CHAPTER 116
CONTROL OF AIR POLLUTION BY PERMITS FOR NEW CONSTRUCTION OR MODIFICATION

Rule Project No. 2018-003-116-AI
HB 4181: Update to Applicable Requirements for New Source Review and Federal Operating Permits
Date Adopted: October 31, 2018
Date Filed with the Secretary of State: November 2, 2018
Date Published in the Texas Register: November 16, 2018
Date Effective: November 22, 2018

Rule Project No. 2016-026-116-AI
Repeal of Obsolete Notification and Comment Procedures
Date Adopted: November 2, 2016
Date Filed with the Secretary of State: November 4, 2016
Date Published in the Texas Register: November 18, 2016
Date Effective: November 24, 2016

Rule Project No. 2014-001-116-AI
Flexible Permits SIP Conformity Rulemaking
Date Adopted: July 2, 2014
Date Filed with the Secretary of State: July 11, 2014
Date Published in the Texas Register: July 25, 2014
Date Effective: July 31, 2014

Rule Project No. 2013-040-116-AI
HB 788: Greenhouse Gas Permitting
New: §116.164 and §116.169
Date Adopted: March 26, 2014
Date Filed with the Secretary of State: March 28, 2014
Date Published in the Texas Register: April 11, 2014
Date Effective: April 17, 2014

Rule Project No. 2012-015-116-AI
NSR Reform Revisions
Date Adopted:  July 25, 2012  
Date Filed with the Secretary of State:  July 27, 2012  
Date Published in the *Texas Register*:  August 10, 2012  
Date Effective:  August 16, 2012

Rule Project No. 2011-029-116-AI  
HB 2694 (4.27 - 4.30): MACT Permit Procedures  
New:  §116.128  
Date Adopted:  February 8, 2012  
Date Filed with the Secretary of State:  February 10, 2012  
Date Published in the *Texas Register*:  February 24, 2012  
Date Effective:  March 1, 2012

Rule Project No. 2010-052-116-PR  
Repeal of Section 116.118  
Repeal of:  §116.118  
Date Adopted:  February 23, 2011  
Date Filed with the Secretary of State:  February 25, 2011  
Date Published in the *Texas Register*:  March 11, 2011  
Date Effective:  March 17, 2011

Rule Project No. 2008-030-116-PR  
One-Hour Ozone Major Source Thresholds and Emission Offsets  
Amendments to:  §116.12 and §116.150  
Date Adopted:  February 9, 2011  
Date Filed with the Secretary of State:  February 11, 2011  
Date Published in the *Texas Register*:  February 25, 2011  
Date Effective:  March 3, 2011

Rule Project No. 2010-008-116-PR  
New Source Review (NSR) Reform  
Repeal of:  §116.121  
New:  §116.127  
Date Adopted:  February 9, 2011  
Date Filed with the Secretary of State:  February 11, 2011  
Date Published in the *Texas Register*:  February 25, 2011  
Date Effective:  March 3, 2011

Rule Project No. 2010-007-116-PR  
Flexible Permitting  
New:  §116.765
Date Adopted:  December 14, 2010
Date Filed with the Secretary of State:  December 17, 2010
Date Published in the Texas Register:  December 31, 2010
Date Effective:  January 6, 2011

Rule Project No. 2010-006-116-PR
Qualified Facilities
New:  §116.17
Date Adopted:  September 15, 2010
Date Filed with the Secretary of State:  September 17, 2010
Date Published in the Texas Register:  October 1, 2010
Date Effective:  October 7, 2010

Rule Project No. 2010-004-039-LS
Public Participation for Air Permitting
Amendments to:  §§116.114 and §116.194
Date Adopted:  June 2, 2010
Date Filed with the Secretary of State:  June 4, 2010
Date Published in the Texas Register:  June 18, 2010
Date Effective:  June 24, 2010

Rule Project No. 2010-005-116-PR
Best Available Control Technology (BACT) in Prevention of Significant Deterioration (PSD) Permitting
Amendment to:  §116.160
Date Adopted:  June 2, 2010
Date Filed with the Secretary of State:  June 4, 2010
Date Published in the Texas Register:  June 18, 2010
Date Effective:  June 24, 2010

Rule Project No. 2008-031-116-PR
Relocations and Changes of Location of Portable Facilities
New:  §116.20 and §116.178
Date Adopted:  February 10, 2010
Date Filed with the Secretary of State:  February 11, 2010
Date Published in the Texas Register:  February 26, 2010
Date Effective:  March 3, 2010

Rule Project No. 2007-024-116-PR
SB 1673:  Concurrent Renewals and Amendments
Amendment to:  §116.315
Date Adopted:  May 7, 2008
Date Filed with the Secretary of State:  May 9, 2008
Date Published in the Texas Register:  May 23, 2008
Date Effective: May 29, 2008

Rule Project No. 2007-023-116-PR
HB 3732: Advanced Clean Energy Projects
Amendment to: §116.114
Date Adopted: December 19, 2007
Date Filed with the Secretary of State: December 21, 2007
Date Published in the Texas Register: January 4, 2008
Date Effective: January 10, 2008

Rule Project No. 2005-052-116-PR
SB 1740: Pre-permit Construction and Standard Permit Distance Limitations
Amendment to: §116.615
Date Adopted: February 21, 2007
Date Filed with the Secretary of State: February 23, 2007
Date Published in the Texas Register: March 9, 2007
Date Effective: March 15, 2007

Rule Project No. 2006-022-116-EN
Best Available Retrofit Technology (BART) Permitting
Date Adopted: January 10, 2007
Date Filed with the Secretary of State: January 12, 2007
Date Published in the Texas Register: January 26, 2007
Date Effective: February 1, 2007

Rule Project No. 2005-038-116-PR
Standard Permit Public Notice Revision
Amendment to: §116.603
Date Adopted: September 20, 2006
Date Filed with the Secretary of State: September 22, 2006
Date Published in the Texas Register: October 6, 2006
Date Effective: October 12, 2006

Rule Project No. 2003-066-116-PR
Revisions to Air Permit by Rule and Air Standard Permit for Municipal Solid Waste Landfill Facilities
Repeal of: §116.621
Date Adopted: March 1, 2006
Date Filed with the Secretary of State: March 6, 2006
Date Published in the Texas Register: March 24, 2006
Date Effective: September 1, 2006

Rule Project No. 2005-053-091-PR
HB 2201: FutureGen/Clean Coal
Date Adopted: March 8, 2006
Date Filed with the Secretary of State: March 9, 2006
Date Published in the Texas Register: March 24, 2006
Date Effective: March 29, 2006

Rule Project No. 2005-010-116-PR
Federal New Source Review Permit Rules Reform
Date Adopted: January 11, 2006
Date Filed with the Secretary of State: January 12, 2006
Date Published in the Texas Register: January 27, 2006
Date Effective: February 1, 2006

Rule Project No. 2005-009-116-PR
New Source Review for Eight-Hour Ozone Standard
Amendments to: §116.12 and §116.150
Date Adopted: May 25, 2005
Date Filed with the Secretary of State: May 26, 2005
Date Published in the Texas Register: June 10, 2005
Date Effective: June 15, 2005

Rule Project No. 2003-043-116-AI
HB 638: Pipeline Facility Reimbursement
Amendments to: §§116.770, 116.772, and 116.776
Date Adopted: January 28, 2004
Date Filed with the Secretary of State: January 30, 2004
Date Published in the Texas Register: February 13, 2004
Date Effective: February 19, 2004

Rule Project No. 2003-046-116-AI
HB 555 and HB 1287: Specification of Location Criteria for Concrete Crushers and Other Facilities
Amendment to: §116.112
Date Adopted: January 14, 2004
Date Filed with the Secretary of State: January 15, 2004
Date Published in the Texas Register: January 30, 2004
Date Effective: February 4, 2004
Rule Log No. 2003-003-116-AI
Offset Certification, New Source Review Permit Processes and Extensions for Construction
New: §§116.120, 116.170, and 116.172
Repeal of: §116.170
Date Adopted: August 20, 2003
Date Filed with the Secretary of State: August 25, 2003
Date Published in the Texas Register: September 5, 2003
Date Effective: September 14, 2003

Rule Log No. 2001-077-116-AI
HB 2912, Section 5.07: Distance Requirements for new Concrete Crushing Facilities
Amendment to: §116.112
Date Adopted: December 18, 2002
Date Filed with the Secretary of State: December 19, 2002
Date Published in the Texas Register: January 3, 2003
Date Effective: January 8, 2003

Rule Log No. 2002-043-122-AI
Operating Permit Program Amendments
Amendments to: §116.115 and §116.611
Date Adopted: November 20, 2002
Date Filed with the Secretary of State: November 21, 2002
Date Published in the Texas Register: December 6, 2002
Date Effective: December 11, 2002

Rule Log No. 2002-041-116-AI
Air Fees
Date Adopted: September 25, 2002
Date Filed with the Secretary of State: September 30, 2002
Date Published in the Texas Register: October 11, 2002
Date Effective: October 20, 2002

Rule Log No. 2001-043-116-AI
HB 3040: Shipyard Facilities and NSR Maintenance Emissions
Date Adopted: August 21, 2002
Date Filed with the Secretary of State: August 23, 2002
Date Published in the Texas Register: September 6, 2002
Date Effective: September 12, 2002

Rule Log No. 2001-071-060-AD
HB 2912 Art 04: Compliance History Use
Amendments to: §116.110 and §116.730
New: §116.773 and §116.915
Date Adopted: August 7, 2002
Date Filed with the Secretary of State: August 9, 2002
Date Published in the Texas Register: August 23, 2002
Date Effective: August 29, 2002

Rule Log No. 2001-028-039-AD
HB 2912, HB 2947, SB 688: Notice Requirements
New: §116.1042
Date Adopted: July 24, 2002
Date Filed with the Secretary of State: July 26, 2002
Date Published in the Texas Register: August 9, 2002
Date Effective: August 15, 2002

Rule Log No. 2001-076-116-AI
HB 2912, Art 05: Grandfathered Facilities
Date Adopted: May 22, 2002
Date Filed with the Secretary of State: May 23, 2002
Date Published in the Texas Register: June 7, 2002
Date Effective: June 12, 2002

Rule Log No. 2002-002-116-AI
Quadrennial Review of Chapter 116
Date Adopted: May 22, 2002
Date Filed with the Secretary of State: May 23, 2002
Date Published in the Texas Register: June 7, 2002
Date Effective: May 23, 2002

Rule Log No. 2001-002-116-AI
Dockside Emissions
Amendments to: §§116.12, 116.160, and 116.162
Date Adopted: October 10, 2001
Date Filed with the Secretary of State: October 12, 2001
Date Published in the *Texas Register*: October 26, 2001
Date Effective: November 1, 2001

Rule Log No. 2000-047-116-AI
Emissions Banking and Trading - HGA Trading
New: §116.176
Date Adopted: March 7, 2001
Date Filed with the Secretary of State: March 9, 2001
Date Published in the *Texas Register*: March 23, 2001
Date Effective: March 29, 2001

Rule Log No. 1999-029B-116-AI
SB 766: Air Permits Phase II
Date Adopted: August 9, 2000
Date Filed with the Secretary of State: August 15, 2000
Date Published in the *Texas Register*: September 1, 2000
Date Effective: September 4, 2000

Rule Log No. 99033-116-AI
SB 7: Electric Industry Restructuring
Date Adopted: December 16, 1999
Date Filed with the Secretary of State: December 22, 1999
Date Published in the *Texas Register*: January 7, 2000
Date Effective: January 11, 2000

Rule Log No. 99029A-116-AI
SB 766: Air Permits Phase I
Amendments to: §§116.610, 116.611, and 116.614
Date Adopted: December 16, 1999
Date Filed with the Secretary of State: December 22, 1999
Date Published in the *Texas Register*: January 7, 2000
Date Effective: January 11, 2000

Rule Log No. 99030-039-AD
HB 801, SB 1308: Public Participation
Repeal of: §116.124
Date Adopted: September 2, 1999
Date Filed with the Secretary of State: September 3, 1999
Date Published in the Texas Register: September 24, 1999
Date Effective: September 23, 1999

Rule Log No. 98029-116-AI
Reinstatement of NOx NNSR in DFW
Amendments to: §§116.12 and 116.150
Date Adopted: February 24, 1999
Date Filed with the Secretary of State: March 1, 1999
Date Published in the Texas Register: March 12, 1999
Date Effective: March 21, 1999

Rule Log No. 97142-035-AD
Emergency and Temporary Orders
Amendment to: §116.410
Repeal of: §§116.411 - 116.418
Date Adopted: November 18, 1998
Date Filed with the Secretary of State: November 20, 1998
Date Published in the Texas Register: December 4, 1998
Date Effective: December 10, 1998

Rule Log No. 98001-116-AI
NSR Rule Revisions; §112(g)/Rule Review for Chapter 116
Date Adopted: June 17, 1998
Date Filed with the Secretary of State: June 18, 1998
Date Published in the Texas Register: July 3, 1998
Date Effective: July 8, 1998

Rule Log No. 97182-116-AI
FCAA, §182(f) Expiration: Permits/Exemptions
Amendments to: §§116.12, 116.150, and 116.151
Date Adopted: March 18, 1998
Date Filed with the Secretary of State: March 18, 1998
Date Published in the Texas Register: April 3, 1998
Date Effective: April 7, 1998
Rule Log No. 97122-106-AI  
Standard Exemption for Boilers  
Repeal of: §116.213  
Date Adopted: May 28, 1997  
Date Filed with the Secretary of State: May 29, 1997  
Date Published in the *Texas Register*: June 10, 1997  
Date Effective: June 18, 1997

Rule Log No. 96105-115-AI  
Standard Permits  
Amendments to: §§116.610, 116.611, and 116.615  
Repeal of: §116.617  
New: §116.617  
Date Adopted: April 30, 1997  
Date Filed with the Secretary of State: May 2, 1997  
Date Published in the *Texas Register*: May 13, 1997  
Date Effective: May 22, 1997

Rule Log No. 96170-050-AD  
Hearings Requests/Procedural Rules  
Amendment to: §116.136  
Date Adopted: April 16, 1997  
Date Filed with the Secretary of State: April 24, 1997  
Date Published in the *Texas Register*: May 6, 1997  
Date Effective: May 15, 1997

Repeal of: §116.211 and §116.212  
Date Adopted: February 19, 1997  
Date Filed with the Secretary of State: February 21, 1997  
Date Published in the *Texas Register*: March 4, 1997  
Date Effective: March 14, 1997

Amendments to: §116.12 and §116.211  
Date Adopted: May 15, 1996  
Date Filed with the Secretary of State: May 17, 1996  
Date Published in the *Texas Register*: May 28, 1996  
Date Effective: June 7, 1996

Amendments to: §116.610 and §116.617  
New: §116.620 and §116.621  
Date Adopted: March 27, 1996  
Date Filed with the Secretary of State: March 29, 1996  
Date Published in the *Texas Register*: April 12, 1996  
Date Effective: April 19, 1996
Amendments to: §116.10 and §116.116  
Repeal of: §116.117  
Date Adopted: February 14, 1996  
Date Filed with the Secretary of State: February 15, 1996  
Date Published in the Texas Register: February 27, 1996  
Date Effective: March 7, 1996  

Amendments to: §§116.310 - 116.314  
Date Adopted: November 16, 1995  
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Date Effective: December 11, 1995

Amendment to: §116.150  
Date Adopted: October 11, 1995  
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Amendment to: §116.211  
Date Adopted: September 6, 1995  
Date Filed with the Secretary of State: September 13, 1995  
Date Published in the Texas Register: October 4, 1995

Amendment to: §116.617  
Date Adopted: July 26, 1995  
Date Filed with the Secretary of State: August 11, 1995  
Date Published in the Texas Register: August 18, 1995  
Date Effective: September 1, 1995

New: §116.14 and §116.615  
Date Adopted: July 26, 1995  
Date Filed with the Secretary of State: August 11, 1995  
Date Published in the Texas Register: August 18, 1995  
Date Effective: September 1, 1995

Rule Log No. 95165-116-AI  
Standards Exemptions/PSD Update  
Amendments to: §116.160, and §116.211  
Date Adopted: March 1, 1995  
Date Filed with the Secretary of State: March 15, 1995
Date Published in the *Texas Register*: March 21, 1995
Date Effective: April 5, 1995

Amendment to: §116.110
Date Adopted: November 16, 1994
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Date Adopted: April 6, 1994
Date Filed with the Secretary of State: April 13, 1994
Date Published in the *Texas Register*: April 22, 1994
Date Effective: May 4, 1994

Date Adopted: August 16, 1993
Date Filed with the Secretary of State: August 23, 1993
Date Published in the *Texas Register*: August 27, 1993
Date Effective: September 13, 1993

Date Adopted: August 16, 1993
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Date Published in the *Texas Register*: August 27, 1993
Date Effective: September 13, 1993

Amendments to: §116.3 and §116.12
New: §116.14
Date Adopted: October 16, 1992
Date Filed with the Secretary of State: November 18, 1992
Date Published in the *Texas Register*: November 27, 1992
Date Effective: December 9, 1992
Amendment to: §116.3
Date Adopted: May 8, 1992
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Date Effective: November 15, 1992

Amendments to: §116.4, §116.6, and the Standard Exemption List
Date Adopted: June 18, 1992
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Amendment to: §116.11
Date Adopted: May 8, 1992
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Amendment to: §116.3
Date Adopted: September 20, 1991
Date Filed with the Secretary of State: October 1, 1991
Date Published in the Texas Register: October 8, 1991
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Amendment to: §116.11
Date Adopted: August 30, 1991
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Amendment to: §116.3
Date Adopted: December 14, 1990
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Date Published in the Texas Register: December 21, 1990
Date Effective: January 7, 1991

Amendments to: §§116.1, 116.3, and 116.6
Date Adopted: May 18, 1990
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Date Effective: July 23, 1990

Repeal of: §116.7
Date Adopted: August 11, 1989
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Amendments to: §§116.1, 116.3, 116.6, 116.7, and 116.10
Date Adopted: July 15, 1988
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Date Effective: August 30, 1988

Amendment to: §116.12
Date Adopted: March 25, 1988
Date Filed with the Secretary of State: April 22, 1988
Date Effective: May 4, 1988

Amendments to: §§116.5, 116.7, and 116.10
New: §116.13
Date Adopted: December 18, 1987
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Date Published in the Texas Register: January 15, 1988
Date Effective: January 27, 1988

Amendment to: §116.11
Date Adopted: August 14, 1987
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Date Published in the Texas Register: September 11, 1987
Date Effective: September 24, 1987

Amendments to: §§116.3, 116.7, and 116.10
Date Adopted: July 17, 1987
Date Filed with Secretary of State: July 31, 1987
Date Published in the Texas Register: August 17, 1987
Date Effective: August 21, 1987

Amendments to: §§116.4 - 116.7 and the Standard Exemption List
Date Adopted: September 26, 1986
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Date Effective: November 5, 1986

New: §116.12
Date Adopted: August 22, 1986
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Date Effective:  October 2, 1986

Amendments to:  §§116.3, 116.6, 116.7, and 116.10  
Date Adopted:  October 25, 1985  
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Date Published in the Texas Register:  November 12, 1985  
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Amendments to:  §116.7 and §116.11  
Date Adopted:  September 20, 1985  
Date Filed with the Secretary of State:  September 30, 1985  
Date Published in the Texas Register:  October 8, 1985  
Date Effective:  October 21, 1985

Amendments to:  §§116.1 - 116.3 and §116.10  
Date Adopted:  July 26, 1985  
Date Filed with the Secretary of State:  August 7, 1985  
Date Published in the Texas Register:  August 13, 1985  
Date Effective:  August 28, 1985

New:  §116.6 and §116.7  
Date Adopted:  January 11, 1985  
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Date Published in the Texas Register:  February 15, 1985  
Date Effective:  March 15, 1985

Amendments to:  §§116.1 - 116.5  
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Date Filed with the Secretary of State:  June 23, 1983  
Date Published in the Texas Register:  July 1, 1983  
Date Effective:  July 13, 1983

New:  §116.11  
Date Adopted:  December 3, 1982  
Date Filed with the Secretary of State:  December 10, 1982  
Date Published in the Texas Register:  December 17, 1982  
Date Effective:  January 1, 1983

Amendments to:  §116.3 and §116.10  
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Amendment to:  §116.3
Date Adopted: July 11, 1980
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Date Effective: August 22, 1980

Amendment to: §116.3
Date Adopted: October 19, 1979
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Date Published in the Texas Register: November 2, 1979
Date Effective: November 25, 1979

Amendments to: §116.3 and §116.9
Date Adopted: March 30, 1979
Date Filed with the Secretary of State: April 6, 1979
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Date Effective: May 6, 1979

New: §116.10
Date Adopted: May 19, 1978
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Date Effective: September 30, 1978

Amendment to: §116.3
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Revised Regulation
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Revised Regulation
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Original Regulation
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