

Public Notice (PN) Applicability for New Source Review Permits

Rule	Description of Authorization	PN?	1st	2nd
30 TAC § 116.110(a)(1)	New Permit (Requirements in 30 Texas Administrative Code (TAC) § 116.111)	Yes	Yes	Yes
30 TAC § 116.116(b)	Amendments (Requirements in 30 TAC § 116.111) All amendments unless meet exceptions in § 39.402	Yes	Possible*	Possible*
30 TAC § 116.116(c)	Alterations	No		
30 TAC § 116.116(e)	Qualified Facility Changes	No		
31 TAC § 116.178	Relocations	No		
	Change of Locations (see § 116.178)	Yes	Yes	Yes
30 TAC § 116.150	Nonattainment Permits			
	New Nonattainment Permit	Yes	Yes	Yes
	Amendment: Major Modification	Yes	Yes	Yes
30 TAC § 116.311	Permit Renewals (that do not meet § 39.419(e)(1) - i.e. unsatisfactory compliance history)	Yes	Yes	Yes
	Permit Renewals (no increase, no new contaminant, satisfactory compliance history, as per § 39.419(e))	Yes	Yes	No
	Permit Renewal Certifications (Abbreviated Renewal Reviews)	Yes	Yes	No
30 TAC § 116.1200	Emergency Orders	No		
30 TAC § 116.160	Prevention of Significant Deterioration (PSD) Permits			
	New PSD Permit	Yes	Yes	Yes
	Amendment: Major Modification	Yes	Yes	Yes
30 TAC § 116.406	Major Source Federal Clean Air Act (FCAA) 112(g) Hazardous Air Pollutant (HAP) Actions			
	Construction of New Facilities	Yes	Yes	Yes
	Reconstruction of Existing Facilities	Yes	Yes	Yes
30 TAC § 116.710	Flexible Permits			
	New Flexible Permits	Yes	Yes	Yes
	Amendment (see Amendment above)	Yes	Possible*	Possible*
30 TAC § 39.603	Plant-wide Applicability Limit (PAL)			
	New PAL Permits	Yes	No	Yes
	Amendment	Yes	No	Possible*

Rule	Description of Authorization	PN?	1 st	2 nd
30 TAC § 116.110(a)(4)	Permits by Rule (Requirements in 30 TAC Chapter 106)	No		
30 TAC § 116.110(a)(2)(A)	Standard Permit (Requirements in 30 TAC Chapter 116, Subchapter F)			
	Concrete Batch Plant (CBP) Not Contiguous to Public Works Project	Yes	Yes - consolidated	
	CBP with Enhanced Controls (see Standard Permit)	Yes	Yes	No
	Animal Carcass Incinerators (see Standard Permit)	Yes	Yes	No
	Permanent Rock and Concrete Crusher (see Standard Permit)	Yes	Yes	No
	All Other Standard Permits	No		
30 TAC § 116.110(a)(2)(B)	Concentrated Animal Feeding Operation (CAFO) Standard Permit (Requirements in 30 TAC Chapter 321, Subchapter B)	No		
30 TAC § 116.110(a)(2)(C)	Composting Standard Permit (Requirements in 30 TAC Chapter 332)	No		
30 TAC § 116.110(a)(2)(D)	Landfill Standard Permit (Requirements in 30 TAC Chapter 330, Subchapter N)	No		

* Notice is required if any of the following are met (requirements in 30 TAC § 39.402(a)(3) as effective June 24, 2010)

- A change in character of emissions or release of an air contaminant not previously authorized under the permit
- A facility not affected by Texas Health and Safety Code (THSC), § 382.020, where the total emissions increase from all facilities to be authorized under the amended permit exceeds public notice *de minimis* levels by being greater than any of the following levels:
 - 50 tpy CO
 - 10 tpy SO₂
 - 0.6 tpy Pb
 - 5 tpy NO_x, VOC, PM, or any other air contaminant except carbon dioxide, water, nitrogen, methane, ethane, hydrogen, and oxygen
- A facility affected by THSC, § 382.020, where the total emissions increase from all facilities to be authorized under the amended permit exceeds significant levels for public notice by being greater than any of the following levels:
 - 250 tpy CO or NO_x
 - 25 tpy VOC, SO₂, PM, or any other contaminant except carbon dioxide, water, nitrogen, methane, ethane, hydrogen, and oxygen a new major stationary source or major modification threshold as defined in §116.12
 - a new major stationary source or major modification threshold, as defined in 40 Code of Federal Regulations (CFR) § 52.21, under the FCAA, Part C (PSD)