

Texas Commission on Environmental Quality
Fact Sheet for Updated Permit by Rule §106.496 Air Curtain Incinerators
Authorizing Trench Burners and Above-Ground Fireboxes

Portable Air Curtain Incinerators (ACI) Administrative Requirements

- Initial Registration is required for any portable ACI using this PBR. This registration includes a current agency Core Data Form and the most current Form PI-7 “Registration for Permits By Rule” with all information accurately completed, along with a 30 TAC §106.496 Checklist. The forms and checklists can be found on the Air Permit Division PBR webpage at: www.tceq.texas.gov/permitting/air/nav/pbr_forms.html. To expedite review, the Form PI-7 registration request should be sent by fax to the Air Permits Initial Review Team (APIRT) at (512) 239-4500 and copies faxed to the appropriate TCEQ Regional Office and local air pollution control programs. Since a registration fee is also required, a copy of the Form PI-7 and fee should be mailed to the TCEQ Fiscal Division (see Form PI-7 Instructions). The registration will be reviewed by the Air Permits Division, and the company must receive a written response from TCEQ prior to construction of the ACI at the initial site.
- Relocation Notification is required for portable ACIs as they relocate to additional sites after the initial registration. This notification includes the Form “Regional Notification - Standard Permit / Permits by Rule Relocation Form”, a 30 TAC §106.496 Checklist, an area map, and a plot plan. No fee is required for notifications. The notification form should be mailed or faxed to the appropriate TCEQ Regional Office and local air pollution control programs at least 14 days prior to construction at the proposed site. A response from TCEQ is not required, nor typically will be received, prior to operation of the ACI at the site.
- Multiple ACIs at a given site may be combined in a single registration or notification.
- Emergency clean-up operations performed by any ACI requires a Notification to the TCEQ Regional Office and local air pollution control programs as soon as possible prior to operation but does not have to meet the 14 day requirement.
- Re-registration with a Form PI-7 is required when any notice of enforcement is issued by the commission, or a delegated representative, or every five years, whichever occurs first (see Initial Registration for all requirements).

Permanent ACI Administrative Requirements

- Initial Registration is required for any permanent ACI using this PBR (see above Initial Registration for details).
- If located at a landfill site, ACIs must also obtain a separate authorization under 30 TAC §330.4 and be located in an undisturbed area of the landfill.
- Federal requirements must be addressed for all registrations for permanent ACIs. The registration must address the applicability and compliance with federal New Source Performance Standards (NSPS) Subpart CCCC, effective January 30, 2001 for all Commercial and Industrial Solid Waste Incineration Units.

Technical Requirements for all ACIs

- ✓ Only clean wood or brush can be burned. This does not include lumber that have been painted, stained, or pressure-treated.
- ✓ All ACIs must be located at least 300 feet from the closest property line or any other facility (including other ACIs at the site).
- ✓ Most facilities may operate up to 600 hours per year or 180 consecutive days.
- ✓ Burning can begin one hour after sunrise and must cease one hour before sunset.
- ✓ Material cannot be stacked above the air curtain, dimensions for the trench or firebox are specified by the PBR, and safety restrictions are included in the conditions.
- ✓ Visible emissions shall not be observed leaving the property, and best management practices should be used to ensure smoke and ash dust are minimized.
- ✓ Several methods of ash disposal are allowed which meet state waste permit rules.
- ✓ If any condition of the PBR is not being met, the ACI should be shutdown immediately until the situation is rectified.
- ✓ The PBR does not supersede any local permit requirements or restrictions.

If you have questions, please call the Air Permits Division, Rule and Registrations Section at 512-239-1250.