

TCEQ Interoffice Memorandum

To: All Interested Persons

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Mechanical/Agricultural/Construction/Coatings New Source Review
Permits Section, Air Permits Division

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Subject: Use of permits by rule at wineries, micro/craft breweries, and small distilleries

The permit by rule (PBR) in 30 Texas Administrative Code (TAC) § 106.244 (Ovens, Barbecue Pits, and Cookers) states: "Ovens, mixers, blenders, barbecue pits, and cookers if the products are edible and intended for human consumption are permitted by rule." This PBR is intended to cover a wide range of businesses whose products are intended for human consumption. These businesses are expected to emit insignificant levels of air emissions that are below the limits in § 106.4 (Requirements for Permitting by Rule).

Permit by Rule § 106.244 (Ovens, Barbeque Pits, and Cookers) is appropriate for use at wineries, micro/craft breweries, and small distilleries. At these businesses, TCEQ interprets the equipment used as part of the alcohol production process to be authorized with this PBR. No registration is required for this PBR.

Other sources of emissions at these businesses may be eligible for PBRs, including:

- § 106.102 Comfort Heating
- § 106.183 Boilers, Heaters, and Other Combustion Devices
- § 106.263 Routine Maintenance, Start-up and Shutdown of Facilities, and Temporary Maintenance Facilities
- § 106.373 Refrigeration Systems
- § 106.511 Emergency and Portable Engines
- § 106.532 Water and Wastewater Treatment

Home production of wine, ale, malt liquor, or beer under the Alcoholic Beverage Code Chapter 109 is authorized as "Food Preparation" on the list of De Minimis Facilities or Sources.