

Texas Commission on Environmental Quality
April 30, 2026

Plain Language Summary of Proposed Renewal/Revision of Air Quality General Operating Permit Number 518; Project No. 2024-044-OTH-NR

Introduction

The Texas Commission on Environmental Quality (TCEQ or commission) is issuing the renewal and revision of Air Quality General Operating Permit (GOP) No. 518 under Title 30 Texas Administrative Code Chapter 122, Subchapter F (General Operating Permits), effective April 30, 2026.

The GOP contains revisions based on recent federal rule changes, which include updates to the Statement of Basis, the requirements tables, and updates to the terms. This renewal also corrects typographical errors and updates language for administrative preferences.

Summary

GOPs are a type of authorization for certain stationary sources that must obtain a Federal Operating Permit (FOP). FOPs are required for major stationary sources and some minor stationary sources to operate their facilities. Information about the FOP program is available on the TCEQ website at: www.tceq.texas.gov/permitting/air/titlev/air_oppermits_v.html. GOPs identify uniform permit conditions that specify all applicable requirements for a defined class of stationary source. If a stationary source meets the applicability criteria identified in the GOP, it can apply for authorization to operate under the GOP. If not, it must apply for a source-specific Site Operating Permit. Requirements for the FOP program are in Title 30 Texas Administrative Code (30 TAC) Chapter 122; requirements for GOPs are in 30 TAC Chapter 122, Subchapter F.

GOP No. 518 is developed for use by Title V major and minor, permanent, and temporary source Air Curtain Incinerators (ACIs). ACIs (both fireboxes and trench burners) used for the disposal of 100 percent wood waste, 100 percent clean lumber, or 100 percent mixture of only wood waste and/or clean lumber that are subject to the following: 40 Code of Federal Regulations (CFR) Part 60, Subpart CCCC, Standards of Performance for Commercial and Industrial Solid Waste Incineration Units, or 40 CFR Part 60, Subpart EEEE, Standards of Performance for Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006. In 40 CFR Parts 60, Standards of Performance for New Stationary Sources and 62, Approval and Promulgation of State Plans for Designated Facilities and Pollutants, ACIs disposing of 100 percent yard waste are required to obtain a Title V permit, however this type of waste is not permitted by this GOP. The current permit by rule (PBR) contained in 30 TAC Chapter 106 (Permits by Rule) which authorizes ACIs does not authorize the use of ACIs for yard waste; however, it does authorize ACIs for wood waste and land clearing. The PBR which authorizes ACIs must be codified in the GOP. The GOP only permits sources authorized by a PBR. Sources authorized by a case-by-case new source review (NSR) permit or a standard permit are excluded from the GOP. ACIs burning wood waste and land clearing may be permitted by the GOP because they are authorized by the PBR. ACIs burning yard waste are not permitted by the GOP.

Typically, a site is required to obtain a Title V permit when the site is a major source. However, 40 CFR Part 62, Subpart III requires minor source ACIs to obtain a federal operating permit. GOP No. 518 is a permitting mechanism for owners or operators of ACIs subject to this requirement. Operating an ACI unit also requires the use of an engine. Applicable requirements for engines are also included in GOP 518(c).

For thresholds by which sources are classified as major, see the Texas State Implementation Plan website: www.tceq.texas.gov/airquality/sip. Different thresholds apply to different sites, based on the attainment status of the county in which the site is located.

The renewal to GOP No. 518 includes revisions resulting from new and amended federal rules, as well as other changes, which are applicable requirements under the FOP program. Specific information about the changes is available by reviewing the applicable Statement of Basis for the GOP, which is available on the TCEQ website at: www.tceq.texas.gov/permitting/air/titlev/generalpermits/air-gop. This renewal fulfills the obligation to renew the corresponding GOP No. 518 every five years as required by 30 TAC §122.501 (General Operating Permits).

Public Comment and Hearing Information

Before the issuance of a renewal or significant revision to GOPs by TCEQ, the GOP must comply with 30 TAC Chapter 122, Subchapter F, procedural requirements, including a 30-day public comment period with an opportunity to request a notice and comment hearing, an affected states review, and a 45-day United States Environmental Protection Agency (EPA) review. Once issued, the GOP is subject to a 60-day public petition period during which the public may petition EPA to object to the GOP. Petitions shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates in the petition to EPA that it was not possible to raise the objections within the public comment period, or that the grounds for the objection arose after the public comment period. The petition shall identify all objections.

Simultaneous with the public comment period, affected states (Arkansas, Colorado, Kansas, Louisiana, New Mexico, and Oklahoma) had the opportunity to comment on the draft GOP. No comments were received from affected states. The EPA 45-day review period began on December 8, 2025, and ended on January 22, 2026, during which time EPA had the opportunity to comment on and object to the GOP's issuance. No comments or objections were received from EPA.

No stakeholder meetings were planned or held for this project.

TCEQ held a hybrid in-person and virtual public hearing in Austin, Texas on October 27, 2025, at the commission's central office located at 12100 Park 35 Circle. The hearing was structured for the receipt of oral or written comments by interested persons. Open discussion was not permitted during the hearing; however, commission staff members were available to discuss the draft GOP 30 minutes prior to the hearing. Comments were received during the public comment period and are responded to in the Response to Comments section of the Statement of Basis.

The comment period closed October 27, 2025.

Copies of the GOP may be obtained from the commission website at www.tceq.texas.gov/permitting/air/titlev/generalpermits/air-gop.

For further information, please contact Ms. Katy Montgomery, at (512) 239-4017. Si desea información en español, puede llamar al 800-687-4040.