

**Texas Commission on Environmental Quality
Form APD - CERT Instructions
Certification of Emission Limits**

Introduction:

This form is used to certify emissions from certain facilities subject to the Federal or Texas Clean Air Acts, including:

1) **Federal Operating Permits:**

An owner or operator can lower the site's potential to emit (PTE) by establishing one or more federally-enforceable emission limit(s). Form APD-CERT may be used to lower and/or establish federally-enforceable emission limits for certain New Source Review (NSR) authorizations to demonstrate that a site is not a Title V major source under Title 30 Texas Administrative Code (30 TAC) Chapter 122.

If this form is being submitted for the purpose of establishing federally-enforceable emission limits to demonstrate that 30 TAC Chapter 122 does not apply to the site, then the certification can be submitted in lieu of the Title V operating permit application but must be submitted by the regulatorily established application deadline. This form may also be used if an application for a Title V operating permit has been submitted or a Title V operating permit has been issued, but an owner or operator chooses to demonstrate that a Title V operating permit is not required. A separate request to withdraw the pending Title V application or void the issued permit must be submitted. A permit holder is obligated to comply with all terms and conditions of a permit until the date of the void letter issued by the TCEQ Air Permits Division.

2) **Federal and State Emissions Standards and Limits:**

This certification may also be used to limit emissions so that a site is not subject to various state and federal rules and standards. The certification must demonstrate that the entire site is not subject to the specified state and federal rules and standards.

Emission limits established in a case-by-case new source review permit issued under 30 TAC Chapter 116, or a standard permit authorization letter issued by the TCEQ executive director are federally-enforceable. Form APD-CERT cannot be used to lower these federally-enforceable emission limits.

3) **Permits by Rule:**

If the site is authorized by a permit by rule under 30 TAC Chapter 106, Permits by Rule, the federally-enforceable emission limits in 30 TAC § 106.4, Requirements for Permitting by Rule, or contained in a particular permit by rule may be sufficient to demonstrate that Title V or other requirements do not apply. If emissions are not limited by one of these mechanisms, the owner or operator may establish a federally-enforceable emission limit by submitting Form APD-CERT. Form APD-CERT may be submitted if the owner or operator chooses to establish federally-enforceable allowable emission rates which are below the emission limitations in 30 TAC § 106.4 or a specific permit by rule.

It is important to note that emission rates listed on Form PI-7, "Registration for Permits by Rule" are not federally-enforceable emission rates. To provide a streamlined mechanism to establish these emission rates as federally-enforceable, Form APD-CERT may be attached to a previously completed Form PI-7. When changes at a site occur that change the representations previously submitted in a certified registration, a new Form APD-CERT must be submitted to update certified representations. Form APD-CERT is not required if Form PI-7-CERT is submitted.

Certification:

Submitting this document commits the company to comply with the represented emission limits. Only a valid “responsible official” may sign this form. The Responsible Official (RO) is an individual (such as an owner of a site or the president of a corporation) who must certify the truth, accuracy and completeness of the information contained in the certification and who is subject to criminal prosecution for false information contained in the certification. RO authority may be delegated to a Duly Authorized Representative (DAR). If RO authority is being delegated, include a completed Form OP-DEL, “Delegation of the Responsible Official.” Form APD-CERT must bear the original signature of the RO or DAR; or, for sources subject to the acid rain program, the Designated Representative (DR), or Alternate Designated Representative (ADR).

Records:

All certifications and records demonstrating compliance must be maintained on site or, for sites that normally operate unattended, at an office within Texas having day-to-day operational control of the site. Records must be kept for at least five years and must be made available upon request.

If you have any questions on how to complete this form, please contact the Air Permits Division at (512) 239-1250. If the site employs less than 100 employees, the TexasEnviroHelp - Small Business and Local Government Assistance Program may be contacted at (800) 447-2877.

Specific:

Page 1:

I. Company and Site Information

A. Company Name:

Enter the name of the company for which the certification is being completed.

B. Responsible Official Name and Title:

Enter the name and title of the RO pursuant to 30 TAC § 122.165(c), Certification by a Responsible Official. For purposes of the remaining portions of the form and instructions, the term “RO” will be used to reference the person certifying Form APD-CERT. Enter the mailing address, including city, county, state, ZIP Code, telephone number, fax number, and email address of the RO listed.

C. Site Name and Street Address:

Provide the name and street address of the site if the address is different than the RO’s mailing address. If there is no street address, a physical location must be described. Identify the location by distance and direction from well-known landmarks, such as highway intersections. It is very important to also include the city and county where the site is located. If the address is not located in a city, then enter the city or town closest to the site, even if it is not in the same county as the site. The county indicated must be the county where the site is physically located. Provide the ZIP Code of the physical site, not the ZIP Code of the mailing address (unless identical).

D. TCEQ Account Identification Number:

Enter the primary TCEQ account number for the site if issued (XX-XXXX-X). If an account number was not issued, leave this space blank.

E. TCEQ Customer Reference Number and Regulated Entity Number:

Enter the customer reference number and the regulated entity number. These numbers are assigned by the TCEQ as part of the Central Registry process. The customer reference number always begins with “CN” and the regulated entity number always begins with “RN.” If these numbers have not been issued to the applicant, leave this space blank.

F. Does the site have a Title V Permit?

Check the box marked "YES" if the site has been or will be issued a Title V Operating Permit. Otherwise, check the box marked "NO."

G. Title V Permit number:

If known, enter the Title V permit number. Otherwise, leave this space blank.

H. Is this a small business?

Check the box marked "YES" if the certification is submitted for a small business. Otherwise, check the box marked "NO." For purposes of this certification, a small business shall be defined as a company employing 100 or fewer individuals or have less than 6 million dollars in gross annual receipts.

II. Attach the Following Documentation:

A. Copies of a previously completed Form PI-7 and all supporting documentation:

If a registration form has been used in the past, this information and all supporting documentation may be included with this form to comply with state and federal requirements.

B. A list of each source of air emissions at the site:

The certification must identify all sources whose emissions are being certified as specified in the instructions. On page 4, list all PBRs active at the site. For each PBR, list the authorized stationary sources.

C. A summary of the certified emission rates:

Submit Page 4 of Form APD-CERT, or equivalent information for the emissions being certified consistent with the instructions above. This information must be submitted as a part of a certification. This summary must include emission rates for all emission points and be supplemented by documentation which demonstrates the basis for each emission point number's emission rates. This may include a combination of calculations, emission factors, equipment capacity, fuel consumption rate, sampling, monitoring, or operational parameters. All representations in this certification with regard to emissions shall become conditions under which the site will operate. Attach multiple copies of Page 4 if additional space is necessary.

D. A process description:

Attach a brief summary, which describes the processes and operations at the site. The description must be in sufficient detail to verify the certified emission rates for each of the stationary sources at the site. The description should emphasize the type of emission units, what types of emissions are generated, what air pollution controls are used, and where the emissions enter the atmosphere. When necessary, operating scenarios, concentrations, temperatures, pressures, material flow rates, and production rates should be included.

Page 2:

III. Maintain Records on Site to Demonstrate Continuing Compliance and Make the Records Available on Request

The emission rates listed on the certification shall reflect the certified emissions for the stationary sources at the site. The records demonstrating compliance with this certification must comply with applicable rules and must be maintained at the site or, for sites that normally operate unattended, at an office within Texas having day-to-day operational control of the site. Records must be kept for at least five years and must be made available upon request. For more information regarding records for permits by rule, see 30 TAC § 106.8, Recordkeeping.

IV. Purpose of this Certification

Check all appropriate boxes to indicate the requirements to which the certification applies. There may be more than one reason to submit the certification. Indicate specific requirements, where appropriate, such as a specific permit by rule (*Example: § 106.433*) or a specific subpart of 40 CFR (*Example: 40 CFR Part 63, Subpart R*).

Page 3:

V. Certification by Responsible Official

The appropriate company official (RO, DAR, DR, or ADR) must certify this form, and any accompanying documentation, for truth, accuracy, and completeness.

Page 4:

VI. Emission Rate Data

- **FIN:**
Enter the facility identification number (FIN). The FIN must be consistent with the facility identification used in any previous permits and Emissions Inventory Questionnaire. If an Emissions Inventory Questionnaire has not been submitted and no previous number has been established, assign a number that is consistent with the existing numbering system and any associated authorizations.
- **Facility Name:**
Enter the facility name, as submitted in the Emissions Inventory Questionnaire. If an Emissions Inventory Questionnaire has not been submitted and no previous name has been established, enter a *unique* name or description identifying the facility.
- **EPN:**
Enter the emission point number (EPN). The EPN must be consistent with the emission point identification used in any previous permits and Emissions Inventory Questionnaire. If an Emissions Inventory Questionnaire has not been submitted and no previous number has been established, assign a number that is consistent with the existing numbering system and any associated authorizations.
- **Point Name:**
Enter the emission point name, as submitted in the Emissions Inventory Questionnaire. If an Emissions Inventory Questionnaire has not been submitted and no previous name has been established, enter a *unique* name or description identifying the emission point.
- **Authorization Type:**
Indicate the authorization under which the facility is operating. This may include one of the following:
 - o permit by rule section number of Chapter 106 (*Example: 106.433*);
 - o a historic standard exemption number and version date (*Example: SE6, 06/07/1996*).

Authorization Date:

List the date the authorization was effective. If the facility is authorized under a permit by rule or standard exemption that did not require registration, enter the construction date. If the facility is authorized under a permit by rule or standard exemption that requires registration, enter the date of the authorization letter.

- **Registration Number (if applicable):**

If the facility is authorized by a permit by rule or standard exemption which was registered, indicate the TCEQ registration number.

Air Contaminant Name:

Enter the name of the air contaminant being emitted from the emission point. If more than one, list on subsequent lines. (*Examples: NO_x, CO, SO₂, and VOC*). When certifying HRVOC emissions, specify the species of each HRVOC. (*Examples: propylene or 1,3-butadiene*)

- **Maximum Certified Emission Rates:**

Enter the maximum short-term (pounds per hour) and annual (tons per year) emission rates for each emission point. Documentation, which demonstrates the basis for each emission rate, must be attached.

- **Emissions Totals:**

Enter the sum of emissions from all emission points (tons per year) for each air contaminant.

Submitting a Certification Instructions:

The APD-CERT application must be submitted through ePermits. No additional copies need to be sent to the Regional Office or local Air Pollution Control Program(s). The link to ePermits can be found here:

www3.tceq.texas.gov/steers/

**Texas Commission on Environmental Quality
Form APD – CERT
Certification of Emission Limits
(Page 1)**

I. Company and Site Information	
A.	Company Name:
B.	Responsible Official Name:
	Responsible Official's Title:
	Mailing Address:
	City:
	County:
	State:
	ZIP Code:
	Telephone:
	Fax:
	Email Address:
C.	Site Name:
	Street Address: <i>(if different from above)</i>
	If "NO" street address describe the physical location with driving directions:
	City or nearest city:
	County:
	ZIP Code:
D.	TCEQ Account Identification Number <i>(leave blank if unknown)</i> :
E.	TCEQ Customer Reference Number <i>(leave blank if unknown)</i> :
	TCEQ Regulated Entity Number <i>(leave blank if unknown)</i> :
F.	Does the site have a Title V Permit? <input type="checkbox"/> YES <input type="checkbox"/> NO
G.	Title V Permit Number:
H.	Is this a small business? <input type="checkbox"/> YES <input type="checkbox"/> NO
II. Attach the Following Documentations	
A.	Copies of a previously completed Form PI-7 and all supporting documentation <i>(if applicable)</i> .
B.	A list of each source of air emissions at the site.
C.	A summary of the certified emission rates.
D.	A process description.

Texas Commission on Environmental Quality
Form APD – CERT
Certification of Emission Limits
(Page 2)

III. Maintain Records On Site to Demonstrate Continuing Compliance and Make the Records Available on Request

The emission rates listed on the certification shall reflect the certified emissions for the stationary sources at the site. The records demonstrating compliance with this certification must comply with applicable rules and must be maintained at the site or, for sites that normally operate unattended, at an office within Texas having day-to-day operational control of the site. Records must be kept for at least five years and must be made available upon request. For more information regarding records for permits by rule, see 30 TAC § 106.8, Recordkeeping.

IV. Purpose of this Certification (*choose and complete all that are appropriate*)

This certification is intended to establish emission rates below state and federal rule thresholds and triggers for:

30 TAC § 106.4 for Permits by Rule

Permit by Rule Number:

HRVOC Emissions Cap and Trade Program

Emissions Banking and Trading Program (other than HRVOC)

30 TAC Chapter 115 for Volatile Organic Compounds

30 TAC Chapter 117 for Nitrogen Oxides

40 CFR Part 60, Subpart:

40 CFR Part 61, Subpart:

40 CFR Part 63, Subpart:

Title V Permit Major Source Applicability

Other:

Texas Commission on Environmental Quality
Form APD – CERT
Certification of Emission Limits
(Page 3)

V. Certification by Responsible Official

All representations in this certification of emissions are conditions upon which the stationary source shall operate. This certification reflects the maximum emission rates for the operation of this facility. The facility will operate in compliance with all regulations of the Texas Commission on Environmental Quality and with Federal U.S. Environmental Protection Agency regulations governing air pollution. It shall be unlawful for any person to vary from such representation unless the certification is first revised. The signature below indicates that, based on information and belief formed after reasonable inquiry, the statements, and information contained in the attached documents are true, accurate, and complete.

Name:

Title:

Original Signature Required:

Date:

Reminder: The original of this certification must be sent to the TCEQ through ePermits. A copy must also be maintained on site or, for sites that normally operate unattended, at an office within Texas having day-to-day operational control of the site.

Texas Commission on Environmental Quality
Form APD – CERT
Certification of Emission Limits
Attach additional pages if needed if needed.
(Page 4)

VI. Emission Rate Data									
FIN	Facility Name	EPN	Point Name	Authorization Type	Authorization Date	Registration Number (if applicable)	Air Contaminant Name	Maximum Certified Emission Rates	
								Pounds/Hour	Tons/Year
Emissions Totals:									