

Air Permitting Options

Over the years, the Texas Commission on Environmental Quality (TCEQ) has developed a tiered approach give more options for permitting oil and gas facilities which now includes: de minimis exclusion; historical standard exemptions; permits by rule; standard permits; and case-by-case permits. This summarizes the most commonly used mechanisms, permit by rule (PBR) or standard permits.

Is your site located in one of the twenty-three (23) counties of the Barnett Shale?

If “NO,” total emissions from the facilities are insignificant, TCEQ rule §106.352 subsections (l) (also known as the permit by rule or PBR) may be used. These requirements are the same as the previous version of §106.352 (old PBR). For larger sites, an alternative may be the standard permit in §116.620.

What do I need to do if I can meet the PBR?

- Registration is required only for sites which handle sour gas (24 ppmv). Construction of PBR sites do not have to wait for a reply from the TCEQ.
- Registration is not needed for all other sites (sweet). These sites are authorized as long as records are kept which demonstrate compliance with the rule requirements.
- For more information on what supporting documentation is needed go to the Oil and Gas PBR web page: [Air PBR 106.352: Oil and Gas Handling and Production Facilities](#).

What do I need to do if I can meet the Standard Permit?

- Registration is required prior to construction for all standard permit claims.
- For more information on what supporting documentation is needed go to the Standard Permit web page: [Air Quality Standard Permit for Oil and Gas Facilities](#)

If “YES,” total emissions from the facilities are insignificant, TCEQ rule §106.352 (a)-(k) may be used. For larger sites, an alternative may be the new standard permit.

Are you an existing site that has never submitted a registration to the agency?

- If “Yes,” you will need to submit the [Historical Notification](#), notifying the agency of which historical standard exemption or previous oil and gas PBR your site is authorized under.
- Once you make a change to your site you will need to meet the requirements of the new PBR or Standard Permit.

Are you a new site or making changes to an existing site?

- You will need to meet the requirements of the PBR or Standard Permit for the new project changes. For more information on what is covered under the PBR and Standard Permit:
 - [Air PBR 106.352: Oil and Gas Handling and Production Facilities](#)
 - [Air Quality Standard Permit for Oil and Gas Facilities](#)
- The new requirements are not retroactive to unchanged operations at the site.

What if I can meet the PBR? There are three levels of authorization for the PBR based on emissions:

- Level 0 - Registration is not required only minimal recordkeeping. More information can be found here: [Oil and Gas Handling and Production Facilities Not Required to Notify or Register](#)
- Level 1 - Require [New Project Notification](#) in ePermits and later (6-month) registration.
- Level 2 - Require [New Project Notification](#) in ePermits and later (3-month) registration.

What if I need a standard permit?

- Before start of construction submit a [New Project Notification](#) in ePermits.
- Within 3-months submit a Registration Form for a Standard Permit PI-1S.

If you are unable to meet the requirements of the PBR or Standard Permit a case-by-case permit is available.

If there are any questions, please contact Small Business and Local Government Assistance at: 1-800-447-2827 or Texasenvirohelp.org E-mail questions to Airog@tceq.texas.gov