

IBR Informational Meeting

September 26, 2012

Questions and Answers

Question 1: Is the summary table requirement only for major NSR?

Answer: Yes, the summary table is only required to be included in the Title V permit when a major (PSD/NNSR) NSR permit is incorporated by reference into the Title V permit.

Question 2: Are PBRs and Standard Permits required to be included in the Summary Table when they are referenced in the Major NSR MAERT?

Answer: When PBRs and/or Standard Permits are referenced in a major NSR MAERT, the Major NSR Summary Table must include the PBR or Standard Permit for the emission sources. However, only the data from the MAERT needs to be included. This includes the Emission Point No., the Source Name, the Air Contaminant Name, and the Emission Rates in lb/hr and TPY. No data would be entered in the last three columns (Monitoring/Testing, Recordkeeping, and Reporting Special Conditions) because the Special Conditions of the PSD/NNSR permit do not apply to this source. Conditions for these sources are included in the PBR and/or Standard Permit.

Question 3: Has TCEQ developed standard permit language or a permit condition to explain and account for the lag time between NSR changes and Title V revisions?

Answer: There will be no change to the permit language to account for or explain the lag time between NSR changes and Title V revisions. Permit holders are already required to submit an appropriate Title V revision application subsequent to a NSR permit action. The Title V permit merely lists the applicable requirements that already apply and permit holders are always required to comply with the latest applicable requirement. It has always been understood that the revision to a Title V permit will always lag behind the update of an applicable requirement. In the context of start of operations of a recent change to a major NSR permit, timely submission of the appropriate Title V revision application along with the identification and use of provisional terms, where allowed by rule, address the time lag.

Question 4: Once the Major NSR Summary Table has been added to the Title V permit, what is the time frame for updating this table if changes are made to the PSD/NNSR permit?

Answer: Applicants should follow the normal revision or renewal procedures for incorporating NSR changes into the Title V permit.

Question 5: Will deviation reporting change as a result of inclusion of the Major NSR Summary Table in the Title V permit?

Answer: No. Major NSR permit deviations will be reported referencing the requirements of the major NSR permit as is the current requirement.

Question 6: Since there will be a "lag time" between when a PSD/NNSR change is made and when the Major NSR Summary Table is updated in the Title V permit to reflect that change, which document should an applicant refer to when completing a deviation report?

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Answer: Applicants should always refer to the PSD/NNSR permit itself when determining whether a deviation has occurred. The conditions and emission limits in the PSD/NNSR permit are the current applicable requirements. The Major NSR Summary Table is intended to summarize the major authorizations but is not meant to supersede the PSD/NNSR permit. In addition, applicants should note that changes should be made to the PSD/NNSR permit first, and then the Major NSR Summary Table should be updated to include those changes. Making a change in the reverse order is not an option.

Question 7: What Title V revision type will be required when the major NSR permit changes?

Answer: The revision type required will not change from the revision type required prior to adding the Major NSR Summary Table and will depend on the PSD/NNSR action that is being incorporated. If the major NSR permit change triggered a minor revision prior to the addition of the summary table, it will still trigger a minor revision after addition of the summary table. If the major NSR permit change triggered a significant revision before, it will be a significant revision after the summary table has been added.

Question 8: When a site with a major NSR permit has multiple Title V permits, each with an identical Major NSR Summary Table, what revision type will be required for the Title V that includes the emission unit(s) affected by the change to the major NSR permit? What revision type will be required for the Title V permits that do not contain the emission unit(s) affected by the major NSR permit change?

Answer: The Title V permit that includes the emission unit(s) affected by the major NSR permit change will require the type of revision currently required to incorporate the NSR change. TCEQ is still working out the details regarding the revision type required for the Title V permits that do not include the emission unit(s) affected by the NSR change, even though the units may appear on the Major NSR Summary Table. These applications may need to be addressed on a case-by-case basis, at least initially. Permit holders with a major NSR permits appearing in multiple Title V permits at a single site should discuss their specific situation with APD staff.

Question 9: What was the driver for including every emission unit in the Major NSR Summary Table, rather than only the emission units and pollutants that trigger major NSR?

Answer: Historically, NSR permits identified major NSR sources and special conditions, but TCEQ has moved away from this practice, in part, due to lack of resources. Lack of resources is also the reason for not identifying only major NSR emission units in the Major NSR Summary Table. Keep in mind that the entire permit has already been incorporated by reference. Given this fact, it was decided that it may not be worth the resources, both on the part of the permit holder and the APD reviewer, to spend time verifying and delineating major from minor points. Therefore, the decision to include all sources and all pollutants in the Major NSR Summary Table was agreeable during IBR discussions.

Question 10: Has TCEQ been under any pressure to address IBR for minor NSR permits?

Answer: The idea of a minor NSR table has been discussed on occasion, but it has not been a point of emphasis in the EPA dialogue. If the Major NSR Summary Table is successful or

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beneficial, TCEQ could, at some point, examine cost/benefit of IBR and a minor NSR summary table.

Question 11: What date should be used on the Major NSR Summary Table in the “issuance” field? Should it be the date on the conditions, the date on the MAERT or the date on the permit face?

Answer: The most current date found on either of those documents should be used.

Acronyms:

EPA - U.S. Environmental Protection Agency

IBR- Incorporation by reference

lb/hr - pound(s) per hour

MAERT - Maximum Allowable Emission Rate Table

NSR - New Source Review

NNSR - Nonattainment New Source Review

PBR - Permit by Rule

PSD - Prevention of Significant Deterioration

TCEQ - Texas Commission on Environmental Quality

TPY - tons per year