

**Certification of Legally and Practicable Enforceable Criteria for  
New Source Performance Standards 0000b  
Texas Commission on Environmental Quality**

## **Introduction**

This form is to be submitted to demonstrate continuous compliance with the Legally and Practicably Enforceable (LPE) criteria for a single storage vessel or tank battery under New Source Performance Standards (NSPS) 0000b for the Oil and Natural Gas Sector. The LPE-PR form and attachments are submitted as a demonstration of continuous compliance and should not be used to revise other permit representations.

For additional information on LPE criteria, please refer to the LPE Criteria Guidance.

## **Certification of Continuous Compliance with LPE Criteria Limits**

The responsible official's signature confirms knowledge of the facts included in this document and commits the company to continue to comply with the LPE criteria representations. The signature also signifies awareness that intentionally or knowingly making false statements or representations in this document is a criminal offense subject to criminal penalties.

Note: Signatures must be original and in ink. Signatures may not be reproduced by photocopy, fax, or other means.

If you have any questions on how to complete this form, please contact the Air Permits Division at (512) 239-1250 or at [airperm@tceq.texas.gov](mailto:airperm@tceq.texas.gov). If the site employs less than 100 employees, the TexasEnviroHelp - Small Business and Local Government Assistance Program may be contacted at (800) 447-2827 for assistance.

## **Form Specific Information**

### **I. Company and Site Information:**

- Company Name: Enter the name of the company for which the form is being completed.
- Site Name: Enter the name of the site for which the form is being completed.
- TCEQ Customer Reference Number: Enter TCEQ assigned customer number, this number always begins with "CN."
- TCEQ Regulated Entity Number: Enter TCEQ assigned regulated entity number. The regulated entity number always begins with "RN."
- New Source Review (NSR) Registration/Permit Number (if applicable): If the facility is authorized by a permit by rule or case-by-case permit, indicate TCEQ registration/permit number. Otherwise, leave this space blank.
- Title V Permit number (if applicable): If the facility is authorized under a Title V permit, enter the Title V permit number. Otherwise, leave this space blank.
- Date of Form LPE-CERT Submittal: Enter the submittal date for the most recent Form LPE-CERT submitted for the facility. More information on the purpose of the Form LPE-CERT can be found in the LPE-CERT Instructions and LPE Criteria Guidance.
- Report Submittal Date: Enter the date that this LPE-PR form is being submitted.

- Reporting Period Start Date: Enter the start date of the reporting period. This should correspond to the initial Form LPE-CERT submittal date or the end of the previous reporting period. The initial date will be the LPE-CERT submittal date for only the first reporting period. Subsequent reporting should be performed on an annual basis at minimum.
- Reporting Period End Date: Enter the end date of the reporting period. Owners and operators are required to submit this form annually by April 15<sup>th</sup>.

**II. Certification of Continuous Compliance with Legally and Practicably Enforceable (LPE) Limits as Established in 40 CFR 60.5365b(e)(2)(i):**

- Indicate your response by using the check box to select “Yes” or “No”. Select “Yes” if the company has maintained continuous compliance with the LPE limits established in the most recently submitted Form LPE-CERT for the facility. Otherwise select “No”.
- Attach the following supporting documentation: records related to tracking production limits, parametric limits, ongoing monitoring, or any other parameters used to establish LPE limits under 40 CFR 60.5365b(e)(2)(i). This could include control device monitoring data, stack testing reports, production reports, inspection records, or any other data used to support the claim of continuous compliance with LPE limits.

**III. Non-Complying Facilities:**

This section applies only to facilities which selected “No” to Section II.

- Indicate if the facility will be submitting an updated LPE-CERT by utilizing the check box under “Yes” or “No”. Facilities are required to demonstrate continuous compliance with LPE limits in order to maintain non-affected status under 40 CFR 60.5365b(e)(2)(i). If answering “No” to Section II, the facility must either submit an updated Form LPE-CERT demonstrating that new operating conditions still comply with 40 CFR 60.5365b(e)(2)(i) or comply with the standards of 60.5395b for storage vessel affected facilities.
- If an updated Form LPE-CERT is being submitted, attach a copy of that form to this submittal. The original LPE-CERT will still need to be submitted following the instructions within the Form LPE-CERT.
- Confirm that you have read the statement and agree by answering “Yes” using the check box. Storage vessel facilities must either continuously comply with established LPE limits or become an affected NSPS OOOOb facility.

**IV. Certification by Responsible Official:**

The appropriate responsible official must certify this form, and any accompanying documentation, for truth, accuracy, and completeness.

**V. Submitting this Form:**

Print out the reporting form and mail in with required attachments. All information should be mailed to the Air Permits Division (APD). Retain a copy of this form for your own records.

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<b>I. Company and Site Information</b>
Company Name:
Site Name:
Customer Number (CN):
Regulated Entity Number (RN):
NSR Registration/Permit Number <i>(if applicable)</i> :
Title V Permit Number <i>(if applicable)</i> :
Date of Form LPE-CERT Submittal:
Report Submittal Date:
Reporting Period Start Date:
Reporting Period End Date:
<b>II. Certification of Continuous Compliance with Legally and Practicable Enforceable (LPE) Limits as Established in 40 CFR 60.5365b(e)(2)(i)</b>
<p>Has the storage vessel facility remained in continuous compliance with the LPE limits established in the most recent Form LPE-CERT submitted for the facility?</p> <p style="text-align: center;"><input type="checkbox"/> Yes      <input type="checkbox"/> No</p> <p>Attach any documentation demonstrating continuous compliance with established LPE limits. This includes any production and/or operational limits, parametric limits, ongoing monitoring, record keeping, and any other data used to maintain compliance with LPE limits under 40 CFR 60.5365b(e)(2)(i).</p>
<b>III. Non-Complying Facilities (This section applies to facilities which answered "No" to Section II.)</b>
<p>Will you be submitting an updated Form LPE-CERT which demonstrates that operating conditions meet the requirements for non-affected status under 40 CFR 60.5365b(e)(2)(i)?</p> <p style="text-align: center;"><input type="checkbox"/> Yes      <input type="checkbox"/> No</p> <p>If yes, attach a copy of the updated LPE-CERT form to this submittal. The updated LPE-CERT will still need to be submitted to the main TCEQ office as listed in the LPE-CERT instructions.</p>
<p>I understand that a storage vessel facility which did not continuously comply with the non-affected status criteria under 40 CFR 60.5365b(e)(2)(i) or has not established LPE limits utilizing Form LPE-CERT is an NSPS OOOOb affected facility.</p> <p style="text-align: center;"><input type="checkbox"/> Yes</p>

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<b>IV. Certification by Responsible Official</b>
<p>All representations in this periodic report of continuous compliance with established LPE criteria are conditions upon which the stationary source shall continue to operate. The facility will continue to operate in compliance with all regulations of the Texas Commission on Environmental Quality and with federal U.S. Environmental Protection Agency regulations governing air pollution. It shall be unlawful for any person to vary from such representation unless the LPE certification is first revised. The signature below indicates that, based on information and belief formed after reasonable inquiry, the statements, and information contained in the attached documents are true, accurate, and complete.</p>
Name:
Title:
Original Signature ( <i>Required</i> ):
Date:

<b>V. Submitting This Form</b>		
Who	Where	What
<b>Air Permits Initial Review Team (APIRT)</b>	<b>Regular, Certified, Priority Mail MC 161, P.O. Box 13087 Austin, Texas 78711-3087</b>  <b>Hand Delivery, Overnight Mail MC 161, 12100 Park 35 Circle, Building C, Third Floor Austin, Texas 78753</b>	<b>Original Form LPE-PR and all attachments.</b>