

# CHAPTER 1—GENERAL INFORMATION

## Introduction

As part of national and state efforts to protect human health and the environment, federal and state laws require the State of Texas to develop an annual emissions inventory (EI) of the air pollutants emitted by companies at their sites.

The Texas Commission on Environmental Quality (TCEQ) is authorized to request emissions inventories and supporting documentation under the provisions of:

- Title 40, Code of Federal Regulations (40 CFR), Part 51;
- the federal Clean Air Act;
- Title 30 of the Texas Administrative Code (30 TAC), Section 101.10; and
- the Texas Clean Air Act, Texas Health and Safety Code Chapter 382, Section 014.

To meet the reporting requirements of these regulations, the regulated community will be working with the Emissions Assessment Section (EAS) of the TCEQ's Chief Engineer's Office.

The TCEQ uses the emissions inventory to plan pollution control programs, promote compliance with laws and regulations, conduct permit reviews, develop airshed modeling and rulemaking activities, and supply required data to the U.S. Environmental Protection Agency. In order to meet its goal of protecting human and natural resources, the TCEQ needs the full and complete cooperation of the regulated community.

## ***EAS Objectives***

In order to improve the overall quality of the statewide emissions inventory and to meet the goals stated above, the EAS objectives are to:

- ensure that the data requested in the emission inventory meet the requirements of the federal Clean Air Act and various other federal and state mandates;
- collect data in a standard format using the EAS forms and the emissions inventory questionnaire (EIQ);
- ensure that companies consistently use the most current and accurate information available for determining their emissions;
- help industry accurately report emissions data, especially by offering assistance through the EAS Help Line (512-239-1773);

- maintain data in a standard format using the State of Texas Air Reporting System (STARS) database;
- supply data to other personnel in the TCEQ; and
- continually update EAS publications in order to improve communication with companies submitting emissions inventories.

## **What This Book Contains**

This chapter discusses EAS objectives, 30 TAC 101.10, and what constitutes a complete EI submission. This information should clarify why the EAS requires emissions inventories, help determine whether an emissions inventory is required for a site, and help correctly prepare a complete emissions inventory submission. The chapter concludes with a brief discussion of the EAS's confidentiality policy.

Chapter 2 explains the EI process and its key concepts to those unfamiliar with the emissions inventory.

Chapter 3 discusses correct EI structure (representing processes on EIQ forms), gives examples for some common industrial processes, and supplies guidance for modifying existing representations.

Chapter 4 presents information about requested emissions data; using acceptable actual emissions determination methodologies; speciating emissions; and correctly reporting actual annual emissions, ozone season emissions, and emissions due to emissions events and scheduled maintenance, startup, and shutdown activities.

Chapter 5 offers an example of creating an initial EI.

Chapter 6 contains instructions for updating an EIQ.

Chapter 7 includes instructions on revising EI data, requesting EI data, and verifying site coordinate data.

Chapter 8 answers questions about site quantifiable event totals; reporting emissions from emission events and scheduled maintenance, startups, and shutdowns; excess opacity; and the emissions event certification.

The appendixes contain:

- technical supplements intended to help determine emissions from certain common sources;
- sample letters that may help address some common situations;
- EPA and TCEQ resources that are available to assist in completing or updating an EI;

- information about qualifying for small-business assistance;
- pollution prevention tips from the TCEQ Pollution Prevention and Industry Assistance Section; and
- a checklist designed to assist in determining whether all of the necessary information has been included with the EI.

Also included are a glossary, a list of abbreviations, and an index, followed by information on contacting the EAS.

*Note:* Due to space considerations, the EI forms and instructions are available in a **separate companion document**, *2010 Emissions Inventory Forms and Instructions* (TCEQ publication number RG-360B). This document can be found on the EAS Web page at <[www.tceq.state.tx.us/goto/ieas](http://www.tceq.state.tx.us/goto/ieas)>, or obtain a hard copy by contacting the EAS. Any EI forms referred to in this chapter can be found in that document.

## About 30 TAC 101.10

This section includes a discussion of the emissions inventory process as a self-reporting process, the special inventory request, a copy of 30 TAC 101.10, and maps and tables depicting the state's nonattainment and special inventory areas. The maps and tables are intended to clarify reporting requirements and do not supersede or replace 30 TAC 101.10. It is the responsibility of the owner or operator of a regulated entity to read and understand the EI rule.

### ***A Self-Reporting Process***

The EI process requires self-reporting. The owner or operator of the regulated entity is responsible for determining whether 30 TAC 101.10 applies to the site. If a site meets the applicability requirements of 30 TAC 101.10 or the EAS requests a special inventory, the owner or operator must submit an EI by the due date. Failure to do so may result in the initiation of an enforcement action against the company.

Requirements for submitting an EI are based on the site location and on the type and quantity of emissions released. This publication will help in determining whether the owner or operator must submit an emissions inventory and, if so, how to determine emissions and how to prepare and submit the required forms.

### ***Nonattainment Designations***

To determine the attainment status of the county where a site is located, please consult the Glossary. For the official list and boundaries of

nonattainment areas, see 40 CFR Part 81 and pertinent *Federal Register* notices.

Submission requirements for emissions inventories will apply to those regulated entities located in a county designated as a nonattainment county under the 1997 eight-hour ozone standard, as well as any regulated entity requested to submit a special inventory, regardless of location.

The map entitled “Eight-Hour Ozone Nonattainment Areas” on page 9 identifies the nonattainment counties. A link to this map also appears on the EAS Web page at <[www.tceq.state.tx.us/goto/ieas](http://www.tceq.state.tx.us/goto/ieas)>. The map and its associated table are intended as guidance and do not supersede or replace any state or federal law, rule, or regulation.

## **Special Inventory Request**

The TCEQ, under the “special emissions inventory” provisions of 30 TAC 101.10(b)(3), has the authority to request emissions inventories to be completed and submitted. If a regulated entity meets the thresholds explained below and the TCEQ has initiated a formal written request, the owner or operator must complete and submit an EI by the required date. The TCEQ is conducting a special emissions inventory for entities that emit or have the potential to emit lead and for entities that emit ozone precursors.

### **Requirements for All Counties Concerning Lead**

For the 2010 reporting year, the TCEQ is conducting a special inventory for lead sources under the authority of 30 TAC 101.10(b)(3). Any regulated entity that emits 0.5 ton(s) per year (tpy) of lead emissions during normal operations or has the potential to emit 5 tpy of lead emissions must submit a complete emissions inventory by the required due date.

### **Ozone Precursors in Specified Counties**

The TCEQ is conducting a special emissions inventory for sources that emit ozone precursors in the specified counties listed in Table 1-1 under the authority of 30 TAC 101.10(b)(3). Regulated entities that are located in one of these counties and emitted 10 tpy of volatile organic compounds or 25 tpy of nitrogen oxides during normal operations must submit a complete emissions inventory by the required due date.

*Note:* Regulated entities that meet any of the other applicability requirements of 30 TAC 101.10 are required to submit an annual emissions inventory regardless of whether the TCEQ has initiated a formal written request.

**Table 1-1. Special Inventory Counties**

Bastrop	Gregg	Henderson	Rusk	Victoria
Bexar	Guadalupe	Hood	San Patricio	Williamson
Caldwell	Hardin	Jefferson	Smith	Wilson
Comal	Harrison	Nueces	Travis	
El Paso	Hays	Orange	Upshur	

### **30 TAC §101.10. Emissions Inventory Requirements**

(a) **Applicability.** The owner or operator of an account or source in the State of Texas or on waters that extend 25 miles from the shoreline meeting one or more of the following conditions shall submit emissions inventories and/or related data as required in subsection (b) of this section to the commission on forms or other media approved by the commission:

- (1) an account which meets the definition of a major facility/stationary source, as defined in §116.12 of this title (relating to Nonattainment Review Definitions), or any account in an ozone nonattainment area emitting a minimum of ten tons per year (tpy) volatile organic compounds (VOC), 25 tpy nitrogen oxides (NO<sub>x</sub>), or 100 tpy or more of any other contaminant subject to national ambient air quality standards (NAAQS);
- (2) any account that emits or has the potential to emit 100 tpy or more of any contaminant;
- (3) any account which emits or has the potential to emit 10 tons of any single or 25 tons of aggregate hazardous air pollutants as defined in FCAA, §112(a)(1); and
- (4) any minor industrial source, area source, non-road mobile source, or mobile source of emissions subject to special inventories under subsection (b)(3) of this section. For purposes of this section, the term “area source” means a group of similar activities that, taken collectively, produce a significant amount of air pollution.

**(b) Types of inventories.**

- (1) **Initial emissions inventory.** Accounts, as identified in subsection (a)(1), (2), or (3) of this section, shall submit an initial emissions inventory (IEI) for any criteria pollutant or hazardous air pollutant (HAP) that has not been identified in a previous inventory. The IEI shall consist of actual emissions of VOC, NO<sub>x</sub>, carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), lead (Pb), particulate matter of less than 10 microns in diameter (PM<sub>10</sub>), any other contaminant subject to NAAQS, emissions of all HAPs identified in FCAA §112(b), or any other contaminant requested by the commission from individual emission units within an account. For purposes of this section, the term “actual emission” is the actual rate of emissions of a pollutant from an emissions unit as it enters the atmosphere. The reporting year will be the calendar year or seasonal period as designated by the commission.

Reported emission activities must include annual routine

emissions; excess emissions occurring during maintenance activities, including startups and shutdowns; and emissions resulting from upset conditions. For the ozone nonattainment areas, the inventory shall also include typical weekday emissions that occur during the summer months. For CO nonattainment areas, the inventory shall also include typical weekday emissions that occur during the winter months. Emission calculations must follow methodologies as identified in subsection (c) of this section.

- (2) Statewide annual emissions inventory update (AEIU). Accounts meeting the applicability requirements during an inventory reporting period as identified in subsection (a)(1), (2), or (3) of this section shall submit an AEIU which consists of actual emissions as identified in subsection (b)(1) of this section if any of the following criteria are met. If none of the following criteria are met, a letter certifying such shall be submitted instead:
- (A) any change in operating conditions, including start-ups, permanent shut-downs of individual units, or process changes at the account, that results in at least a 5.0% or 5 tpy, whichever is greater, increase or reduction in total annual emissions of VOC, NO<sub>x</sub>, CO, SO<sub>2</sub>, Pb, or PM<sub>10</sub> from the most recently submitted emissions data of the account; or
  - (B) a cessation of all production processes and termination of operations at the account.
- (3) Special inventories. Upon request by the executive director or a designated representative of the commission, any person owning or operating a source of air emissions which is or could be affected by any rule or regulation of the commission shall file emissions-related data with the commission as necessary to develop an inventory of emissions. Owners or operators submitting the requested data may make special procedural arrangements with the Industrial Emissions Assessment Section to submit data separate from routine emission inventory submissions or other arrangements as necessary to support claims of confidentiality.

(c) **Calculations.** Actual measurement with continuous emissions monitoring systems (CEMS) is the preferred method of calculating emissions from a source. If CEMS data is not available, other means for determining actual emissions may be utilized in accordance with detailed instructions of the commission. Sample calculations representative of the processes in the account must be submitted with the inventory.

(d) **Certifying statement.** A certifying statement, required by the FCAA, §182(a)(3)(B), is to be signed by the owner(s) or operator(s) and shall accompany each emissions inventory to attest that the information contained in the inventory is true and accurate to the best knowledge of the certifying official.

(e) **Reporting requirements.** The IEI or subsequent AEIUs shall contain emissions data from the previous calendar year and shall be due on March 31 of each year or as directed by the commission. Owners or operators submitting emissions data may make special procedural arrangements with the Industrial Emissions Assessment Section to submit data separate from routine emission inventory submissions or other arrangements as necessary to support claims of confidentiality. Emissions-related data submitted under a special inventory request made under subsection (b)(3) of this section are due as detailed in the letter of request.

(f) **Enforcement.** Failure to submit emissions inventory data as required in this section shall result in formal enforcement action under the TCAA, §382.082 and §382.088. In addition, the TCAA, §361.2225, provides for criminal penalties for failure to comply with this section.

December 23, 1999

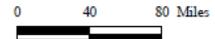
# Eight-Hour Ozone Nonattainment Areas



Protecting Texas by  
Reducing and  
Preventing Pollution

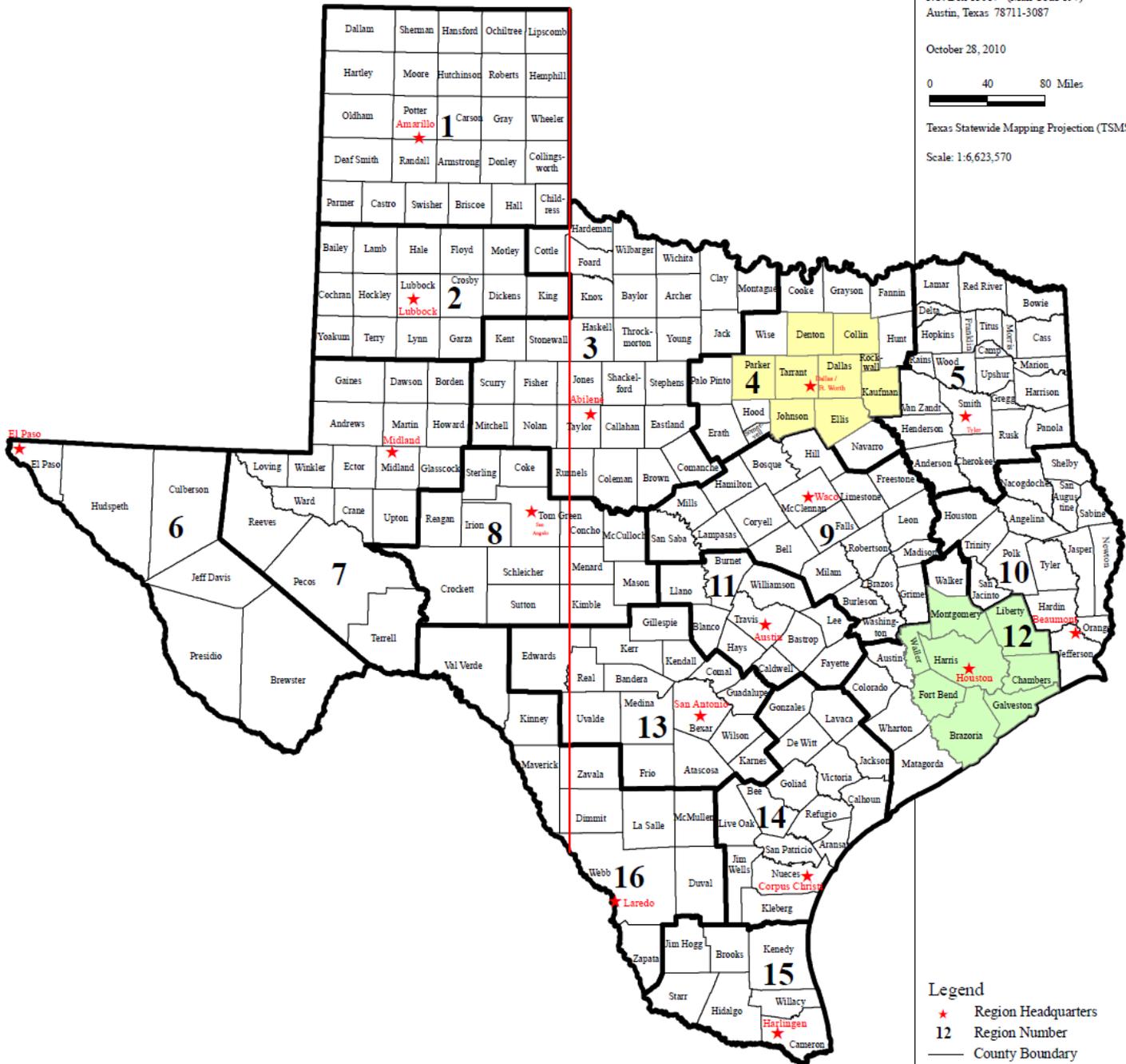
Texas Commission on Environmental Quality  
P.O. Box 13087 (Mail Code 197)  
Austin, Texas 78711-3087

October 28, 2010



Texas Statewide Mapping Projection (TSMS)

Scale: 1:6,623,570



### Legend

- ★ Region Headquarters
- 12 Region Number
- County Boundary
- Central Meridian

Source: The county boundaries and region headquarters are U.S. Census Bureau 1992 Tiger/Line data (1:100,000).



This map was generated by the Information Resources Division of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Information Resource Division at (512) 239-0800.

Table 1-2. Eight-hour ozone nonattainment areas

County	VOC		NOX		Other		Individual HAP		Aggregated HAP	
	Actual	Potential	Actual	Potential	Actual	Potential	Actual	Potential	Actual	Potential
Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, Waller SEVERE / OZONE	10	25	25	25	100	100	10	10	25	25
Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, Tarrant MODERATE / OZONE	10	100	25	100	100	100	10	10	25	25
All Other Counties	100	100	100	100	100	100	10	10	25	25

Note: If an account's emissions meet or exceed the tons per year (tpy) thresholds listed in this table, an emissions inventory questionnaire must be submitted to the TCEQ. This table is provided as a guidance and is not the actual rule. If a discrepancy exists between the table and rule 30 TAC Section 101.10 and 30 TAC Section 116.12 (Major Source Definition), then the rule will take precedence.

## What Constitutes a Complete Submission?

A complete EI submission includes a complete and updated EI, sample calculations representative of the processes at the site, summary test results if stack test data are used to determine emissions, summary Relative Accuracy Test Audit sheets if CEMS or PEMS data are used to determine emissions, material throughput forms (for oil field storage tanks), Fugitive Data Forms if required by the Technical Supplement 3 in Appendix A, and any forms necessary to add or change EI structure. For paper and diskette submissions through the mail, a complete submission also includes the signed Emissions Events Certification (if applicable) and the EIQ page for account-information certification, including the signature of the legally responsible party. If you are supplying the supporting documentation electronically in PDF, be sure to separate confidential from nonconfidential information in different electronic files.

### Sample Calculations

Per 30 TAC 101.10(c), sample calculations representative of the processes at the site must be submitted with the inventory. Submit sample calculations showing determinations of actual annual emissions for each different type of process present in the EIQ, including enough data so that the determination results may be reasonably reproduced. Generic sample calculations cannot be accepted since they do not contain representative process data and do not demonstrate actual annual emissions determinations. For similar reasons, summary spreadsheets listing emissions quantities are not considered sample calculations. Note that sample calculations are required to be submitted and updated each year.

Use the following guidelines when sending representative calculations:

- When several sources of the same type are present and a single calculation methodology was used to determine emissions:
  - Include calculations for the source with the highest level of emissions.
  - Include typical process data for all of the similar sources where sample calculations are not supplied. Typical process data would include heat inputs and fuel types for combustion sources and chemical types and throughputs for storage tanks and loading sources.
- When several sources of the same type are present but different calculation methodologies were used to determine their emissions:
  - Include calculations for the source with the highest emissions for each calculation methodology.
  - Include typical process data for all of the similar sources where

sample calculations are not supplied. Typical process data would include heat inputs and fuel types for combustion sources and chemical types and throughputs for storage tanks and loading sources.

## ***Requirements for a New Emissions Inventory***

If a site has not previously submitted an emissions inventory and it meets the EI reporting requirements of 30 TAC 101.10, then the owner or operator is required to submit an EI by March 31, 2011:

- A full set of properly completed forms (see *2010 Emissions Inventory Forms and Instructions*, TCEQ publication RG-360B, or the EAS Web page), including:
  - A completed Account Emissions form with required signatures—
    1. *Emissions Events Certification*. This statement **must** be signed if and only if there were no emissions events and no emissions from emissions events will be reported in the EI.
    2. *Signature of the Legally Responsible Party*. The signature of the individual legally responsible for certifying that the inventory is, to the best of her or his knowledge, accurate and complete. Note that the legally responsible party **may not be a consultant**. See the Account Emissions form instructions for further details.
  - An Account Information form.
  - A Contact Information form.
  - A Structural Overview form.
  - The appropriate Facility Information form for each facility listed on the Structural Overview form.
  - An Abatement Device Information form for each abatement device listed on the Structural Overview form.
  - The appropriate Emission Point Information form for each emission point listed on the Structural Overview form.
  - A Path Emissions form for each path listed on the Structural Overview form.
  - Sample calculations representative of the processes at the site.
  - Summary test results if stack test data is used to determine emissions; or summary Relative Accuracy Test Audit sheets if CEMS or PEMS data are used to determine emissions.

- Flare Data, Fugitive Data, and Material Throughput for oil field storage tanks forms, if required by the technical supplements in Appendix A.

## **Requirements for Updating an EI**

Any regulated entity that continues to meet the EI reporting requirements of 30 TAC 101.10 is required to submit an EI by March 31, 2011, or as directed—

- **For a hard copy (paper) EI:** A properly and thoroughly updated paper EIQ; complete instructions can be found in Chapter 6. The preparer may not substitute a spreadsheet for the EIQ.
  - The required signatures on the EIQ—
    - (1) *Emissions Events Certification:* This statement **must** be signed **if and only if** there were no emissions events and no emissions from emissions events will be reported in the EI.
    - (2) *Signature of the Legally Responsible Party:* The signature of the individual legally responsible for certifying that the inventory is, to the best of her or his knowledge, accurate and complete. Note that the legally responsible party may not be a consultant. See the subheading “Signature of Legally Responsible Party” in Chapter 6, “Updating an Emissions Inventory Questionnaire,” for further details.
  - Sample calculations representative of the processes at the site.
  - Summary test results if stack test data is used to determine emissions; or summary Relative Accuracy Test Audit sheets if CEMS or PEMS data are used to determine emissions.
  - Material Throughput forms (for oil field storage tanks) and Fugitive Data Forms, if required by the technical supplements in Appendix A.
  - Any forms necessary to add or change account structure (add forms).
- **For an EI submitted through online data entry:** Updated EI data via the STARS EI Web portal using the State of Texas Environmental Electronic Reporting System (STEERS) available at <[www.tceq.state.tx.us/goto/steers/overview](http://www.tceq.state.tx.us/goto/steers/overview)>. The Emissions Events Certification (if applicable) and Signature of the Legally Responsible Party are part of the electronic system and do not need to be submitted separately. Additionally, submit the following:

- Site-wide emissions totals for the criteria pollutants. These will be used to compare the emissions submitted through STEERS to the STARS generated totals for the current reporting year.
- Sample calculations representative of the processes at the site.
- Summary test results if stack test data are used to determine the emissions or summary Relative Accuracy Test Audit sheets if CEMS or PEMS data are used to determine the emissions.
- Material Throughput forms (for oil field storage tanks) and Fugitive Data Forms, if required by the technical supplements in Appendix A.
- Any forms necessary to add or change EI structure.

Sample calculations and supporting documentation may be mailed to the EAS or sent by e-mail to <psdocument@tceq.state.tx.us>. If sending electronic files, ensure that the data are self-contained and not linked to external data sources unavailable to the TCEQ. For electronic files, the preferred formats are Microsoft Word, Excel, and Access, and Adobe PDF. If e-mailing documentation, the site's RN and reporting year must be included in the subject line, and the company name, site name, and AEIU online submission date in the body. If you are supplying the supporting documentation electronically in PDF, be sure to separate confidential from nonconfidential information in different electronic files.

**For an updated electronic EI text file submitted online through STEERS:** An updated EI via the STARS EI Web portal using the State of Texas Environmental Electronic Reporting System (STEERS) available at <[www.tceq.state.tx.us/goto/steers/overview](http://www.tceq.state.tx.us/goto/steers/overview)>. An Emissions Events Certification (if applicable) and the signature of the legally responsible party are part of the electronic system and do not need to be submitted separately. Additionally, submit the following:

- Site-wide emissions totals for the criteria pollutants. These will be used to compare the emissions submitted through STEERS to the STARS-generated totals for the current reporting year.
- Sample calculations representative of the processes at the site.
- Summary test results if stack test data are used to determine the emissions or summary Relative Accuracy Test Audit sheets if CEMS or PEMS data are used to determine the emissions.
- Material Throughput forms (for oil field storage tanks) and Fugitive Data Forms, if required by the technical supplements in Appendix A.
- Any forms necessary to add or change account structure (add forms).

Sample calculations and supporting documentation may be mailed to the

EAS or sent by e-mail to <psdocument@tceq.state.tx.us>. If electronic files are provided, ensure that the data are self-contained and not linked to external data sources unavailable to the TCEQ. For electronic files, the preferred formats are: Microsoft Word, Excel, and Access, and Adobe PDF. If the documentation is sent by e-mail, the site's RN and reporting year must be included in the subject line, and the company name, site name, and AEIU online submission date in the body. If you are supplying the supporting documentation electronically in PDF, be sure to separate confidential from nonconfidential information in different electronic files.

*Note:* Though the EAS prefers submission of the updated EI text file through STEERS, an electronic EI can still be submitted by mail. Submissions by mail must include the EI contact information, criteria-emissions totals, site quantifiable event totals, the emissions events certification, and the signature of the legally responsible party (represented by the first four pages of the paper EI) along with the sample calculations and supporting documentation. Please note that this is the last year that an electronic EI can be submitted by mail on an external medium such as CD-ROM. So that regulated entities will have enough time to obtain a STEERS password and gain familiarity with the submission system, they can submit an electronic 2010 EI either through the mail or through STEERS. Starting with the 2011 EI, all electronic EIs must be submitted through STEERS.

### ***If a Site Experienced Insignificant Changes in Emissions***

Submission of an updated EI is not required if the total actual annual emissions of volatile organic compounds (VOCs), nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), lead (Pb), and particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>) are all within 5 percent or five tons, whichever is greater, of the most recent total actual annual emissions reported in the STARS database. Instead, the owner or operator may request that the EAS copy the most recent annual emissions to the current reporting year.

If the site experienced **no** emissions due to emissions events (EE) and scheduled maintenance, startup, or shutdown (SMSS) activities, then the owner or operator may formally request to have the EAS copy the most recent annual and ozone season emissions to the current reporting year by submitting:

- a letter similar to the Insignificant Change Notification letter in Appendix B;
- the Account Information and Emissions Inventory Contact Information, page 2 of the EI;
- the Criteria Emissions Totals and Site Quantifiable Event Totals, page 3 of the EI; and

- the signed Emissions Events and Legally Responsible Party certification statements, page 4 of the EIQ.

If the site did experience emissions due to EE and SMSS activities, the owner or operator may still submit a formal request to have the EAS copy the most recent annual and ozone season emission rates to the current year. However, the emissions from emissions events and/or SMSS activities need to be updated by submitting:

- a letter similar to the Insignificant Change Notification letter in Appendix B;
- the Account Information and Emissions Inventory Contact Information, page 2 of the EIQ;
- the Criteria Emissions Totals and Site Quantifiable Event Totals, page 3 of the EIQ;
- for regulated entities only reporting SMSS emissions and not reporting emissions events, the signed Emissions Events certification statement, page 4 of the EIQ;
- the signed Legally Responsible Party certification statement, page 4 of the EIQ; and
- all applicable pages relating to path emissions of the original EIQ updated to reflect emissions from EE and SMSS activities.

Sample calculations and other supporting documentation may need to be supplied upon request.

*Please note:* The Insignificant Change Notification letter and the certification statements should be signed by a responsible official of the company. These documents should not be signed by a consultant.

### ***If a Site Does Not Meet the Requirements of 30 TAC 101.10 for the Current Emissions Inventory Year***

If the owner or operator has determined that a site does not meet the EI reporting requirements of 30 TAC 101.10 for the current inventory year, but may meet applicability requirements in future years, the preparer must submit by March 31, 2011, or as directed:

- a summary of the site's actual and allowable emission rates and
- a letter similar to the Inapplicability Notification letter in Appendix B.

*Note:* By signing this letter or a similar letter, the owner or operator of the regulated entity will remain on the EAS mailing list and continue to receive a request to submit annual emissions inventory questionnaires. A letter must be submitted to the agency for each reporting year that the site

does not meet the reporting requirements. The letter must not be signed by a consultant.

Sample calculations and other supporting documentation may need to be supplied upon request.

### ***If a Site Will Not Meet the Requirements of 30 TAC 101.10 in Future Years***

If the owner or operator has determined that a site does not currently meet the applicability requirements of 30 TAC 101.10, and if the site will not meet those requirements in future years, then the owner or operator may formally request its removal from the EAS mailing list. Submit the following by March 31, 2011, or as directed:

- a summary of the site's actual and allowable emission rates
- a letter similar to the Inapplicability Notification letter in Appendix B

As stated in 30 TAC 101.10, "actual emission" is the actual rate of emissions of a pollutant from an emissions unit as it enters the atmosphere. This would include routine annual emissions and emissions from emissions events and maintenance, startup, and shutdown activities.

*Note:* The owner or operator—not a consultant—must sign a letter requesting this action. Only written requests to be removed from the mailing list are accepted.

Annual Emissions Inventory Update (AEIU) requests are based primarily on the most recent EI as it appears in the STARS database. If the emissions reported in the STARS database or allowable rates exceed the rule applicability requirements, the regulated entity cannot be removed from the annual EI mailing list. For the site to be removed from the mailing list, submit a current updated EIQ and sample calculations. After the EI data are updated in STARS, the site can then be removed from the mailing list.

A site may have to void its Title V permit to demonstrate that PTE levels are below the EI reporting requirements as described in 30 TAC 101.10(a) before the site can be removed from the mailing list. If a regulated entity voids its Title V permit and has the action certified by the TCEQ by December 31, 2010, the permit will be considered void for the entirety of 2010, and the site can be removed from the mailing list. If the regulated entity voids its Title V permit after December 31, 2010, the PTE levels are still applicable for the 2010 EI.

If a regulated entity that has been removed from the mailing list meets the EI reporting requirements of 30 TAC 101.10 at any time in the future, it is the responsibility of the owner or operator to submit an EI by March 31 of the following year.

## A Note about Confidentiality

The EAS will respect the confidentiality of certain data unless the Texas Attorney General's Office rules that the data are not protected by state law. If there are any special concerns about confidentiality, contact the EAS. Such concerns do not justify withholding relevant information from the EAS.

The following information will be kept confidential if clearly marked:

- material data (as reported on Material Throughput forms)
- process flow diagrams
- process rates
- trade secrets (information that reveals secret processes or methods of manufacture or production)

Information **not** considered confidential includes:

- emission rates
- emission point data
- type of emissions control equipment
- type of emitting equipment

Under no circumstance should the preparer enter confidential information on the EIQ. Instead, submit confidential information separately, with each page clearly marked CONFIDENTIAL. If you are supplying the supporting documentation electronically in PDF, be sure to separate confidential from nonconfidential information in different electronic files. If both confidential and nonconfidential information is included in a single PDF, the TCEQ will treat all of the information as nonconfidential.

## Electronic Reporting

Two options are available for updating EI data through the Web: an online data entry system or submission of a text file.

### ***Updating an Electronic AEIU through Online Data Entry***

**New for this year**, the electronic AEIU can be updated and submitted through an online data-entry option in STEERS, and regulated entities are encouraged to use this online option. The Annual Emissions Inventory Report (AEIR) system is a Web-based application that allows regulated entities to update their AEIU data using an online data-entry interface.

The online data-entry option allows updating of the EI data on the company, site, contacts, facility, control devices, emission points, and

path emissions through graphical-user-interface (GUI) windows. The user may save the data in the work area in one or more work sessions until online data entry for the entire updated EI is complete. Users who have historically submitted EI updates on paper may prefer this process. Built-in data checks help prevent errors such as missing required information, data in the wrong format, or limited data that fall outside preset constraints. After all of the required EI data is entered, the AEIU is submitted through STEERS.

After the electronic AEIU is submitted, the TCEQ will respond with an e-mail stating, “AEIR Validation Process SUCCESSFUL” and the electronic submission is considered complete. *Note:* All file-status e-mails are sent to each individual with “submit” authorization as identified by STEERS.

A date of receipt will be assigned to the file on the day the validation is successful. The TCEQ must receive the file by the EI due date, which is March 31, 2011, or as the agency has directed. Otherwise, it will consider the AEIU submission delinquent. The sample calculations and supporting documentation must also be submitted by the EI due date.

Sample calculations and supporting documentation may be mailed to the EAS or sent by e-mail to <psdocument@tceq.state.tx.us>. For electronic files, the preferred formats are Microsoft Word, Excel, Access, and PDF. If the documentation is sent by e-mail, the site’s RN and reporting year must be included in the subject line, and the company name, site name, and AEIU online submission date in the body. If you are supplying the supporting documentation electronically in PDF, be sure to separate confidential from nonconfidential information in different electronic files.

For more information, consult the *Online Annual Emissions Inventory Report User’s Guide* available on the EAS Web page at <www.tceq.state.tx.us/goto/ieas> or contact the EAS.

## ***Submitting an Electronic Text File of the AEIU Online through STEERS***

An electronic AEIU can be submitted online. The AEIR system is a Web-based application that allows regulated entities to submit their AEIU to the TCEQ using STEERS.

The AEIR text file can be loaded from the user’s personal computer. This file is a complete update of their EI. Past users who have submitted updated emissions inventories on diskettes or compact discs may prefer to use this process. Historically, these files were submitted via diskettes or compact disks and loaded into STARS by TCEQ. Regulated entities can now submit the electronic AEIU through STEERS. The file must be in an approved electronic format, as outlined in the *Electronic Emissions*

*Inventory File Specification.* This document is available online at [www.tceq.state.tx.us/goto/starsguide](http://www.tceq.state.tx.us/goto/starsguide).

Please note that this is the last year that an electronic EI can be submitted by mail. So that regulated entities will have enough time to obtain a STEERS password and gain familiarity with the submission system, they can submit an electronic 2010 EI either through the mail or through STEERS. Starting with the 2011 EI, all electronic EIs must be submitted through STEERS. Two steps are required to submit the AEIU text file. The text file must be loaded into the STEERS work area from the user's personal computer. After the electronic AEIU is submitted to the STEERS work area, regulated entities will receive an e-mail response detailing whether the system accepted the AEIU file. As a second step, the user will submit the file from the STEERS work area to the EAS. The system will run validation routines, typically overnight, and inform the user of the status, usually the following business day, by e-mail. If no errors were encountered, the e-mail will state "AEIR validation process successful" and the electronic submission is considered complete. If errors were encountered, the e-mail will state "AEIR validation process failed." The system will also supply the user with a copy of record of the transacted data. *Note:* All file-status e-mails are sent to each individual with "submit" authorization as identified by STEERS.

If the electronic AEIU does not pass the validation routine by the EI due date—which is March 31, 2011, or as directed—the AEIU submission will be considered delinquent. The sample calculations and supporting documentation must also be submitted by the EI due date.

Sample calculations and supporting documentation may be mailed to the EAS or sent by e-mail to [psdocument@tceq.state.tx.us](mailto:psdocument@tceq.state.tx.us). For electronic files, the preferred formats are Microsoft Word, Excel, Access, and PDF. If the documentation is sent by e-mail, the site's RN and reporting year must be included in the subject line, and the company name, site name, and AEIU online submission date in the body.

For more information about online electronic reporting, consult the *Online Annual Emissions Inventory Report User's Guide*, available on the EAS Web page at [www.tceq.state.tx.us/goto/ieas](http://www.tceq.state.tx.us/goto/ieas).

Contact the EAS for further assistance with electronic reporting.

## A Note about the EI Due Date

The EI is due on March 31, 2011, or 90 days from the EI request date (as indicated on the EI cover letter sent by the TCEQ), whichever is later. The EI will not be considered late as long as it is postmarked by the due date.

*Emissions Inventory Guidelines*

To document compliance, the TCEQ recommends that the preparer use a delivery method that confirms receipt by the agency and keep a record of the confirmation on file.

*Note:* If the due date falls on a weekend, the EI must be postmarked by the preceding business day.