled for this registration?		☐ YES ☐ NO ☐ N/A	
(Check all that apply) *If "YES," answer the following four questions.*			
☐ acrolein	☐ diazomethane	☐ hydrogen sulfide	☐ ozone
☐ allyl chloride	☐ diborane	☐ ketene	☐ pentabornev
☐ ammonia (anhydrous)	☐ diglycidyl ether	☐ methylamine	☐ perchloromethyl mercaptan
☐ arsine	☐ dimethylhydrazine	☐ methyl bromide	☐ perchloryl fluoride
☐ boron trifluoride	☐ ethyleneimine	☐ methyl hydrazine	☐ phosgene
☐ bromine	☐ ethyl mercaptan	☐ methyl isocyanate	☐ phosphine
☐ carbon disulfide	☐ fluorine	☐ methyl mercaptan	☐ phosphorus trichloride
☐ chlorine	☐ formaldehyde (anhydrous)	☐ nickel carbonyl	☐ selenium
☐ chlorine dioxide	☐ hydrogen bromide	☐ nitric acid	☐ hexafluoride stibine
☐ chlorine trifluoride	☐ hydrogen chloride	☐ nitric oxide	☐ liquefied sulfur dioxide
☐ chloroacetaldehyde	☐ hydrogen cyanide	☐ nitrogen dioxide	☐ sulfur pentafluorid
☐ chloropicrin	☐ hydrogen fluoride	☐ oxygen difluoride	☐ tellurium hexafluoride
☐ chloroprene	☐ hydrogen selenide		

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Are all facilities are located at least 300 feet from the nearest property line and 600 feet from any off-plant receptor?	☐ YES ☐ NO ☐ N/A
Are the cumulative amount of any of the following chemicals resulting from one or more authorizations under this section (but not including permit authorizations) less than or equal to 500 pounds on the plant property?	☐ YES ☐ NO ☐ N/A
Are all listed chemicals handled only in unheated containers operated in compliance with the United States Department of Transportation regulation (49 Code of Federal Regulation, Parts 171-178)?	☐ YES ☐ NO ☐ N/A
a5. Are there any changes to or additions of any existing air pollution abatement equipment?	☐ YES ☐ NO ☐ N/A
a6. Will there be any visible emissions, except uncombined water, emitted to the atmosphere from any point or fugitive source in amounts greater that 5.0% opacity in any six-minute period?	☐ YES ☐ NO ☐ N/A

D (feet)	K	Value Description
100	326	E=maximum allowable hourly emission, and never to exceed 6 pounds per hour.
200	200	
300	139	
400	104	
600	65	
700	54	
800	46	K=value from the table on this page. (interpolate intermediate values)
900	39	
1,000	34	
2,000	14	D=distance to the nearest off-plant receptor
3,000 or more	8	

Table 262
Limit Values (L) for use with Exemptions from Permitting § 106.262

The values are not to be interpreted as acceptable health affects values relative to the issuance of any permits under Chapter 116 of this title (relating to Control of Air Pollution by Permits for new Construction or Modification).

Compound	Limit (L) Milligrams Per Cubic Meter
Acetone	590.
Acetaldehyde	9.
Acetone	4.
Acetonitrile	34.
Acetylene	2662.
N-Amyl Acetate	2.7
Sec-Amyl Acetate	1.1
Benzene	3.
Beryllium and Compounds	0.0005
Boron Trifluride, as HF	0.5
Butyl Alcohol,	76.
Butyl Acrylate	19.
Butyl Chromate	0.01
Butyl Glycidyl Ether	30.
Butyl Mercaptain	0.3
Butyraldehyde	1.4
Butyric Acid	1.8
Butyronitrile	22.
Carbon Tetrachloride	12.
Chloroform	10.
Chlorophenol	0.2
Chloroprene	3.6
Chromic Acid	0.01
Chromium Metal, Chromium II and III Compounds	0.1
Chromium VI Compounds	0.01
Coal Tar Pitch Volatiles	0.1
Creosote	0.1
Cresol	0.5
Cumene	50.
Dicyclopentadiene	3.1
Diethylaminoethanol	5.5

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Compound	Limit (L) Milligrams Per Cubic Meter
Diisobutyl Ketone	63.9
Dimethyl Aniline	6.4
Dioxane	3.6
Dipropylamine	8.4
Ethyl Acrylate	0.5
Ethylene Dibromide	0.38
Ethylene Glycol	26.
Ethylene Glycol Dinitrate	0.1
Ethylidene 2-norbornene, 5	7.
Ethyl Mercaptan	0.08
Ethyl Sulfide	1.6
Glycolonitrile	5.
Halothane	16.
Heptane	350.
Hexanediamine, 1, 6	0.32
Hydrogen Chloride	1.
Hydrogen Fluoride	0.5
Hydrogen Sulfide	1.1
Isoamyl Acetate	133.
Isoamyl Alcohol	15.
Isobutyronitrile	22.
Kepone	0.001
Kerosene	100.
Malononitrile	8.
Mesityl Oxide	40.
Methyl Acrylate	5.8
Methyl Amyl Ketone	9.4
Methyl-T-Butyl Ether	45.
Methyl Butyl Ketone	4.
Methyl Disulfide	2.2

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Compound	Limit (L) Milligrams Per Cubic Meter
Methylenebis (2-chloroaniline) (MOCA)	0.003
Methylene Chloride	26.
Methyl Isoamyl Ketone	5.6
Methyl Mercaptan	0.2
Merthyl Methacrylate	34.
Methyl Propyl Ketone	530.
Methyl Sulfide	0.3
Mineral Spirits	350.
Naphtha	350.
Nickel, Inorganic Compounds	0.015
Nitroglycerine	0.1
Nitropropane	5.
Octane	350.
Parathion	0.05
Pentane	350.
Perchloroethylene	33.5
Petroleum Ether	350.
Phenyl Mercaptan	0.4
Propionitrile	14.
Propyl Acetate	62.6
Propylene Oxide	20.
Propyl Mercaptan	0.23
Silica-amorphous-precipitated, silica gel	4.
Silicon Carbide	4.

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Compound	Limit (L) Milligrams Per Cubic Meter
Stoddard Solvent	350.
Styrene	21.
Succiononitrile	20.0
Tolidin	0.02
Trichloroethylene	135.
Trinethylamine	0.1
Valeric Acid	0.34
Vinyl Acetate	15.0
Vinyl Chloride	2.0

Note: The time weighted average (TWA) threshold Limit Value (TLV) published by the American Conference of Governmental Industrial Hygienists (AGGIH), in its TLVs and BEIs guide (1997 Edition) shall be used for compounds not included in the table. The Short-Term Exposure Level (STEL) or Ceiling Limit (annotated with a “C”) published by the ACGIH shall be used for compounds that do not have a published TWA TLV. This section cannot be used if the compound is not listed in the table or does not have a published TWA TLV, STEL, or Ceiling Limit in the ACGIH TLVs and BEIs guide.

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