


TCEQ Interoffice Memorandum

To: Air Permits Division Staff, Office of Compliance and Enforcement Staff,
Office of Legal Services Staff, and Interested Applicants

From:  Michael Wilson, P.E., Director, Air Permits Division, Office of Air

Date: November 18, 2016

Subject: Standard Permit Renewal Procedures

Standard Permit Renewals: In accordance with Title 30 Texas Administrative Code (TAC) § 116.604(4) the Texas Commission on Environmental Quality (TCEQ) is authorized to renew registrations for specific Air Quality Standard Permits automatically and provide written notice to registrants of the Standard Permit. A standard permit registration will qualify to be automatically renewed at the end of the 10-year permit term if the following criteria are satisfied:

1. No new federal or state regulations are applicable to the facility, and
2. The TCEQ has not amended the Air Quality Standard Permit during the renewal cycle of the registrant.

In accordance with 30 TAC § 116.604(4), the TCEQ will provide a written notification to the permit holders that their permit is renewed.

However, if a specific Air Quality Standard Permit is amended by the TCEQ during the 10-year permit term of a registrant, the TCEQ will either: send the registrant notification that a renewal application is required to be submitted within 180 days of expiration in accordance with 30 TAC § 116.604(2) and (3); or, the TCEQ will give specific application submittal requirements and timeframes to registrants within the requirements of the specific Air Quality Standard Permit to re-apply to demonstrate compliance with the updated Standard Permit.

Please note that registrants must continue to be in compliance with the requirements of the Air Quality Standard Permit and follow the procedures outlined in 30 TAC § 116.615(2) regarding representations and changes at the facility regardless of this change in the TCEQ renewal procedures.

This new renewal procedure will begin January 1, 2017. Any renewal applications pending on that date will continue to be processed by TCEQ staff.

Other Standard Permit Renewals: The TCEQ will continue to renew the standard permits for concrete batch plants (not including concrete batch plants with enhanced controls) in accordance with 30 TAC § 116.604(2) and (3) and for municipal solid waste landfill facilities and transfer stations in accordance with 30 TAC § 330.987(c).