

Texas Commission on Environmental Quality
Federal Operating Permit Program
Application for Permit Revision/Renewal
Form OP-2 Instructions

Please note that a Change of Name/Ownership should be submitted on TCEQ Form Number 20405 to ensure that all affected federal operating permits and new source review pre-construction authorizations are updated with the Air Permits Division. If there is no other change to the FOP, or any underlying requirements of the FOP, then Form OP-2 is not required. Form Number 20405 is located on the TCEQ website at www.tceq.texas.gov/assets/public/permitting/air/Forms/20405.pdf.

General:

Owners or operators of a site having a federal operating permit (FOP), in accordance with Title 30 Texas Administrative Code Chapter 122 (30 TAC Chapter 122), must complete and submit an FOP revision application for those activities at a site which change, add, or remove one or more permit terms or conditions (or changes any underlying requirements in the FOP).

In addition, these owners or operators must complete and submit an application for renewal of a Site Operating Permit (SOP) or authorization to operate (ATO) under a General Operating Permit (GOP) at least 6 months, but no earlier than 18 months, before the date of expiration of the SOP or ATO under a GOP. Permit holders applying for renewal may include revisions during the application processing.

The FOP revision/renewal application must be submitted to the Texas Commission on Environmental Quality (TCEQ), Office of Permitting and Registration, Air Permits Division (APD) and a copy must be submitted to the appropriate TCEQ regional office.

The TCEQ requires that a Core Data Form be submitted on all incoming applications unless a Regulated Entity and Customer Reference Number have been issued by the TCEQ and no core data information has changed. For more information regarding the Core Data Form, call (512) 239-5175 or visit the TCEQ website at www.tceq.texas.gov/permitting/central_registry/.

Title 30 Texas Administrative Code § 122.132(c) [30 TAC § 122.132(c)] (relating to “Application and Required Information for Initial Permit Issuance, Reopening, Renewal, or General Operating Permits”) and 30 TAC § 122.134(c) (relating to “Complete Application”) authorize an applicant to submit an abbreviated initial application. Abbreviated revision and renewal applications are not authorized under 30 TAC Chapter 122 and will not be accepted as complete and/or timely applications.

For submissions to EPA:

EPA Region 6 office has requested that all applications, including any updates, submitted to EPA be provided in electronic format via email or as a readable media via CD, DVD, or flash drive by mail. Microsoft Word for text, Excel for spreadsheets, and a searchable Adobe Acrobat (pdf) file are the preferred formats. Do not submit any compressed or zip files, files with an “.exe” extension or files that contain any confidential information. Do not submit any individual files larger than 10 megabytes via email, and the total size of all attachments cannot exceed 25 megabytes per email. With the exception of any document that requires an original signature or confidential information, no hard copies of the information contained in the application should be submitted to EPA.

Any application, including any updates, submitted via email should be submitted to EPA at: R6AirPermitsTX@epa.gov. Identify the associated permit number when submitting information.

All confidential information, documents with original signature, and readable media, CD, DVD, or flash drive, should be mailed to:

Environmental Protection Agency, Region 6
Air Permits Section (6MM-AP)
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Please contact Ms. Aimee Wilson (wilson.aimee@epa.gov) at (214) 665-7596 if you have any questions pertaining to electronic submittals.

Permit Revision Types:

The three permit revision types for an SOP are as follows: administrative revision, minor revision, and significant revision. The type of permit revision that is required will depend on the type of change at the site or to the SOP. Additional information on SOP revisions and application requirements can be found in the SOP Revision Application Guidance, which is located on the TCEQ website at www.tceq.texas.gov/permitting/air/guidance/titlev/tv_site_guidance.html.

For administrative revisions, 30 TAC § 122.213(a)(1) requires the permit holder to record and maintain the information required in 30 TAC § 122.212 with the permit before the change is operated.

For minor revisions due to changes at a site, 30 TAC § 122.217(a)(2) requires the permit holder to submit an application containing information required in 30 TAC § 122.216 before the change is operated. This information must also be maintained with the permit.

For significant revisions, 30 TAC § 122.221(a)(2) requires the permit holder to submit the information in 30 TAC § 122.220 and obtain a revised permit before the change is operated.

For revisions to an ATO under a GOP due to changes at a site, 30 TAC § 122.503(c)(2) requires the permit holder to submit an application that contains information required in 30 TAC § 122.503(b) before the change is operated. This information must also be maintained with the permit. When a GOP is revised or repealed, the applicant must record and maintain the information required in 30 TAC §§ 122.504(a)(1)(A)-(E) before the compliance date of the new requirement or the effective date of the repealed requirement. This application must be submitted no later than 90 days after the compliance date of the new requirement or effective date of the repealed requirement.

Further information regarding GOP application requirements can be found in the GOP Revision Application Guidance, which is located on the TCEQ website at www.tceq.texas.gov/permitting/air/guidance/titlev/tv_gop_guidance.html.

Form Page Header:

Enter the following information in the header of each page: Date (*MM/DD/YYYY*) of application submission, Permit Number, Account Number (if applicable), Regulated Entity Number, Area Name, Company Name, and Customer Reference Number.

Specific:

Table 1

I. Application Type

Indicate the type of application by checking the appropriate box. Please choose only one.

Renewal: The application is for a renewal of an SOP or ATO under a GOP. The permit holder may include any revisions on this form to be processed under the renewal application. For renewals, the application type will be handled as a renewal regardless of the type of revisions that are included. If a Streamlined Revision (as explained below) is included in the renewal, all applicable provisional terms, and conditions must be included in the application. If a Significant Revision is included with the renewal, the information in Table 3, Section I of this form must be completed.

Significant Revision: The application contains significant permit revisions as defined in 30 TAC § 122.219. Applicants must revise the permit before operating.

Administrative Revision: The application contains administrative permit revisions as defined in 30 TAC § 122.211.

Streamlined Revision: The application contains either **minor permit revisions** as defined in 30 TAC § 122.215 or **revisions to an ATO under a GOP** as defined in 30 TAC § 122.503 or § 122.504, and in which the applicant intends to begin operation prior to updating the permit.

For Streamlined Revision applications, the permit holder must establish and submit provisional terms and conditions as defined in 30 TAC § 122.10. The provisional terms and conditions must include complete identification of all applicable requirements resulting from the change(s) at the site, or any other action, that trigger the requirement for a permit revision (i.e. require the permit holder to apply for a revision of the SOP or revision of the ATO under a GOP). Provisional terms and conditions must also include, where applicable, the specific regulatory citations identifying any requirements that no longer apply. Provisional terms and conditions cannot be established and submitted for any change(s) that trigger a significant revision of the SOP.

When an applicant identifies and submits provisional terms and conditions as part of a permit revision application, or an FOP renewal application that includes revisions to the applicable requirements, these terms and conditions become applicable requirements for the permit area/site. This means that provisional terms and conditions established in this manner are considered as applicable requirements for the permit area/site, after the permit revision or permit renewal application is submitted by the permit holder. The permit holder shall comply with these provisional terms and conditions and meet the requirements of 30 TAC Chapter 122, including deviation and compliance reporting, after the permit revision or permit renewal application is submitted. Note that the choice to establish provisional terms and conditions applies to all requested changes within a Streamlined Revision application.

SOP holders must establish provisional terms and conditions (detailed regulatory citations) and submit this information on Table 2 (of this form) or Form OP-REQ3.

GOP holders must establish provisional terms and conditions (detailed regulatory citations) and submit this information on Table 2 (of this form) or Form OP-REQ3. As an alternative, if the provisional terms and conditions are specified in an applicable GOP Index Number, the appropriate Unit Attribute form may be completed and submitted.

If the applicant does not elect to establish provisional terms and conditions in their application, then the change cannot be operated until the FOP is revised or renewed to codify the applicable requirements into the FOP.

Revision Requesting Prior Approval: The application contains either **minor permit revisions** as defined in 30 TAC § 122.215 or **revisions to an ATO under a GOP** as defined in 30 TAC § 122.503, and in which the applicant elects to update the permit prior to operating the change.

Response To Reopening: The application contains changes needed to the permit as a result of a reopening notice by the TCEQ. (These changes will be processed under the reopening procedures outlined in 30 TAC Chapter 122, Subchapter C, Division 3.)

II. Qualification Statement

Note: These questions refer to the permit being revised.

For SOP Revisions Only: Check the “YES” box if the referenced changes qualify for the marked revision type. Otherwise, check the “NO” box.

For GOP Revisions Only: Check the “YES” box if the referenced changes do not affect the site’s authorization to operate under a GOP. Otherwise, check the “NO” box.

III. Major Source Pollutants *(Complete this section if the permit revision is due to a change at the site or change in regulations.)*

Indicate all pollutants for which the site is a major source based on the site’s potential to emit after the change is operated:

Enter “YES” below all of the pollutants for which the site is classified as a major source, as defined in 30 TAC § 122.10, based on the site’s potential to emit. Enter “NO” below all of the pollutants for which the site is not a major source. Do not leave any spaces blank.

The column “Other” is provided for listing of non-criteria regulated air pollutants for which a site is a major source. (Example: chlorinated compounds, inorganic acids) List the pollutant name in the space provided (maximum 20 characters). List greenhouse gases (GHG) only if the site is required to obtain a GHG PSD permit. If there are none, enter “NO” in the space provided.

Further information regarding potential to emit can be found in the Potential to Emit Guidance, which is located on the TCEQ website at tceq.texas.gov/permitting/air/guidance/titlev/tv_fop_guidance.html.

IV. Reference Only Requirements (*For reference only.*)

Has the applicant paid emissions fees for the most recent agency fiscal year (September 1 - August 31)?

Check the “YES” box if the applicant has paid all emissions fees due during the most recent agency fiscal year (September 1 through August 31). Otherwise, check the “NO” box. If the applicant is not required to pay emissions fees, check the “N/A” box.

Note: If the answer to IV Fee Information is “NO,” the applicant is required to contact the Industrial Emissions Assessment Section at (512) 239-1459. For further information regarding inspection fees and emission fees, please refer to 30 TAC § 101.24 and § 101.27.

RO is opting out of electronic correspondence from TCEQ (otherwise leave blank): Check the “Opt-Out of E-mailed Docs” box if the RO would like to continue receiving correspondence from TCEQ for this project through the mail instead of through electronic mail. Otherwise, leave blank.”

If this question is left blank the default process is to send electronic correspondence for this project. This means that TCEQ will send all documents via electronic mail that would have otherwise been mailed. A valid e-mail address for the Responsible Official is required if this question is left blank.

V. Delinquent Fees and Penalties

Notice: This form will not be processed until all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ is paid in accordance with the “Delinquent Fee and Penalty Protocol.” For more information regarding Delinquent Fees and Penalties, go to the TCEQ website at www.tceq.texas.gov/agency/delin/index.html.

Table 2

I. Description of Revision

Revision Number: The revision number uniquely identifies each revision item within the application and may not be reused within the same revision application. Each revision item will be identified by a revision number, which should be assigned sequentially (i.e., “1”, “2”, “and 3”). The same revision number will be used on Forms OP-REQ2 (Negative Applicable Requirement Determinations) and OP-REQ3 (Applicable Requirements Summary) to identify related changes resulting from the corresponding revision item. Enter a unique number for each revision.

Revision Code: The revision code determines how each revision will be processed by the APD. Select one of the following options for revision code. Enter the code on the form. For **renewal applications**, select all codes that apply.

Significant Revision (SOPs only):

<u>Code</u>	<u>Description</u>
SIG-A	A significant change to existing monitoring, recordkeeping, reporting, or testing terms or conditions.
SIG-B	Change requiring a case-by-case determination of an emission limit or other standard, or source specific determination for temporary sources of ambient impacts, or a visibility or increment analysis.
SIG-C	Affects or adds a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.
SIG-D	Is a modification under provisions of FCAA, Title 1.
SIG-E	Any other change that does not qualify for an administrative or minor revision.

Administrative Revision (SOPs only):

<u>Code</u>	<u>Description</u>
ADMIN-A	Corrects typographical errors.
ADMIN-B	Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar administrative change at the site.
ADMIN-C	Increases the frequency of monitoring or reporting requirements without changing any existing emission limitations or standards.
ADMIN-D	Changes the permit identification of ownership or operational control of a site where the TCEQ Executive Director determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the old and new permit holder is maintained with the permit. <i>For Change of Name/Ownership revision only (no other change to the SOP or any underlying requirements), submit TCEQ Form Number 20405; Form OP-2 is not required. Form Number 20405 is located on the TCEQ website at www.tceq.texas.gov/assets/public/permitting/air/Forms/20405.pdf.</i>
ADMIN-E	Affects or adds a state-only requirement.
ADMIN-F	Changes the location of an off-site permit location.
ADMIN-G	Changes that have been approved by EPA to be administrative revisions. <i>Further information may be found in the SOP Revision Application Guidance, which is located on the TCEQ website at www.tceq.texas.gov/permitting/air/guidance/titlev/tv_fop_guidance.html.</i>

Minor Revision (for SOP Streamlined Revision and Revision Requesting Prior Approval):

<u>Code</u>	<u>Description</u>
MS-A	Adds or modifies a minor New Source Review (NSR) pre-construction authorization.
MS-B	Adding or deleting a Compliance Assurance Monitoring or Periodic Monitoring option number to a unit in an SOP.
MS-C	All other changes qualifying for a minor revision.

Revision to an ATO under a GOP due to changes at a site (for Streamlined Revision and Revision Requesting Prior Approval):

<u>Code</u>	<u>Description</u>
GS-A	A change, addition, or removal of any applicability determinations or the basis of any determinations in the original GOP application.
GS-B	A correction of typographical errors.
GS-C	A change in the permit identification of ownership or operational control of a site where the TCEQ Executive Director determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage,

and liability between the old and new permit holder is maintained with the permit. *For Change of Name/Ownership revision only (no other change to the ATO under a GOP or any underlying requirements), submit TCEQ Form Number 20405; Form OP-2 is not required. Form Number 20405 is located on the TCEQ website at www.tceq.texas.gov/assets/public/permitting/air/Forms/20405.pdf.*

Revision to an ATO under a GOP due to changes in a rule (for Streamlined Revision and Revision Requesting Prior Approval):

<u>Code</u>	<u>Description</u>
GR-A	A revision when a GOP is revised or repealed.
GR-B	A regulation is revised.
GR-C	Adding or deleting a Compliance Assurance Monitoring or Periodic Monitoring option number to a unit in an ATO under a GOP.

Revision Due to a Reopening (SOPs only):

<u>Code</u>	<u>Description</u>
REO	A change, addition, or removal of any applicable requirement resulting from a reopening. Use this code only when revising your permit in response to a permit reopening letter from the TCEQ.

Unit/Group/Process

New Unit: Enter “YES” if this revision is identifying the addition of a new emission unit not previously identified on any other revision application for this permit. Otherwise, enter “NO.”

ID No.: Enter the identification number (ID No.) of the unit, group, or process as listed on Form OP-SUM (Individual Unit Summary) or Form OP-SUMR (Individual Unit Summary for Revisions) (maximum 10 characters).

Note: Only use group identification numbers when updating existing group information contained on Unit Attribute forms or Form OP-REQ3 (Applicable Requirements Summary).

Applicable Form: Enter the number of the Unit Attribute (UA) form which contains the specific information regarding the corresponding emission unit, emission point, or process (i.e., for flares, enter OP-UA7 entitled “Flares”). A complete list of all available UA forms is located on the TCEQ website at www.tceq.texas.gov/permitting/air/nav/air_all_ua_forms.html. Enter “OP-ACPS”, if the unit ID No. is entered on this form, strictly as a result of completing Form OP-ACPS (Application Compliance Plan and Schedule) and no UA form is submitted (see Form OP-ACPS instructions for additional guidance). Enter the UA form number if the UA form is used in conjunction with Form OP-REQ2 for negative applicability, or if the emission unit, emission point, or process has positive applicability in addition to the negative applicability. Enter “OP-REQ2” if negative applicability is shown through the use of Form OP-REQ2, no UA information is used to support the negative applicability, and the emission unit, emission point, or process has no positive applicability.

NSR Authorization: Identify the NSR authorizations (permit by rule (PBR) registration number, PBR number (if registration was not required), NSR permit number, standard permit registration number, etc.) for changes requiring authorization pursuant to 30 TAC Chapter 106 or Chapter 116. If an NSR authorization was not required for the change, enter N/A.

Description of Change and Provisional Terms and Conditions: Enter a description of the change for which this application is being submitted and list the provisional terms and conditions as applicable. The provisional terms and conditions may be submitted on Form OP-REQ3 instead. For GOP applications, if the provisional terms and conditions are specified in an applicable GOP Index Number, the appropriate Unit Attribute form may be completed and submitted to reference the provisional terms and conditions.

Table 3

- I. Significant Revision** (*Complete this section if you are submitting a significant revision application or a renewal application that includes a significant revision.*)
- A. Is the site subject to bilingual notice requirements pursuant to 30 TAC § 122.322?**
- Check the “YES” box if the site is subject to the bilingual notice requirements pursuant to 30 TAC § 122.322. Otherwise, check the “NO” box.
- The requirements of 30 TAC § 122.322 are applicable when either the elementary school or the middle school located nearest to the facility, or proposed facility, provides a bilingual education program, as required by Texas Education Code § 29.053, and 19 TAC § 89.1205(a) (relating to Required Bilingual Education and English as a Second Language Programs), or if either school has waived out of such a required bilingual education program under the provisions of 19 TAC § 89.1205(g). Schools not governed by the provisions of 19 TAC § 89.1205 should not be considered when determining the applicability of 30 TAC § 122.322 requirements.
- Elementary or middle schools that offer English as a second language under 19 TAC § 89.1205(d), and are otherwise not affected by 19 TAC § 89.1205(a), will not trigger the requirements of 30 TAC § 122.322(a). If the notices required by 30 TAC § 122.320 and § 122.340 are combined, the combined notice is subject to the requirements of this 30 TAC § 122.322.
- B. Indicate the alternate language(s) in which public notice is required:**
- If the answer to the previous question is “YES,” enter the alternate language(s) for which public notice is required in the space provided. Each space should only contain one alternate language. Please use a separate page to indicate the alternate languages if additional space is required. If the answer to the previous question is “NO,” enter “NONE” in the first space provided and leave the others blank.
- C. Will there be a change in air pollutant emissions as a result of the significant revision?**
- Public Notice requirements in 30 TAC § 122.320(b)(5) require the air pollutants with emission changes to be listed in the notice. Check the “YES” box if there will be a change in air pollutant emissions as a result of the significant revision. If there will not be a change in emissions, check the “NO” box and skip question I.D below.
- D. Indicate the air pollutant(s) that will be changing and include a brief description of the change in pollutant emissions for each pollutant:**
- Enter this information if the answer to I.C is “YES.” Spell out the air pollutant names; for example, nitrogen oxides, volatile organic compounds, lead, and benzene. This information will be used to determine the pollutant names to be included in the public notice.
- Enter a descriptive phrase to reflect an addition, increase, decrease, or deletion of an air pollutant emission change as a result of the significant revision.

**Texas Commission on Environmental Quality
Federal Operating Permit Program
Application for Permit Revision/Renewal
Form OP-2
Table 1**

Date:	Permit No.:	Account No.:	Regulated Entity No.:					
Area Name:		Company Name:			Customer Reference No.:			
For Submissions to EPA (<i>SOP renewal, minor revision, and significant revision applications only</i>)								
Has a copy of this application been submitted (or is being submitted) to EPA? (<i>Refer to the form instructions for additional information.</i>)						<input type="checkbox"/> YES <input type="checkbox"/> NO		
I. Application Type								
Indicate the type of application:								
<input type="checkbox"/> Renewal <input type="checkbox"/> Streamlined Revision <i>Must include provisional terms and conditions as explained in the instructions.</i>								
<input type="checkbox"/> Significant Revision <input type="checkbox"/> Revision Requesting Prior Approval <input type="checkbox"/> Administrative Revision <input type="checkbox"/> Response to Reopening								
II. Qualification Statement								
For SOP Revisions Only		The referenced changes qualify for the marked revision type.				<input type="checkbox"/> YES <input type="checkbox"/> NO		
For GOP Revisions Only		The permitted area continues to qualify for a GOP.				<input type="checkbox"/> YES <input type="checkbox"/> NO		
III. Major Source Pollutants (<i>Complete this section if the permit revision is due to a change at the site or change in regulations.</i>)								
Indicate all pollutants for which the site is a major source based on the site's potential to emit after the change is operated:								
Pollutant	VOC	NO_x	SO₂	PM₁₀	CO	Pb	HAPs	Other <input type="checkbox"/>
Major at the Site (<i>YES/NO</i>):								
IV. Reference Only Requirements (<i>For reference only.</i>)								
Has the applicant paid emissions fees for the most recent agency fiscal year (September 1 - August 31)?						<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		
RO is opting out of electronic correspondence from TCEQ (<i>otherwise leave blank</i>):						<input type="checkbox"/> Opt-Out of E-mailed Docs		
V. Delinquent Fees and Penalties								
Notice: This form will not be processed until all delinquent fees and/or penalties owed the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and penalty protocol.								

