

**Texas Commission on Environmental Quality
Title 30 Texas Administrative Code § 106.124
Permit By Rule (PBR) Checklist
New and Modified Pilot Plants**

The following checklist is designed to help you confirm that you meet Title 30 Texas Administrative Code § 106.124 (30 TAC § 106.124) requirements. If you answer “NO” to any of the following questions, your PBR claim may not meet all requirements for the use of the PBR. If you do not meet all the requirements, you may alter the project design or operation in such a way that all the requirements of the PBR are met or obtain a construction permit. Pilot plants cannot be claimed under the bench scale laboratory equipment PBR, 30 TAC § 106.122. The PBR forms, tables, checklist and guidance documents are available from the Texas Commission on Environmental Quality (TCEQ), Air Permits Division, PBR website at: www.tceq.texas.gov/permitting/air/nav/air_pbr.html. Registration of a claim for this PBR is optional, but recommended.

For additional assistance with your application, including resources to help calculate your emissions, please visit the Small Business and Local Government Assistance (SBLGA) web page at the following link: www.TexasEnviroHelp.org.

Please Check The Most Appropriate Answer.	
1. Have you prepared and included a description of how this claim meets the general requirements for the use of PBR in 30 TAC § 106.4?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<i>Note: Some applicants may be required to attach a 30 TAC § 106.4 checklist to satisfy this requirement.</i>	
2. Will you construct and/or operate the pilot plant for the purposes listed below?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Check those applicable to your facility.	
<input type="checkbox"/> Testing the manufacturing or marketing potential of a proposed product	
<input type="checkbox"/> Defining the design of a larger plant	
<input type="checkbox"/> Studying the behavior of an existing plant through modeling in the pilot plant	
<i>Note: Attach a process diagram and short description of the pilot plant supporting this selection.</i>	
3. Is the total sum of the product, co-product, and by-product less than or equal to 5 million pounds per year?	<input type="checkbox"/> YES <input type="checkbox"/> NO
4. Will you make one specific product or evaluate one process for five calendar years or less from the date of the initial pilot plant production?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<i>Note: You may use the same equipment after five years for another product or process but this use may require another PBR or permit authorization.</i>	
5. Is each emission point at least 500 feet from any recreational area, residence or other structure that is not occupied or used solely by the owner or operator of the facilities or the owner of the property upon which the emission source is located?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<i>Note: Attach a scaled map showing your facility, property boundaries, and the offsite receptors.</i>	
6. Are the total facility-wide new or increased emissions, including fugitives, less than or equal to 6 lb/hr and 10 tons per year?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<i>Note: Attach calculations that demonstrate the limits are met.</i>	

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Please check the most appropriate answer.	
7. Are the emissions from each single stack, excluding fugitives, less than 1 lb/hr?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<i>Note: Attach calculations or testing results that demonstrate limits are met.</i>	
8. In the New or Modified Pilot Plants Table, summarize the allowable emissions limit and actual emissions amount for each chemical or other pollutant emitted from the pilot operation. Are all actual, specific chemical or pollutant emissions less than each allowable limit?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<i>Note: Attach calculations or testing results that demonstrate the limits are met.</i>	
Additional Information:	
Recommended Calculation Methods: Emissions at pilot plants are of such broad scope that it is not feasible to list particular methods to calculate emissions. Consult U.S. Environmental Protection Agency's Document AP-42 entitled "Compilation of Air Pollutant Emission Factors" for more information.	
Record Keeping: No specific guidance can be given with the variety of possible sources covered. Beginning April 1, 2002, the permit holder must maintain all records, and the records must be available upon request for five years. These records must support a compliance demonstration for any consecutive 12-month period for the five million lbs/yr limit for the sum of the product, co-product and by-product as indicated in 30 TAC § 106.124(6), and the emission limit as applicable in 30 TAC §§ 106.124(5) A, B, or C. In addition, the required record keeping in accordance with 30 TAC § 106.8 may be based upon one time calculations, monitoring devices, data sets, or periodic calculations based upon actual production.	

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Pollutant or Chemical	Distance	30 TAC § 106.261 Applicable Emission Rate (lb/hr)	L Value (mg/m³)	K Value	30 TAC § 106.262 Compute E (lb/hr)	Maximum Allowable Annual Emissions	Actual Maximum Emissions (lb/hr)	Actual Annual Emission (tpy)

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<p>Pollutant or Chemical: Enter the pollutant and/or specific chemical compound (30 characters maximum). Put a check in the box to the left of the chemical name in the first column for any simple asphyxiant.</p>
<p>Distance: Enter the number of feet from the emission point to the nearest off-site sensitive receptor.</p>
<p>30 TAC § 106.261 Applicable Emission Rate: From the list of compounds as indicated in 30 TAC § 106.261, enter numbers 1 or 6 for the applicable emission rate (lb/hr). Leave blank for the compounds to be claimed under PBR, 30 TAC § 106.262.</p>
<p>L Value: From the list of compounds in 30 TAC § 106.262 or the referenced threshold limit value list enter the limit value (L) (mg/m³).</p>
<p>K Value: As indicated in 30 TAC § 106.262, enter the K value that corresponds to the distance, D. Interpolate as necessary.</p>
<p>30 TAC § 106.262 Compute E: Enter value E as indicated in 30 TAC § 106.262. To compute the value, E equals L divided by K and never to exceed 6 lb/hr.</p>
<p>Maximum Allowable Annual Emissions: As indicated in 30 TAC § 106.261 or 30 TAC § 106.262, enter the computed project allowable annual emissions (tpy). The annual estimated emission rate must be consistent with the short term emission rate and hours of operation.</p>
<p>Actual Maximum Emissions: Enter the actual maximum emissions rate (lb/hr).</p>
<p>Actual Annual Emissions: Enter the actual maximum annual emissions rate (tpy).</p>