# Statement of Basis of the Federal Operating Permit

ET Gathering & Processing LLC

Site Name: Mustang Cryo Plant
Physical Location: From Stanton take TX 137 north and drive 1.1 miles. Then turn left onto FM 3113, drive 4 miles and turn right onto FM 829. Drive 2 miles, then turn left onto FM 1212 north, drive 2.8 miles and turn right. Drive 0.5 miles to the site.
Nearest City: Stanton
County: Martin

Permit Number: O4922
Project Type: Initial Issuance

The North American Industry Classification System (NAICS) Code: 211130
NAICS Name: Natural Gas Extraction

This Statement of Basis sets forth the legal and factual basis for the draft permit conditions in accordance with 30 TAC §122.201(a)(4). An application for initial permit issuance has been submitted in accordance with 30 TAC § 122.201. This document may include the following information:

A description of the facility/area process description;
A basis for applying permit shields;
A list of the federal regulatory applicability determinations;
A table listing the determination of applicable requirements;
A list of the New Source Review Requirements;
The rationale for periodic monitoring methods selected;
The rationale for compliance assurance methods selected;
A compliance status; and
A list of available unit attribute forms.

Prepared on: October 12, 2026

# Operating Permit
# Basis of Determination

**Permit Area Process Description**

**Train 1:**
Natural gas will enter the Plant through slug catchers and inlet filters where entrained liquids will be separated from the inlet gas. The liquids along with field condensate that will be trucked into the Plant will be processed in a condensate stabilization system which will produce stabilized condensate. Heat for the stabilization system will be provided by a natural gas-fueled heater (Emission Point Number [EPN] HMOHTR3). The stabilized condensate, which can have a Reid Vapor Pressure (RVP) ranging from two (2) to nine (9) pounds per square inch (psi) as the market dictates, will be pumped into four (4) 500-barrel (bbl) atmospheric storage tanks (Facility Identification Number [FIN] TK-COND) and loaded out by trucks (FIN TL-1) as necessary. The storage tank vapors will be captured by a vapor recovery unit (VRU) and routed to the process flare (EPN FLARE1) for combustion. Truck loading emissions will be combusted by the truck loading flare (EPN FLARE3). Y-Grade product will be stored in pressurized tanks and exit the Plant via pipeline. Overhead flash gas from the stabilization system will be captured by electric-driven VRUs, compressed, and routed to the inlet.

The inlet gas stream will be routed to the amine sweetening unit ([FIN] AMINE1) for removal of carbon dioxide (CO2) and hydrogen sulfide (H2S). CO2 and H2S will be removed from natural gas in a two-step amine process. Gas will enter the bottom of the amine contactors where it will encounter lean amine solution in counter-current flow. CO2 and H2S contained in the natural gas will be absorbed in the amine. Sweetened natural gas will exit the top of the amine contactors and flow to the Plant's dehydration systems. Rich amine containing absorbed CO2 and H2S will flow to the amine flash tank where entrained natural gas vapors will be separated from the rich amine. The flash gas (FIN AMINE1-FL) will be routed to the fuel system for the hot oil heaters (EPN HMO-HTR1&2&3), glycol reboiler (EPN TEGREB1), and thermal oxidizer (EPN TO1). If the fuel system pressure becomes too high, the flash gas will be sent to the process flare (EPN FLARE1) for destruction. Rich amine will then enter the amine regenerator still where it will be heated to drive off CO2 and H2S. Lean amine will be pumped from the bottom of the still to the amine contactors to repeat the process.

CO2 and H2S-rich vapors will exit the top of the regenerator still, be cooled in aerial coolers, and then flow into a still reflux accumulator where condensed liquids and acid gas will be separated. The condensed liquids will be pumped back to the amine still as reflux. The acid gas vapor will be routed to sulfaguard to remove H2S before being routed the thermal oxidizer (EPN TO1) where the rest of H2S, volatile organic compounds (VOC), and other hydrocarbons will be incinerated. The acid gas will be routed to the acid gas flare (EPN FLARE2) during thermal oxidizer downtime.

Natural gas dehydration will be accomplished using a TEG unit (FIN DEHY1) and a mol sieve unit. Sweet natural gas from the amine contactors will enter the bottom of the glycol contactor where it will encounter TEG in counter-current flow. The TEG will absorb water from the natural gas. Dry natural gas will exit the top of the glycol contactor and be routed to the mol sieve unit where heat for regeneration of the mol sieve beds will be supplied by a regenerator heater (EPN REGEN-HTR1). Rich TEG (water-saturated) leaving the glycol contactor will be sent to a flash tank where entrained vapors will be separated from the rich TEG. The flash gas (FIN DEHY1-FL) will be routed to the fuel system for the hot oil heaters (EPN HMOHTR1&2&3), glycol reboiler (EPN TEGREB1), and thermal oxidizer (EPN TO1). If the fuel system pressure becomes too high, the flash gas (FIN DEHY1-FL) will be sent to the process flare (EPN FLARE1) for destruction. Rich glycol will leave the flash tank and enter the glycol regenerator still. Absorbed water and hydrocarbons will be driven off by heat from the glycol reboiler (EPN TEGREB1). Lean glycol will be recirculated to the glycol contactor. The still overhead vapor will pass through a BTEX condenser to remove water and heavy hydrocarbons. Any non-condensable vapors will be routed to the thermal oxidizer (EPN TO1) for combustion or routed to the acid gas flare (EPN FLARE2) during thermal oxidizer downtime. Condensed water and hydrocarbons will be sent to two (2) 500-bbl atmospheric slop oil/water storage tanks (EPN TK-PW) along with liquids from various plant drains and sumps and loaded out by truck (EPN TL-1) as necessary.

After dehydration, sweet, dry natural gas will be routed to the cryogenic process for recovery of NGL. Liquids will be removed by chilling the natural gas while reducing the stream pressure to the point where the NGL condenses out from the gas stream. This will be accomplished using electric motor-driven compressors and turboexpanders and propane refrigeration. The resulting NGL will be sent out of the Plant via pipeline. Heat for the amine treating system and cryogenic plant will be provided by a hot oil system and natural gas fueled heaters (EPNs HMO-HTR1 and HMO-HTR2). Residue gas leaving the cryogenic unit will be compressed by five (5) engine-driven recompressors (EPNs ENG-1 through ENG-5) prior to being sent out through the residue pipeline.

The Plant may generate fugitive emissions (EPN FUG1) from equipment components such as piping fittings, pumps, and compressor seals. ETGP will implement a Leak Detection and Repair (LDAR) program to minimize emissions from leaks at the Plant. The Plant will also be equipped with various fixed roof tanks (EPN TK-MISC) storing lube oil, antifreeze, methanol, glycol, hot oil, sulfaguard and amine to support the operations on site. Maintenance, startup, and shutdown (MSS) activities will include compressor blowdowns and miscellaneous maintenance operations. All MSS-related emissions at the Plant are being authorized under Permit by Rule (PBR) at 30 TAC §106.359.

**Train 2:**
Natural gas will enter the Plant through slug catchers and inlet filters where entrained liquids will be separated from the inlet gas. The liquids along with field condensate that will be trucked into the Plant will be processed in the Train 1 condensate stabilization system which will produce stabilized condensate. The stabilized condensate, which can have a Reid Vapor Pressure (RVP) ranging from two (2) to nine (9) pounds per square inch (psi) as the market dictates, will be pumped into four (4) 500-barrel (bbl) atmospheric storage tanks (Facility Identification Number [FIN] TK-COND) and loaded out by trucks (FIN TL-1) as necessary. The storage tank vapors will be captured by a vapor recovery unit (VRU) and routed to the process flare (EPN FLARE1) for combustion. Truck loading emissions will be combusted by the truck loading flare (EPN FLARE3). Y-Grade product will be stored in pressurized tanks and exit the Plant via pipeline. Overhead flash gas from the stabilization system will be captured by electric-driven VRUs, compressed, and routed to the inlet.

The inlet gas stream will be routed to the amine sweetening unit ([FIN] AMINE2) for removal of carbon dioxide (CO2) and hydrogen sulfide (H2S). CO2 and H2S will be removed from natural gas in a two-step amine process. Gas will enter the bottom of the amine contactors where it will encounter lean amine solution in counter-current flow. CO2 and H2S contained in the natural gas will be absorbed in the amine. Sweetened natural gas will exit the top of the amine contactors and flow to the Plant's dehydration systems. Rich amine containing absorbed CO2 and H2S will flow to the amine flash tank where entrained natural gas vapors will be separated from the rich amine. The flash gas (FIN AMINE2-FL) will be routed to the fuel system for the hot oil heaters (EPN HMO-HTR4&5), glycol reboiler (EPN TEGREB2), and thermal oxidizer (EPN TO2). If the fuel system pressure becomes too high, the flash gas will be sent to the process flare (EPN FLARE1) for destruction. Rich amine will then enter the amine regenerator still where it will be heated to drive off CO2 and H2S. Lean amine will be pumped from the bottom of the still to the amine contactors to repeat the process.

CO2 and H2S-rich vapors will exit the top of the regenerator still, be cooled in aerial coolers, and then flow into a still reflux accumulator where condensed liquids and acid gas will be separated. The condensed liquids will be pumped back to the amine still as reflux. The acid gas vapor will be routed to sulfaguard to remove H2S before being routed the thermal oxidizer (EPN TO2) where the rest of H2S, volatile organic compounds (VOC), and other hydrocarbons will be incinerated. The acid gas will be routed to the acid gas flare (EPN FLARE4) during thermal oxidizer downtime.

Natural gas dehydration will be accomplished using a TEG unit (FIN DEHY2) and a mol sieve unit. Sweet natural gas from the amine contactors will enter the bottom of the glycol contactor where it will encounter TEG in counter-current flow. The TEG will absorb water from the natural gas. Dry natural gas will exit the top of the glycol contactor and be routed to the mol sieve unit where heat for regeneration of the mol sieve beds will be supplied by a regenerator heater (EPN REGEN-HTR2). Rich TEG (water-saturated) leaving the glycol contactor will be sent to a flash tank where entrained vapors will be separated from the rich TEG. The flash gas (FIN DEHY2-FL) will be routed to the fuel system for the hot oil heaters (EPN HMO-HTR4&5), glycol reboiler (EPN TEGREB2), and thermal oxidizer (EPN TO2). If the fuel system pressure becomes too high, the flash gas (FIN DEHY2-FL) will be sent to the process flare (EPN FLARE1) for destruction. Rich glycol will leave the flash tank and enter the glycol regenerator still. Absorbed water and hydrocarbons will be driven off by heat from the glycol reboiler (EPN TEGREB2). Lean glycol will be recirculated to the glycol contactor. The still overhead vapor will pass through a BTEX condenser to remove water and heavy hydrocarbons. Any non-condensable vapors will be routed to the thermal oxidizer (EPN TO2) for combustion or routed to the acid gas flare (EPN FLARE4) during thermal oxidizer downtime. Condensed water and hydrocarbons will be sent to two (2) 500-bbl atmospheric slop oil/water storage tanks (EPN TKPW) along with liquids from various plant drains and sumps and loaded out by truck (EPN TL-1) as necessary.

After dehydration, sweet, dry natural gas will be routed to the cryogenic process for recovery of NGL. Liquids will be removed by chilling the natural gas while reducing the stream pressure to the point where the NGL condenses out from the gas stream. This will be accomplished using electric motor-driven compressors and turboexpanders and propane refrigeration. The resulting NGL will be sent out of the Plant via pipeline.

Heat for the amine treating system and cryogenic plant will be provided by a hot oil system and natural gas fueled heaters (EPNs HMO-HTR4 and HMO-HTR5). Residue gas leaving the cryogenic unit will be compressed by five (5) engine-driven recompressors (EPNs ENG-6 through ENG-10) prior to being sent out through the residue pipeline.

The Plant may generate fugitive emissions (EPN FUG2) from equipment components such as piping fittings, pumps, and compressor seals. ETGP will implement a Leak Detection and Repair (LDAR) program to minimize emissions from leaks at the Plant. Maintenance, startup, and shutdown (MSS) activities will include compressor blowdowns and miscellaneous maintenance operations. All MSS-related emissions at the Plant are being authorized under Permit by Rule (PBR) at 30 TAC §106.359.

**FOPs at Site**

The "application area" consists of the emission units and that portion of the site included in the application and this permit. Multiple FOPs may be issued to a site in accordance with 30 TAC § 122.201(e). When there is only one area for the site, then the application information and permit will include all units at the site. Additional FOPs that exist at the site, if any, are listed below.

Additional FOPs: None

**Major Source Pollutants**

The table below specifies the pollutants for which the site is a major source:

| | |
|---|---|
| Major Pollutants | VOC, SO2, NOX, CO |

**Reading State of Texas's Federal Operating Permit**

The Title V Federal Operating Permit (FOP) lists all state and federal air emission regulations and New Source Review (NSR) authorizations (collectively known as "applicable requirements") that apply at a particular site or permit area (in the event a site has multiple FOPs). **The FOP does not authorize new emissions or new construction activities.** The FOP begins with an introductory page which is common to all Title V permits. This page gives the details of the company, states the authority of the issuing agency, requires the company to operate in accordance with this permit and 30 Texas Administrative Code (TAC) Chapter 122, requires adherence with NSR requirements of 30 TAC Chapter 116, and finally indicates the permit number and the issuance date.

This is followed by the table of contents, which is generally composed of the following elements. Not all permits will have all of the elements.

- General Terms and Conditions
- Special Terms and Conditions
    - Emissions Limitations and Standards, Monitoring and Testing, and Recordkeeping and Reporting
    - Additional Monitoring Requirements
    - New Source Review Authorization Requirements
    - Compliance Requirements
    - Protection of Stratosphere Ozone
    - Permit Location
    - Permit Shield (30 TAC § 122.148)
- Attachments
    - Applicable Requirements Summary
        - Unit Summary
        - Applicable Requirements Summary
    - Additional Monitoring Requirements
    - Permit Shield
    - New Source Review Authorization References
    - Compliance Plan
    - Alternative Requirements
- Appendix A
    - Acronym list

General Terms and Conditions

The General Terms and Conditions are the same and appear in all permits. The first paragraph lists the specific citations for 30 TAC Chapter 122 requirements that apply to all Title V permit holders. The second paragraph describes the requirements for record retention. The third paragraph provides details for voiding the permit, if applicable. The fourth paragraph states that the permit holder shall comply with the requirements of 30 TAC Chapter 116 by obtaining a New Source Review authorization prior to new construction or modification of emission units located in the area covered by this permit. The fifth paragraph provides details on submission of reports required by the permit.

Special Terms and Conditions

Emissions Limitations and Standards, Monitoring and Testing, and Recordkeeping and Reporting. The TCEQ has designated certain applicable requirements as site-wide requirements. A site-wide requirement is a requirement that applies uniformly to all the units or activities at the site. Units with only site-wide requirements are addressed on Form OP-REQ1 and are not required to be listed separately on an OP-UA Form or Form OP-SUM. Form OP-SUM must list all units addressed in the application and provide identifying information, applicable OP-UA Forms, and preconstruction authorizations. The various OP-UA Forms provide the characteristics of each unit from which applicable requirements are established. Some exceptions exist as a few units may have both site-wide requirements and unit specific requirements.

Other conditions. The other entries under special terms and conditions are in general terms referring to compliance with the more detailed data listed in the attachments.

Attachments

Applicable Requirements Summary. The first attachment, the Applicable Requirements Summary, has two tables, addressing unit specific requirements. The first table, the Unit Summary, includes a list of units with applicable requirements, the unit type, the applicable regulation, and the requirement driver. The intent of the requirement driver is to inform the reader that a given unit may have several different operating scenarios and the differences between those operating scenarios.

The applicable requirements summary table provides the detailed citations of the rules that apply to the various units. For each unit and operating scenario, there is an added modifier called the “index number,” detailed citations specifying monitoring and testing requirements, recordkeeping requirements, and reporting requirements. The data for this table is based on data supplied by the applicant on the OP-SUM and various OP-UA forms.

Additional Monitoring Requirement. The next attachment includes additional monitoring the applicant must perform to ensure compliance with the applicable standard. Compliance assurance monitoring (CAM) is often required to provide a reasonable assurance of compliance with applicable emission limitations/standards for large emission units that use control devices to achieve compliance with applicant requirements. When necessary, periodic monitoring (PM) requirements are specified for certain parameters (i.e. feed rates, flow rates, temperature, fuel type and consumption, etc.) to determine if a term and condition or emission unit is operating within specified limits to control emissions. These additional monitoring approaches may be required for two reasons. First, the applicable rules do not adequately specify monitoring requirements (exception- Maximum Achievable Control Technology Standards (MACTs) generally have sufficient monitoring), and second, monitoring may be required to fill gaps in the monitoring requirements of certain applicable requirements. In situations where the NSR permit is the applicable requirement requiring extra monitoring for a specific emission unit, the preferred solution is to have the monitoring requirements in the NSR permit updated so that all NSR requirements are consolidated in the NSR permit.

Permit Shield. A permit may or may not have a permit shield, depending on whether an applicant has applied for, and justified the granting of, a permit shield. A permit shield is a special condition included in the permit document stating that compliance with the conditions of the permit shall be deemed compliance with the specified potentially applicable requirement(s) or specified applicable state-only requirement(s).

New Source Review Authorization References. All activities which are related to emissions in the state of Texas must have a NSR authorization prior to beginning construction. This section lists all units in the permit and the NSR authorization that allowed the unit to be constructed or modified. Units that do not have unit specific applicable requirements other than the NSR authorization do not need to be listed in this attachment. While NSR permits are not physically a part of the Title V permit, they are legally incorporated into the Title V permit by reference. Those NSR permits whose emissions exceed certain PSD/NA thresholds must also undergo a Federal review of federally regulated pollutants in addition to review for state regulated pollutants.

Compliance Plan. A permit may have a compliance schedule attachment for listing corrective actions plans for any emission unit that is out of compliance with an applicable requirement.

Alternative Requirements. This attachment will list any alternative monitoring plans or alternative means of compliance for applicable requirements that have been approved by the EPA Administrator and/or the TCEQ Executive Director.

Appendix A

Acronym list. This attachment lists the common acronyms used when discussing the FOPs.

**Stationary vents subject to 30 TAC Chapter 111, Subchapter A, § 111.111(a)(1)(B) addressed in the Special Terms and Conditions**

The site contains stationary vents with a flowrate less than 100,000 actual cubic feet per minute (acfm) and constructed after January 31, 1972 which are limited, over a six-minute average, to 20% opacity as required by 30 TAC § 111.111(a)(1)(B). As a site may have a large number of stationary vents that fall into this category, they are not required to be listed individually in the permit's Applicable Requirements Summary. This is consistent with EPA's White Paper for Streamlined Development of Part 70 Permit Applications, July 10, 1995, that states that requirements that apply identically to emission units at a site can be treated on a generic basis such as source-wide opacity limits.

Periodic monitoring is specified in Special Term and Condition 3 for stationary vents subject to 30 TAC § 111.111(a)(1)(B) to verify compliance with the 20% opacity limit. These vents are not expected to produce visible emissions during normal operation. The TCEQ evaluated the probability of these sources violating the opacity standards and determined that there is a very low potential that an opacity standard would be exceeded. It was determined that continuous monitoring for these sources is not warranted as there would be very limited environmental benefit in continuously monitoring sources that have a low potential to produce visible emissions. Therefore, the TCEQ set the visible observation monitoring frequency for these sources to once per calendar quarter.

The TCEQ has exempted vents that are not capable of producing visible emissions from periodic monitoring requirements. These vents include sources of colorless VOCs, non-fuming liquids, and other materials that cannot produce emissions that obstruct the transmission of light. Passive ventilation vents, such as plumbing vents, are also included in this category. Since this category of vents are not capable of producing opacity due to the physical or chemical characteristics of the emission source, periodic monitoring is not required as it would not yield any additional data to assure compliance with the 20% opacity standard of 30 TAC § 111.111(a)(1)(B).

In the event that visible emissions are detected, either through the quarterly observation or other credible evidence, such as observations from company personnel, the permit holder shall either report a deviation or perform a Test Method 9 observation to determine the opacity consistent with the 6-minute averaging time specified in 30 TAC § 111.111(a)(1)(B). An additional provision is included to monitor combustion sources more frequently than quarterly if alternate fuels are burned for periods greater than 24 consecutive hours. This will address possible emissions that may arise when switching fuel types.

**Federal Regulatory Applicability Determinations**

The following chart summarizes the applicability of the principal air pollution regulatory programs to the permit area:

| Regulatory Program | Applicability (Yes/No) |
|---|---|
| Prevention of Significant Deterioration (PSD) | No |
| Nonattainment New Source Review (NNSR) | No |
| Minor NSR | Yes |
| 40 CFR Part 60 - New Source Performance Standards | Yes |
| 40 CFR Part 61 - National Emission Standards for Hazardous Air Pollutants (NESHAPs) | No |
| 40 CFR Part 63 - NESHAPs for Source Categories | Yes |
| Title IV (Acid Rain) of the Clean Air Act (CAA) | No |
| Title V (Federal Operating Permits) of the CAA | Yes |
| Title VI (Stratospheric Ozone Protection) of the CAA | No |
| CSAPR (Cross-State Air Pollution Rule) | No |
| Federal Implementation Plan for Regional Haze (Texas $SO_2$ Trading Program) | No |

**Basis for Applying Permit Shields**

An operating permit applicant has the opportunity to specifically request a permit shield to document that specific applicable requirements do not apply to emission units in the permit. A permit shield is a special condition stating that compliance with the conditions of the permit shall be deemed compliance with the specified potentially applicable requirements or specified potentially applicable state-only requirements. A permit shield has been requested in the application for specific emission units. For the permit shield requests that have been approved, the basis of determination for regulations that the owner/operator need not comply with are located in the “Permit Shield” attachment of the permit.

**Insignificant Activities and Emission Units**

In general, units not meeting the criteria for inclusion on either Form OP-SUM or Form OP-REQ1 are not required to be addressed in the operating permit application. Examples of these types of units include, but are not limited to, the following:

De Minimis Sources

1. Sources identified in the “De Minimis Facilities or Sources” list maintained by TCEQ. The list is available at https://www.tceq.texas.gov/permitting/air/newsourcereview/de_minimis.html.

Miscellaneous Sources

2. Office activities such as photocopying, blueprint copying, and photographic processes.
3. Outdoor barbecue pits, campfires, and fireplaces.
4. Storage and handling of sealed portable containers, cylinders, or sealed drums.

5. Vehicle exhaust from maintenance or repair shops.
6. Storage and use of non-VOC products or equipment for maintaining motor vehicles operated at the site (including but not limited to, antifreeze and fuel additives).
7. Air contaminant detectors and recorders, combustion controllers and shut-off devices, product analyzers, laboratory analyzers, continuous emissions monitors, other analyzers and monitors, and emissions associated with sampling activities. Exception to this category includes sampling activities that are deemed fugitive emissions and under a regulatory leak detection and repair program.
8. Steam vents, steam leaks, and steam safety relief valves, provided the steam (or boiler feedwater) has not contacted other materials or fluids containing regulated air pollutants other than boiler water treatment chemicals.
9. Storage of water that has not contacted other materials or fluids containing regulated air pollutants other than boiler water treatment chemicals.
10. Well cellars.
11. Fire or emergency response equipment and training, including but not limited to, use of fire control equipment including equipment testing and training, and open burning of materials or fuels associated with firefighting training.
12. Equipment used exclusively for the melting or application of wax.
13. Instrument systems utilizing air, natural gas, nitrogen, oxygen, carbon dioxide, helium, neon, argon, krypton, and xenon.
14. Battery recharging areas.

Sources Authorized by 30 TAC Chapter 106, Permits by Rule

15. Sources authorized by §106.102: Combustion units designed and used exclusively for comfort heating purposes employing liquid petroleum gas, natural gas, solid wood, or distillate fuel oil.
16. Sources authorized by §106.122: Bench scale laboratory equipment and laboratory equipment used exclusively for chemical and physical analysis, including but not limited to, assorted vacuum producing devices and laboratory fume hoods.
17. Sources authorized by §106.141: Batch mixers with rated capacity of 27 cubic feet or less for mixing cement, sand, aggregate, lime, gypsum, additives, and/or water to produce concrete, grout, stucco, mortar, or other similar products.
18. Sources authorized by §106.143: Wet sand and gravel production facilities that obtain material from subterranean and subaqueous beds where the deposits of sand and gravel are consolidated granular materials resulting from natural disintegration of rock and stone and have a production rate of 500 tons per hour or less.
19. Sources authorized by §106.148: Railcar or truck unloading of wet sand, gravel, aggregate, coal, lignite, and scrap iron or scrap steel (but not including metal ores, metal oxides, battery parts, or fine dry materials) into trucks or other railcars for transportation to other locations.
20. Sources authorized by §106.149: Sand and gravel production facilities that obtain material from deposits of sand and gravel consisting of natural disintegration of rock and stone, provided that crushing or breaking operations are not used and no blasting is conducted to obtain the material.
21. Sources authorized by §106.161: Animal feeding operations which confine animals in numbers specified and any associated on-site feed handling and/or feed millings operations, not including caged laying and caged pullet operations.
22. Sources authorized by §106.162: Livestock auction sales facilities.
23. Sources authorized by §106.163: All animal racing facilities, domestic animal shelters, zoos, and their associated confinement areas, stables, feeding areas, and waste collection and treatment facilities, other than incineration units.
24. Sources authorized by §106.229: Equipment used exclusively for the dyeing or stripping of textiles.
25. Sources authorized by §106.241: Any facility where animals or poultry are slaughtered and prepared for human consumption provided that waste products such as blood, offal, and feathers are stored in such a manner as to prevent the creation of a nuisance condition and these waste products are removed from the premises daily or stored under refrigeration.
26. Sources authorized by §106.242: Equipment used in eating establishments for the purpose of preparing food for human consumption.
27. Sources authorized by §106.243: Smokehouses in which the maximum horizontal inside cross-sectional area does not exceed 100 square feet.
28. Sources authorized by §106.244: Ovens, mixers, blenders, barbecue pits, and cookers if the products are edible and intended for human consumption.
29. Sources authorized by §106.266: Vacuum cleaning systems used exclusively for industrial, commercial, or residential housekeeping purposes.
30. Sources authorized by §106.301: Aqueous fertilizer storage tanks.

31. Sources authorized by §106.313: All closed tumblers used for the cleaning or deburring of metal products without abrasive blasting, and all open tumblers with a batch capacity of 1,000 lbs. or less.
32. Sources authorized by §106.316: Equipment used for inspection of metal products.
33. Sources authorized by §106.317: Equipment used exclusively for rolling, forging, pressing, drawing, spinning, or extruding either hot or cold metals by some mechanical means.
34. Sources authorized by §106.318: Die casting machines.
35. Sources authorized by §106.319: Foundry sand mold forming equipment to which no heat is applied.
36. Sources authorized by §106.331: Equipment used exclusively to package pharmaceuticals and cosmetics or to coat pharmaceutical tablets.
37. Sources authorized by §106.333: Equipment used exclusively for the mixing and blending of materials at ambient temperature to make water-based adhesives.
38. Sources authorized by §106.372: Any air separation or other industrial gas production, storage, or packaging facility. Industrial gases, for purposes of this list, include only oxygen, nitrogen, helium, neon, argon, krypton, and xenon.
39. Sources authorized by §106.391: Presses used for the curing of rubber products and plastic products.
40. Sources authorized by §106.394: Equipment used for compression molding and injection molding of plastics.
41. Sources authorized by §106.414: Equipment used exclusively for the packaging of lubricants or greases.
42. Sources authorized by §106.415: Laundry dryers, extractors, and tumblers used for fabrics cleaned with water solutions of bleach or detergents.
43. Sources authorized by §106.431: Equipment used exclusively to mill or grind coatings and molding compounds where all materials charged are in paste form.
44. Sources authorized by §106.432: Containers, reservoirs, or tanks used exclusively for dipping operations for coating objects with oils, waxes, or greases where no organic solvents, diluents, or thinners are used; or dipping operations for applying coatings of natural or synthetic resins which contain no organic solvents.
45. Sources authorized by §106.451: Blast cleaning equipment using a suspension of abrasives in water.
46. Sources authorized by §106.453: Equipment used for washing or drying products fabricated from metal or glass, provided no volatile organic materials are used in the process and no oil or solid fuel is burned.
47. Sources authorized by §106.471: Equipment used exclusively to store or hold dry natural gas.
48. Sources authorized by §106.531: Sewage treatment facilities, excluding combustion or incineration equipment, land farms, or grease trap waste handling or treatment facilities.

**Determination of Applicable Requirements**

The tables below include the applicability determinations for the emission units, the index number(s) where applicable, and all relevant unit attribute information used to form the basis of the applicability determination. The unit attribute information is a description of the physical properties of an emission unit which is used to determine the requirements to which the permit holder must comply. For more information about the descriptions of the unit attributes specific Unit Attribute Forms may be viewed at www.tceq.texas.gov/permitting/air/nav/air_all_ua_forms.html.

A list of unit attribute forms is included at the end of this document. Some examples of unit attributes include construction date; product stored in a tank; boiler fuel type; etc.. Generally, multiple attributes are needed to determine the requirements for a given emission unit and index number. The table below lists these attributes in the column entitled "Basis of Determination." Attributes that demonstrate that an applicable requirement applies will be the factual basis for the specific citations in an applicable requirement that apply to a unit for that index number. The TCEQ Air Permits Division has developed flowcharts for determining applicability of state and federal regulations based on the unit attribute information in a Decision Support System (DSS). These flowcharts can be accessed via the internet at www.tceq.texas.gov/permitting/air/nav/air_supportsys.html. The Air Permits Division staff may also be contacted for assistance at (512) 239-1250.

The attributes for each unit and corresponding index number provide the basis for determining the specific legal citations in an applicable requirement that apply, including emission limitations or standards, monitoring, recordkeeping, and reporting. The rules were found to apply or not apply by using the unit attributes as answers to decision questions found in the flowcharts of the DSS. Some additional attributes indicate which legal citations of a rule apply. The legal citations that apply to each emission unit may be found in the Applicable Requirements Summary table of the draft permit. There may be some entries or rows of units and rules not found in the permit, or if the permit contains a permit shield, repeated in the permit shield area. These are sets of attributes that describe negative applicability, or; in other words, the reason why a potentially applicable requirement does not apply.

If applicability determinations have been made which differ from the available flowcharts, an explanation of the decisions involved in the applicability determination is specified in the column “Changes and Exceptions to RRT.” If there were no exceptions to the DSS, then this column has been removed.

The draft permit includes all emission limitations or standards, monitoring, recordkeeping and reporting required by each applicable requirement. If an applicable requirement does not require monitoring, recordkeeping, or reporting, the word “None” will appear in the Applicable Requirements Summary table. If additional periodic monitoring is required for an applicable requirement, it will be explained in detail in the portion of this document entitled “Rationale for Compliance Assurance Monitoring (CAM)/ Periodic Monitoring Methods Selected.”

When attributes demonstrate that a unit is not subject to an applicable requirement, the applicant may request a permit shield for those items. The portion of this document entitled “Basis for Applying Permit Shields” specifies which units, if any, have a permit shield.

Operational Flexibility

When an emission unit has multiple operating scenarios, it will have a different index number associated with each operating condition. This means that units are permitted to operate under multiple operating conditions. The applicable requirements for each operating condition are determined by a unique set of unit attributes. For example, a tank may store two different products at different points in time. The tank may, therefore, need to comply with two distinct sets of requirements, depending on the product that is stored. Both sets of requirements are included in the permit, so that the permit holder may store either product in the tank.

## Determination of Applicable Requirements

| Unit ID | Regulation | Index Number | Basis of Determination* |
|---|---|---|---|
| GRPENG | 40 CFR Part 60, Subpart JJJJ | 60JJJJ | Construction/Reconstruction/Modification Date = The stationary spark ignition (SI) internal combustion engine (ICE) commenced construction, reconstruction or modification after June 12, 2006.<br>Test Cell = The SI ICE is not being tested at an engine test cell/stand.<br>Exemption = The SI ICE is not exempt.<br>Temp Replacement = The SI ICE is not acting as a temporary replacement.<br>Horsepower = Maximum engine power greater than or equal to 1350 HP.<br>Fuel = SI ICE that uses natural gas.<br>Commencing = SI ICE was newly constructed after 06/12/2006<br>Manufacture Date = Date of manufacture is on or after July 1, 2010.<br>Certified = Purchased a non-certified SI ICE.<br>Service = SI ICE is a non-emergency engine. |
| GRPENG | 40 CFR Part 63, Subpart ZZZZ | 63ZZZZ | HAP Source = The site is an area source of hazardous air pollutants as defined in 40 CFR § 63.2<br>Brake HP = Stationary RICE with a brake HP of 5,000 HP or greater.<br>Construction/Reconstruction Date = Commenced construction or reconstruction on or after June 12, 2006. |
| TK-COND | 40 CFR Part 60, Subpart OOOO | 60OOOO | Construction/Modification Date = After 9/18/2015 |
| TK-COND | 40 CFR Part 60, Subpart OOOOb | 60OOOOb | Construction/Reconstruction/Modification Date = After December 6, 2022 |
| TK-MISC | 40 CFR Part 60, Subpart OOOO | 60OOOO | Construction/Modification Date = After 9/18/2015 |
| TK-MISC2 | 40 CFR Part 60, Subpart OOOO | 60OOOO | Construction/Modification Date = After 9/18/2015 |
| TK-PW | 40 CFR Part 60, Subpart OOOO | 60OOOO | Construction/Modification Date = After 9/18/2015 |
| HMO-HTR1 | 40 CFR Part 60, Subpart Dc | 60Dc-1 | Construction/Modification Date = After February 28, 2005.<br>Maximum Design Heat Input Capacity = Maximum design heat input capacity is greater than or equal to 10 MMBtu/hr (2.9 MW) but less than or equal to 100 MMBtu (29 MW).<br>Applicability = Unit is not subject to other 40 CFR Part 60 subparts<br>Heat Input Capacity = Heat input capacity is greater than or equal to 30 MMBtu/hr (8.7 MW) but less than or equal to 75 MMBtu/hr (22 MW).<br>D-Series Fuel Type = Natural gas.<br>ACF Option - SO2 = Other ACF or no ACF. |

| Unit ID | Regulation | Index Number | Basis of Determination* |
|---|---|---|---|
| | | | ACF Option - PM = Other ACF or no ACF.<br>30% Coal Duct Burner = The facility does not combust coal in a duct burner as part of a combined cycle system; or more than 30% of the heat is from combustion of coal and less than 70% is from exhaust gases entering the duct burner.<br>PM Monitoring Type = No particulate monitoring because there is no applicable PM emission limit<br>SO2 Inlet Monitoring Type = No SO2 monitoring because there is no applicable SO2 emission limit<br>SO2 Outlet Monitoring Type = No SO2 monitoring because there is no applicable SO2 emission limit<br>Technology Type = No emerging or conventional technology is used to reduce or control SO2 emissions |
| HMO-HTR2 | 40 CFR Part 60, Subpart Dc | 60Dc-1 | Construction/Modification Date = After February 28, 2005.<br>Maximum Design Heat Input Capacity = Maximum design heat input capacity is greater than or equal to 10 MMBtu/hr (2.9 MW) but less than or equal to 100 MMBtu (29 MW).<br>Applicability = Unit is not subject to other 40 CFR Part 60 subparts<br>Heat Input Capacity = Heat input capacity is greater than or equal to 30 MMBtu/hr (8.7 MW) but less than or equal to 75 MMBtu/hr (22 MW).<br>D-Series Fuel Type = Natural gas.<br>ACF Option - SO2 = Other ACF or no ACF.<br>ACF Option - PM = Other ACF or no ACF.<br>30% Coal Duct Burner = The facility does not combust coal in a duct burner as part of a combined cycle system; or more than 30% of the heat is from combustion of coal and less than 70% is from exhaust gases entering the duct burner.<br>PM Monitoring Type = No particulate monitoring because there is no applicable PM emission limit<br>SO2 Inlet Monitoring Type = No SO2 monitoring because there is no applicable SO2 emission limit<br>SO2 Outlet Monitoring Type = No SO2 monitoring because there is no applicable SO2 emission limit<br>Technology Type = No emerging or conventional technology is used to reduce or control SO2 emissions |
| HMO-HTR3 | 40 CFR Part 60, Subpart Dc | 60Dc-1 | Construction/Modification Date = After February 28, 2005.<br>Maximum Design Heat Input Capacity = Maximum design heat input capacity is greater than or equal to 10 MMBtu/hr (2.9 MW) but less than or equal to 100 MMBtu (29 MW).<br>Applicability = Unit is not subject to other 40 CFR Part 60 subparts<br>Heat Input Capacity = Heat input capacity is greater than 10 MMBtu/hr (2.9 MW) but less than 30 MMBtu/hr (8.7 MW).<br>D-Series Fuel Type = Natural gas.<br>ACF Option - SO2 = Other ACF or no ACF.<br>ACF Option - PM = Other ACF or no ACF.<br>30% Coal Duct Burner = The facility does not combust coal in a duct burner as part of a combined cycle system; or more than 30% of the heat is from combustion of coal and less than 70% is from exhaust gases entering the duct burner.<br>PM Monitoring Type = No particulate monitoring because there is no applicable PM emission limit<br>SO2 Inlet Monitoring Type = No SO2 monitoring because there is no applicable SO2 emission limit<br>SO2 Outlet Monitoring Type = No SO2 monitoring because there is no applicable SO2 emission limit<br>Technology Type = No emerging or conventional technology is used to reduce or control SO2 emissions |

| Unit ID | Regulation | Index Number | Basis of Determination* |
|---|---|---|---|
| HMO-HTR4 | 40 CFR Part 60, Subpart Dc | 60Dc-1 | Construction/Modification Date = After February 28, 2005.<br>Maximum Design Heat Input Capacity = Maximum design heat input capacity is greater than or equal to 10 MMBtu/hr (2.9 MW) but less than or equal to 100 MMBtu (29 MW).<br>Applicability = Unit is not subject to other 40 CFR Part 60 subparts<br>Heat Input Capacity = Heat input capacity is greater than or equal to 30 MMBtu/hr (8.7 MW) but less than or equal to 75 MMBtu/hr (22 MW).<br>D-Series Fuel Type = Natural gas.<br>ACF Option - SO2 = Other ACF or no ACF.<br>ACF Option - PM = Other ACF or no ACF.<br>30% Coal Duct Burner = The facility does not combust coal in a duct burner as part of a combined cycle system; or more than 30% of the heat is from combustion of coal and less than 70% is from exhaust gases entering the duct burner.<br>PM Monitoring Type = No particulate monitoring because there is no applicable PM emission limit<br>SO2 Inlet Monitoring Type = No SO2 monitoring because there is no applicable SO2 emission limit<br>SO2 Outlet Monitoring Type = No SO2 monitoring because there is no applicable SO2 emission limit<br>Technology Type = No emerging or conventional technology is used to reduce or control SO2 emissions |
| HMO-HTR5 | 40 CFR Part 60, Subpart Dc | 60Dc-1 | Construction/Modification Date = After February 28, 2005.<br>Maximum Design Heat Input Capacity = Maximum design heat input capacity is greater than or equal to 10 MMBtu/hr (2.9 MW) but less than or equal to 100 MMBtu (29 MW).<br>Applicability = Unit is not subject to other 40 CFR Part 60 subparts<br>Heat Input Capacity = Heat input capacity is greater than or equal to 30 MMBtu/hr (8.7 MW) but less than or equal to 75 MMBtu/hr (22 MW).<br>D-Series Fuel Type = Natural gas.<br>ACF Option - SO2 = Other ACF or no ACF.<br>ACF Option - PM = Other ACF or no ACF.<br>30% Coal Duct Burner = The facility does not combust coal in a duct burner as part of a combined cycle system; or more than 30% of the heat is from combustion of coal and less than 70% is from exhaust gases entering the duct burner.<br>PM Monitoring Type = No particulate monitoring because there is no applicable PM emission limit<br>SO2 Inlet Monitoring Type = No SO2 monitoring because there is no applicable SO2 emission limit<br>SO2 Outlet Monitoring Type = No SO2 monitoring because there is no applicable SO2 emission limit<br>Technology Type = No emerging or conventional technology is used to reduce or control SO2 emissions |
| FLARE1 | 30 TAC Chapter 111, Visible Emissions | R111-1 | Acid Gases Only = Flare is not used only as an acid gas flare as defined in 30 TAC § 101.1.<br>Emergency/Upset Conditions Only = Flare is used under conditions other than emergency or upset conditions. |
| FLARE1 | 40 CFR Part 60, Subpart A | 60A-1 | Subject to 40 CFR § 60.18 = Flare is subject to 40 CFR § 60.18.<br>Adhering to Heat Content Specifications = Adhering to the heat content specifications in 40 CFR § 60.18(c)(3)(ii) and the maximum tip velocity specifications in 40 CFR § 60.18(c)(4)(i)-(iii) or (c)(5).<br>Flare Assist Type = Non-assisted |

| Unit ID | Regulation | Index Number | Basis of Determination* |
|---|---|---|---|
| | | | Flare Exit Velocity = Flare exit velocity is less than 60 ft/s (18.3 m/sec) |
| FLARE1 | 40 CFR Part 63, Subpart A | 63A | Required Under 40 CFR Part 63 = Flare is not required by a Subpart under 40 CFR Part 63. |
| FLARE2 | 30 TAC Chapter 111, Visible Emissions | R111-1 | Acid Gases Only = Flare is not used only as an acid gas flare as defined in 30 TAC § 101.1.<br>Emergency/Upset Conditions Only = Flare is used under conditions other than emergency or upset conditions. |
| FLARE2 | 40 CFR Part 60, Subpart A | 60A-1 | Subject to 40 CFR § 60.18 = Flare is subject to 40 CFR § 60.18.<br>Adhering to Heat Content Specifications = Adhering to the heat content specifications in 40 CFR § 60.18(c)(3)(ii) and the maximum tip velocity specifications in 40 CFR § 60.18(c)(4)(i)-(iii) or (c)(5).<br>Flare Assist Type = Non-assisted<br>Flare Exit Velocity = Flare exit velocity is less than 60 ft/s (18.3 m/sec) |
| FLARE2 | 40 CFR Part 63, Subpart A | 63A | Required Under 40 CFR Part 63 = Flare is not required by a Subpart under 40 CFR Part 63. |
| FLARE3 | 30 TAC Chapter 111, Visible Emissions | R111-1 | Acid Gases Only = Flare is not used only as an acid gas flare as defined in 30 TAC § 101.1.<br>Emergency/Upset Conditions Only = Flare is used under conditions other than emergency or upset conditions. |
| FLARE3 | 40 CFR Part 60, Subpart A | 60A-2 | Subject to 40 CFR § 60.18 = Flare is not subject to 40 CFR § 60.18. |
| FLARE3 | 40 CFR Part 63, Subpart A | 63A | Required Under 40 CFR Part 63 = Flare is not required by a Subpart under 40 CFR Part 63. |
| FLARE4 | 30 TAC Chapter 111, Visible Emissions | R111-1 | Acid Gases Only = Flare is not used only as an acid gas flare as defined in 30 TAC § 101.1.<br>Emergency/Upset Conditions Only = Flare is used under conditions other than emergency or upset conditions. |
| FLARE4 | 40 CFR Part 60, Subpart A | 60A | Subject to 40 CFR § 60.18 = Flare is subject to 40 CFR § 60.18.<br>Adhering to Heat Content Specifications = Adhering to the heat content specifications in 40 CFR § 60.18(c)(3)(ii) and the maximum tip velocity specifications in 40 CFR § 60.18(c)(4)(i)-(iii) or (c)(5).<br>Flare Assist Type = Non-assisted<br>Flare Exit Velocity = Flare exit velocity is less than 60 ft/s (18.3 m/sec) |
| FLARE4 | 40 CFR Part 63, Subpart A | 63A | Required Under 40 CFR Part 63 = Flare is not required by a Subpart under 40 CFR Part 63. |
| PROAMINE | 30 TAC Chapter 112, Sulfur Compounds | R200 | Sulfur Recovery Plant = The gas sweetening unit is not using sulfur recovery. |
| PROAMINE | 40 CFR Part 60, Subpart LLL | 60LLL | Onshore = The sweetening unit is located onshore at a gas processing plant.<br>Construction Date = After August 23, 2011. |
| PROAMINE | 40 CFR Part 60, Subpart OOOO | 60OOOO | Construction/Modification Date = After 9/18/2015 |

| Unit ID | Regulation | Index Number | Basis of Determination* |
|---|---|---|---|
| PROAMINE | 40 CFR Part 60, Subpart OOOOb | 60OOOOb | Construction/Reconstruction/Modification Date = After December 6, 2022 |
| GRPCOM | 40 CFR Part 60, Subpart OOOO | 60OOOO | Construction/Modification Date = After 9/18/2015 |
| GRPCOM | 40 CFR Part 60, Subpart OOOOb | 60OOOOb | Construction/Reconstruction/Modification Date = After December 6, 2022<br>Affected Facility Type = Reciprocating compressor |
| GRPFUG | 40 CFR Part 60, Subpart KKK | 60KKK | Facility Type = Affected facility is the group of all equipment except compressors within a process unit.<br>Construction/Modification Date = After August 23, 2011. |
| GRPFUG | 40 CFR Part 60, Subpart OOOO | 60OOOO | Subject to Another Subpart = Fugitive unit is not subject to any of the above regulations<br>Construction/Modification Date = After 9/18/2015 |
| GRPFUG | 40 CFR Part 60, Subpart OOOOb | 60OOOOb | Construction/Reconstruction/Modification Date = After December 6, 2022<br>Affected Facility Type = Collection of fugitive emission components at a well site, centralized production facility, or a compressor station |
| DEHY | 40 CFR Part 63, Subpart HH | 63HH | Alternate Means of Emission Limitation (AMEL) = The EPA Administrator has not approved an alternate means of emission limitation in accordance with 40 CFR § 63.777 or no alternate has been requested.<br>HAP Source = Stationary of source of HAPs that is not a major source as defined in 40 CFR § 63.761.<br>Affected Source Type = Triethylene glycol (TEG) dehydration unit not located within an UA plus offset and UC boundary.<br>Area Source Exemption = Actual average emissions of benzene from the TEG unit process vent are less than 0.90 megagrams per year. |

* - The “unit attributes” or operating conditions that determine what requirements apply

**NSR Versus Title V FOP**

The state of Texas has two Air permitting programs, New Source Review (NSR) and Title V Federal Operating Permits. The two programs are substantially different both in intent and permit content.

NSR is a preconstruction permitting program authorized by the Texas Clean Air Act and Title I of the Federal Clean Air Act (FCAA). The processing of these permits is governed by 30 Texas Administrative Code (TAC) Chapter 116.111. The Title V Federal Operating Program is a federal program authorized under Title V of the FCAA that has been delegated to the state of Texas to administer and is governed by 30 TAC Chapter 122. The major differences between the two permitting programs are listed in the table below:

| NSR Permit | Federal Operating Permit (FOP) |
|---|---|
| Issued Prior to new Construction or modification of an existing facility | For initial permit with application shield, can be issued after operation commences; significant revisions require approval prior to operation. |
| Authorizes air emissions | Codifies existing applicable requirements, does not authorize new emissions |
| Ensures issued permits are protective of the environment and human health by conducting a health effects review and that requirement for best available control technology (BACT) is implemented. | Applicable requirements listed in permit are used by the inspectors to ensure proper operation of the site as authorized. Ensures that adequate monitoring is in place to allow compliance determination with the FOP. |
| Up to two Public notices may be required. Opportunity for public comment and contested case hearings for some authorizations. | One public notice required. Opportunity for public comments. No contested case hearings. |
| Applies to all point source emissions in the state. | Applies to all major sources and some non-major sources identified by the EPA. |
| Applies to facilities: a portion of site or individual emission sources | One or multiple FOPs cover the entire site (consists of multiple facilities) |
| Permits include terms and conditions under which the applicant must construct and operate its various equipment and processes on a facility basis. | Permits include terms and conditions that specify the general operational requirements of the site; and include codification of all applicable requirements for emission units at the site. |
| Opportunity for EPA review for Federal Prevention of Significant Deterioration (PSD) and Nonattainment (NA) permits for major sources. | Opportunity for EPA review, affected states review, and a Public petition period for every FOP. |
| Permits have a table listing maximum emission limits for pollutants | Permit has an applicable requirements table and Periodic Monitoring (PM) / Compliance Assurance Monitoring (CAM) tables which document applicable monitoring requirements. |
| Permits can be altered or amended upon application by company. Permits must be issued before construction or modification of facilities can begin. | Permits can be revised through several revision processes, which provide for different levels of public notice and opportunity to comment. Changes that would be significant revisions require that a revised permit be issued before those changes can be operated. |
| NSR permits are issued independent of FOP requirements. | FOPs are independent of NSR permits, but contain a list of all NSR permits incorporated by reference |

**New Source Review Requirements**

Below is a list of the New Source Review (NSR) permits for the permitted area. These NSR permits are incorporated by reference into the operating permit and are enforceable under it. These permits can be found in the main TCEQ file room, located on the first floor of Building E, 12100 Park 35 Circle, Austin, Texas. In addition, many of the permits are accessible online through the link provided below. The Public Education Program may be contacted at 1-800-687-4040 or the Air Permits Division (APD) may be contacted at 1-512-239-1250 for help with any question.

Additionally, the site contains emission units that are permitted by rule under the requirements of 30 TAC Chapter 106, Permits by Rule. Permit by Rule (PBR) registrations submitted by permittees are also available online through the link provided below. The following table specifies the PBRs that apply to the site.

The status of air permits, applications, and PBR registrations may be found by performing the appropriate search of the databases located at the following website:

www.tceq.texas.gov/permitting/air/nav/air_status_permits.html

Details on how to search the databases are available in the **Obtaining Permit Documents** section below.

**New Source Review Authorization References**

| **Title 30 TAC Chapter 116 Permits, Special Permits, and Other Authorizations (Other Than Permits by Rule, PSD Permits, or NA Permits) for the Application Area.** | |
|---|---|
| Authorization No.: 180240 | Issuance Date: 01/23/2026 |
| **Permits by Rule (30 TAC Chapter 106) for the Application Area** | |
| Number: 106.359 | Version No./Date: 09/10/2013 |

**Permits by Rule**

The TCEQ has interpreted the emission limits prescribed in 30 TAC §106.4(a) as both emission thresholds and default emission limits. The emission limits in 30 TAC §106.4(a) are all considered applicable to each facility as a threshold matter to ensure that the owner/operator qualifies for the PBR authorization. Those same emission limits are also the default emission limits if the specific PBR does not further limit emissions or there is no lower, certified emission limit claimed by the owner/operator.

This interpretation is consistent with how TCEQ has historically determined compliance with the emission limits prior to the addition of the “as applicable” language. The “as applicable” language was added in 2014 as part of changes to the sentence structure in a rulemaking that made other changes to address greenhouse gases and was not intended as a substantive rule change. This interpretation also provides for effective and practical enforcement of 30 TAC §106.4(a), since for the TCEQ to effectively enforce the emission limits in 30 TAC §106.4(a) as emission thresholds, all emission limits must apply. As provided by 30 TAC §106.4(a)(2) and (3), an owner/operator shall not claim a PBR authorization if the facility is subject to major New Source Review. The practical and legal effect of the language in 30 TAC § 106.4 is that if a facility does not emit a pollutant, then the potential to emit for that particular pollutant is zero, and thus, the facility is not authorized to emit the pollutant pursuant to the PBR.

The permit holder is required to keep records for demonstrating compliance with PBRs in accordance with 30 TAC § 106.8 for the following categories:

- As stated in 30 TAC § 106.8(a), the permit holder is not required to keep records for de minimis sources as designated in 30 TAC § 116.119.
- As stated in 30 TAC § 106.8(b) for PBRs on the insignificant activities list, the permit holder is required to provide information that would demonstrate compliance with the general requirements of 30 TAC § 106.4.
- As stated in 30 TAC § 106.8(c) for all other PBRs, the permit holder must maintain sufficient records to demonstrate compliance with the general requirements specified in 30 TAC § 106.4 and to demonstrate compliance with the emission limits and any specific conditions of the PBR as applicable.

The application, or a previously submitted application, contains a PBR Supplemental Table. This table provides supplemental information for all PBR authorizations at the site or application area, including PBRs that are not listed on the OP-REQ1 form. PBRs that are not listed on the OP-REQ1 form authorize emission units that the TCEQ has determined are insignificant sources of emissions (IEUs). PBRs are enforceable through permit condition number 8. The EPA gives States broad discretion in prescribing monitoring, recordkeeping, and reporting for generally applicable requirements that cover insignificant emission units. (see EPA *White Paper Number 2 for Improved Implementation of the Part 70 Operating Permits Program*). Federal regulations specifically identify recordkeeping as an appropriate level of monitoring necessary to assure compliance with the requirements applicable to an emissions unit. Permitting authorities have the best sense of where it is appropriate to conclude that periodic monitoring is not necessary for IEUs, when state program rules already provide sufficient monitoring for these units.

In the case of IEUs in particular, the recordkeeping in 30 TAC §106.8 is sufficient because the units do not have the potential to violate emission limitations or other requirements under normal operating conditions. In particular, where the establishment of a regular program of monitoring would not significantly enhance the ability of the permit to assure compliance with the applicable requirement, the permitting authority can provide that the applicable requirement has monitoring sufficient to yield reliable data that is representative of the emission unit's compliance with the limitations. Therefore, for IEUs compliance with 30 TAC §106.8 is sufficient to meet federal monitoring requirements.

The PBR records may include, but are not limited to, production capacity and throughput, hours of operation, safety data sheets (SDS), chemical composition of raw materials, speciation of air contaminant data, engineering calculations, maintenance records, fugitive data, performance tests, capture/control device efficiencies, or parametric monitoring. The PBR records also satisfy the federal operating permit periodic monitoring requirements of 30 TAC § 122.142(c) as they are representative of the emission unit's compliance with 30 TAC Chapter 106.

**Emission Units and Emission Points**

In air permitting terminology, any source capable of generating emissions (for example, an engine or a sandblasting area) is called an Emission Unit. For purposes of Title V, emission units are specifically listed in the operating permit when they have applicable requirements other than New Source Review (NSR), or when they are listed in the permit shield table.

The actual physical location where the emissions enter the atmosphere (for example, an engine stack or a sand-blasting yard) is called an emission point. For New Source Review preconstruction permitting purposes, every emission unit has an associated emission point. Emission limits are listed in an NSR permit, associated with an emission point. This list of emission points and emission limits per pollutant is commonly referred to as the "Maximum Allowable Emission Rate Table", or "MAERT" for short. Specifically, the MAERT lists the Emission Point Number (EPN) that identifies the emission point, followed immediately by the Source Name, identifying the emission unit that is the source of those emissions on this table.

Thus, by reference, an emission unit in a Title V operating permit is linked by reference number to an NSR authorization, and its related emission point.

**Monitoring Sufficiency**

Federal and state rules, 40 CFR § 70.6(a)(3)(i)(B) and 30 TAC § 122.142(c) respectively, require that each federal operating permit include additional monitoring for applicable requirements that lack periodic or instrumental monitoring (which may include recordkeeping that serves as monitoring) that yields reliable data from a relevant time period that are representative of the emission unit's compliance with the applicable emission limitation or standard. Furthermore, the federal operating permit must include compliance assurance monitoring (CAM) requirements for emission sources that meet the applicability criteria of 40 CFR Part 64 in accordance with 40 CFR § 70.6(a)(3)(i)(A) and 30 TAC § 122.604(b).

With the exception of any emission units listed in the Periodic Monitoring or CAM Summaries in the FOP, the TCEQ Executive Director has determined that the permit contains sufficient monitoring, testing, recordkeeping, and reporting requirements that assure compliance with the applicable requirements. If applicable, each emission unit that requires additional monitoring in the form of periodic monitoring or CAM is described in further detail under the Rationale for CAM/PM Methods Selected section following this paragraph.

**Rationale for Compliance Assurance Monitoring (CAM)/ Periodic Monitoring Methods Selected**

**Compliance Assurance Monitoring (CAM):**

Compliance Assurance Monitoring (CAM) is a federal monitoring program established under Title 40 Code of Federal Regulations Part 64 (40 CFR Part 64).

Emission units are subject to CAM requirements if they meet the following criteria:

1. the emission unit is subject to an emission limitation or standard for an air pollutant (or surrogate thereof) in an applicable requirement;

2. the emission unit uses a control device to achieve compliance with the emission limitation or standard specified in the applicable requirement; and

3. the emission unit has the pre-control device potential to emit greater than or equal to the amount in tons per year for a site to be classified as a major source.

The following table(s) identify the emission unit(s) that are subject to CAM:

| **Unit/Group/Process Information** | |
|---|---|
| ID No.: DEHY | |
| Control Device ID No.: TO | Control Device Type: Thermal incinerator (direct flame incinerator/regenerative thermal oxidizer) |
| **Applicable Regulatory Requirement** | |
| Name: 30 TAC Chapter 116, Standard Permits | SOP Index No.: N/A |
| Pollutant: HAPS | Main Standard: 180240 |
| **Monitoring Information** | |
| Indicator: Combustion Temperature / Exhaust Gas Temperature | |
| Minimum Frequency: once per day | |
| Averaging Period: n/a | |
| Deviation Limit: Minimum combustion temperature = 1550 F | |
| Basis of CAM: It is widely practiced and accepted to use performance tests, manufacturer's recommendations, engineering calculations and/or historical data to establish a minimum temperature for thermal incinerators. This minimum temperature must be maintained in order for the proper destruction efficiency. Operation below the minimum combustion temperature will result in incomplete combustion and potential noncompliance with emission limitations and/or standards. The monitoring of the combustion temperature of a thermal incinerator is commonly required in federal and state rules, including: 40 CFR Part 60, Subparts III, NNN, QQQ, and RRR; 40 CFR Part 61, Subparts BB and FF; 40 CFR Part 63, Subparts G, R, DD, EE, and HH; and 30 TAC Chapter 115. | |

| **Unit/Group/Process Information** | |
|---|---|
| ID No.: DEHY | |
| Control Device ID No.: TO | Control Device Type: Thermal incinerator (direct flame incinerator/regenerative thermal oxidizer) |
| **Applicable Regulatory Requirement** | |
| Name: 30 TAC Chapter 116, Standard Permits | SOP Index No.: N/A |
| Pollutant: VOC | Main Standard: 180240 |
| **Monitoring Information** | |
| Indicator: Combustion Temperature / Exhaust Gas Temperature | |
| Minimum Frequency: once per day | |
| Averaging Period: n/a | |
| Deviation Limit: Minimum combustion temperature = 1550 F | |
| Basis of CAM: It is widely practiced and accepted to use performance tests, manufacturer's recommendations, engineering calculations and/or historical data to establish a minimum temperature for thermal incinerators. This minimum temperature must be maintained in order for the proper destruction efficiency. Operation below the minimum combustion temperature will result in incomplete combustion and potential noncompliance with emission limitations and/or standards. The monitoring of the combustion temperature of a thermal incinerator is commonly required in federal and state rules, including: 40 CFR Part 60, Subparts III, NNN, QQQ, and RRR; 40 CFR Part 61, Subparts BB and FF; 40 CFR Part 63, Subparts G, R, DD, EE, and HH; and 30 TAC Chapter 115. | |

| Unit/Group/Process Information | |
|---|---|
| ID No.: GRPENG | |
| Control Device ID No.: OX CAT | Control Device Type: Catalytic converter |
| **Applicable Regulatory Requirement** | |
| Name: 30 TAC Chapter 116, Standard Permits | SOP Index No.: N/A |
| Pollutant: CO | Main Standard: 180240 |
| **Monitoring Information** | |
| Indicator: Inlet Gas Temperature | |
| Minimum Frequency: once per day | |
| Averaging Period: n/a | |
| Deviation Limit: Daily inlet gas temperature 550 - 1250 F | |
| Basis of CAM: A common way to reduce NOx emissions is by the use of a catalytic converter. A catalytic converter uses a catalyst such as platinum and rhodium to reduce the NOx emissions. When an NO or NO2 molecule contacts the catalyst, the catalyst frees oxygen and allows the formation of N2 in lieu of NOx. Parameters that may be measured to determine control device performance include the outlet NOx concentration, the inlet temperature of the catalyst and the oxygen concentration in the exhaust gas. | |

**Obtaining Permit Documents**

The New Source Review Authorization References table in the FOP specifies all NSR authorizations that apply at the permit area covered by the FOP. Individual NSR permitting files are located in the TCEQ Central File Room (TCEQ Main Campus located at 12100 Park 35 Circle, Austin, Texas, 78753, Building E, Room 103). They can also be obtained electronically from TCEQ's Central File Room Online (https://www.tceq.texas.gov/goto/cfr-online). Guidance documents that describe how to search electronic records, including Permits by Rule (PBRs) or NSR permits incorporated by reference into an FOP, archived in the Central File Room server are available at https://www.tceq.texas.gov/permitting/air/nav/air_status_permits.html

All current PBRs are contained in Chapter 106 and can be viewed at the following website:

https://www.tceq.texas.gov/permitting/air/permitbyrule/air_pbr_index.html

Previous versions of 30 TAC Chapter 106 PBRs may be viewed at the following website:

www.tceq.texas.gov/permitting/air/permitbyrule/historical_rules/old106list/index106.html

Historical Standard Exemption lists may be viewed at the following website:

www.tceq.texas.gov/permitting/air/permitbyrule/historical_rules/oldselist/se_index.html

Additional information concerning PBRs is available on the TCEQ website:

https://www.tceq.texas.gov/permitting/air/nav/air_pbr.html

**Compliance Review**

1. In accordance with 30 TAC Chapter 60, the compliance history was reviewed on August 4, 2026.
   Site rating: Unclassified Company rating: 2.60 / Satisfactory
   *(High < 0.10; Satisfactory ≥ 0.10 and ≤ 55; Unsatisfactory > 55)*
2. Has the permit changed on the basis of the compliance history or site/company rating? .....No

Permit reviewer notes:
There was no Compliance History information or there were no applicable enforcement components for the site at the time of the last Mass Classification in September of 2025 because the site is new.

**Site/Permit Area Compliance Status Review**

1. Were there any out-of-compliance units listed on Form OP-ACPS? .....No
2. Is a compliance plan and schedule included in the permit? .....No

**Available Unit Attribute Forms**

OP-UA1 - Miscellaneous and Generic Unit Attributes
OP-UA2 - Stationary Reciprocating Internal Combustion Engine Attributes
OP-UA3 - Storage Tank/Vessel Attributes
OP-UA4 - Loading/Unloading Operations Attributes
OP-UA5 - Process Heater/Furnace Attributes
OP-UA6 - Boiler/Steam Generator/Steam Generating Unit Attributes
OP-UA7 - Flare Attributes
OP-UA10 - Gas Sweetening/Sulfur Recovery Unit Attributes
OP-UA11 - Stationary Turbine Attributes
OP-UA12 - Fugitive Emission Unit Attributes
OP-UA13 - Industrial Process Cooling Tower Attributes
OP-UA14 - Water Separator Attributes
OP-UA15 - Emission Point/Stationary Vent/Distillation Operation/Process Vent Attributes
OP-UA16 - Solvent Degreasing Machine Attributes
OP-UA17 - Distillation Unit Attributes
OP-UA18 - Surface Coating Operations Attributes
OP-UA19 - Wastewater Unit Attributes

OP-UA20 - Asphalt Operations Attributes
OP-UA21 - Grain Elevator Attributes
OP-UA22 - Printing Attributes
OP-UA24 - Wool Fiberglass Insulation Manufacturing Plant Attributes
OP-UA25 - Synthetic Fiber Production Attributes
OP-UA26 - Electroplating and Anodizing Unit Attributes
OP-UA27 - Nitric Acid Manufacturing Attributes
OP-UA28 - Polymer Manufacturing Attributes
OP-UA29 - Glass Manufacturing Unit Attributes
OP-UA30 - Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mill Attributes
OP-UA31 - Lead Smelting Attributes
OP-UA32 - Copper and Zinc Smelting/Brass and Bronze Production Attributes
OP-UA33 - Mineral Processing Plant Attributes
OP-UA34 - Pharmaceutical Manufacturing
OP-UA35 - Incinerator Attributes
OP-UA36 - Steel Plant Unit Attributes
OP-UA37 - Basic Oxygen Process Furnace Unit Attributes
OP-UA38 - Lead-Acid Battery Manufacturing Plant Attributes
OP-UA39 - Sterilization Source Attributes
OP-UA40 - Ferroalloy Production Facility Attributes
OP-UA41 - Dry Cleaning Facility Attributes
OP-UA42 - Phosphate Fertilizer Manufacturing Attributes
OP-UA43 - Sulfuric Acid Production Attributes
OP-UA44 - Municipal Solid Waste Landfill/Waste Disposal Site Attributes
OP-UA45 - Surface Impoundment Attributes
OP-UA46 - Epoxy Resins and Non-Nylon Polyamides Production Attributes
OP-UA47 - Ship Building and Ship Repair Unit Attributes
OP-UA48 - Air Oxidation Unit Process Attributes
OP-UA49 - Vacuum-Producing System Attributes
OP-UA50 - Fluid Catalytic Cracking Unit Catalyst Regenerator/Fuel Gas Combustion Device/Claus Sulfur Recovery Plant Attributes
OP-UA51 - Dryer/Kiln/Oven Attributes
OP-UA52 - Closed Vent Systems and Control Devices
OP-UA53 - Beryllium Processing Attributes
OP-UA54 - Mercury Chlor-Alkali Cell Attributes
OP-UA55 - Transfer System Attributes
OP-UA56 - Vinyl Chloride Process Attributes
OP-UA57 - Cleaning/Depainting Operation Attributes
OP-UA58 - Treatment Process Attributes
OP-UA59 - Coke By-Product Recovery Plant Attributes
OP-UA60 - Chemical Manufacturing Process Unit Attributes
OP-UA61 - Pulp, Paper, or Paperboard Producing Process Attributes
OP-UA62 - Glycol Dehydration Unit Attributes
OP-UA63 - Vegetable Oil Production Attributes
OP-UA64 - Coal Preparation Plant Attributes