



**Texas Commission on Environmental Quality
Form PI-1 General Application for
Air Preconstruction Permit and Amendments**

TABLE OF CONTENTS

INSTRUCTIONS

Introduction.....2
How to Contact the Texas Commission on Environmental Quality (TCEQ)3
Small Business Information.....4

Instructions for Form PI-1

I. Applicant Information.....4
II. Important General Information5
III. Facility and Source Information.....6
IV. Type of Permit Action Requested6
V. Permit Fee Information9
VI. Public Notice Applicability9
VII. Public Notice Information.....11
VIII. Small Business Classification11
IX. Technical Information.....12
X. State Regulation Requirements15
XI. Federal Regulatory Requirement.....18
XII. Copies of this Application.....20
XIII. Submittal by Texas Licensed Professional Engineer22
XIV. Delinquent Fees and Penalties.....22
XV. Signature22



Texas Commission on Environmental Quality Form PI-1 General Application for Air Preconstruction Permit and Amendment

Overview

This form supersedes all previous versions of the Form PI-1 and replaces the PI-1M (Multiple Plant Permits). Other forms and instructions are available for the following applications: Form PI-1R (Permit Renewal Application), Form PI-1S (Standard Permit Registrations), Form PI-1D (De Minimis Case-by-Case Reviews), Form PI-E (Notification or Changes to Qualified Facilities), and Form PI-7 (Registrations for Permit by Rule), and can be obtained from the TCEQ Air Permits Division (APD) Web site at www.tceq.state.tx.us/nav/permits/air_permits.html.

The instructions and tables contained in this document are intended to be comprehensive and cover the permitting requirements appropriate for a large and/or complex facility. Not all items apply to every application. Many applications for smaller and simpler facilities will not require the submittal of all of the forms and information described. Pre-permit communication between the applicant, applicant's consultant (if any), and APD is important to ensure a complete permit application and prevent time delays.

Facilities that may release air contaminants, even in small amounts, are regulated by the Texas Commission on Environmental Quality (TCEQ) under its air permit rules. These rules require owners or operators of facilities that may emit air contaminants to obtain a permit prior to constructing a new facility or making changes to an existing facility. Most permit applications must be reviewed and approved by the TCEQ Air Permits Division (APD) through information submitted on the Form PI-1, "General Application for Air Preconstruction Permits and Permit Amendments." The primary purpose of this form is to provide all administrative and technical information needed by the TCEQ to evaluate several types of permit applications, including:

1. **Initial state permits reviews and amendments** for preconstruction, flexible, and multiple plant permits. A new state permit or amendment to an existing state permit is required when:
 - a. Building a new facility and it cannot meet the conditions of a permit by rule (PBR), standard permit, or other available authorization mechanisms as identified in Title 30 Texas Administrative Code § 116.110 (30 TAC § 116.110).
 - b. Changing an existing facility and the changes cannot meet the conditions of a PBR, standard permit, qualified facility changes, or other available authorization mechanisms as identified in 30 TAC § 116.116.
 - c. Including emissions from an existing facility and related activities from planned maintenance, start up and shutdown (MSS). Owners or operators should submit an application for the inclusion of emissions from planned MSS facilities and related activities according to the following schedule:

<u>Deadline for Submittal</u>	<u>Industry</u>
January 5, 2007	Petroleum Refining
January 5, 2008	Chemical Products
January 5, 2010	Carbon Black Plants
January 5, 2011	Electric Service
January 5, 2012	Crude Oil and Natural Gas Production
January 5, 2013	All Other Industries

Until the application is submitted the affirmative defense procedures under the Emission Events Rules in 30 TAC 101 apply. After the application is submitted, the affirmative defense procedures under the emission event rules in 30 TAC 101 continue to apply until the permit is issued, denied, or one year (2 years for chemical plants) has passed since the application was submitted. Early application submittals are discouraged.

2. **Initial federal reviews and major modification reviews** for nonattainment, prevention of significant deterioration, and major sources of hazardous air pollutants. A new federal permit or major modification to an existing federal permit is required when:
 - a. Building a new facility or group of related facilities, which result in emissions greater than major source thresholds. A summary of these emissions thresholds can be found on the TCEQ Air Permits Division Web site at www.tceq.state.tx.us/nav/permits/air_permits.html.

- b. Changing an existing facility or authorizing MSS emissions at an existing facility and related activities, which result in emissions greater than significance thresholds. A summary of these emissions thresholds can be found on the Air Permit D Web site at www.tceq.state.tx.us/nav/permits/air_permits.html.
3. **Change of location of previously permitted facilities** which are usually designated as portable facilities. A change of location authorization is required when a facility, which has a state air permit, is moving to a new site and cannot meet (or does not contain) the permit special conditions and current laws for moving to different sites, cannot meet the conditions of a PBR, standard permit, or other available authorization mechanism.

To apply for a permit, permit amendment, or change of location you should:

1. Read the requirements of 30 TAC § 116.111 and the Form PI-1 Instructions.
2. Determine if the facility meets all state and federal requirements to obtain a permit or permit amendment.
3. Complete the TCEQ Core Data Form, Form PI-1 and attach all requested information. Send the application to the TCEQ as indicated in the Form PI-1 instructions.
4. Not begin construction until you are notified by the TCEQ and receive a permit unless you can meet the requirements under the Texas Health and Safety Code Section 382.004 (THSC § 382.004) Construction While Permit Application Pending. The THSC is also referred to as the Texas Clean Air Act (TCAA). If you are already operating, you still need an air authorization. You should begin steps to seek an authorization as soon as you become aware that this requirement applies to you. *Also see Section III. D.*

Introduction

The primary purpose of the Form PI-1 entitled, “General Application for Air Preconstruction Permits and Amendments” is to provide all administrative and technical information needed by the Air Permit Division (APD) to evaluate new permit and permit amendment applications. These instructions are intended for use by applicants and consultants to submit a complete permit or amendment application to the Texas Commission on Environmental Quality (TCEQ). Review of applications and issuance of permits will be expedited by ensuring you have the most current version of the Form PI-1 and supplying all necessary documents and information with the application forms, including required permit fees.

Who Needs a Permit

The Texas Health and Safety Code Section 382.0518 (THSC § 382.0518), also referred to as the Texas Clean Air Act (TCAA), and Title 30 Texas Administrative Code Chapter 116 (30 TAC Chapter 116) requires that any person who plans to construct or modify a facility which may emit air contaminants into the atmosphere shall apply for and obtain a construction permit or a permit amendment before any actual work can begin on the facility unless the person can meet the requirements included in the THSC § 382.004. Construction While Permit Application Pending. Title 30 TAC Chapter 116 specifies the requirements for obtaining a construction permit.

Forms and Tables

Various forms and tables have been developed to assist applicants in providing pertinent data about the type of operation, abatement device specification, air contaminants emitted, and material balances applicable to the air contaminants associated with the proposed facility. Special attention should be directed to providing adequate information for the evaluations; otherwise, valuable time may be lost due to repeated correspondence.

Application Format

To allow the TCEQ to efficiently review an air permit application, all claims should have numbered pages, and labeled tables and figures. Whenever possible, please submit the required information on 8½ x 11 inch paper. Use larger sheets, when necessary, to show sufficient detail on area maps, plot plans, and flow diagrams, and they should be folded to 8½ x 11 inch size, do not fax oversized documents to the TCEQ.

Pre-permit Contact

A pre-permit meeting or conference with APD staff is recommended for all applications for new permits and permit amendments, even if the applicant has hired a consultant to assist in the preparation of the application. If a consultant has been selected, both the applicant and the consultant should attend these meetings.

Administrative Completeness

All applications will undergo an administrative review and must be administratively complete before a formal technical review of the application begins. To be considered administratively complete, applications must include a completed and signed Form PI-1, Core Data Form (if applicable), appropriate attachments and documentation, and the correct fee. Once an application is determined to be administratively complete, if required, a public notice (Notice of Intent to Obtain a Permit) is authorized by the TCEQ, which must be published by the applicant within 30 days as required by law.

Technical Information

One of the most common deficiencies found in applications for existing facilities which require new permits and in applications for amendments to existing permits, is that the data contained in the TCEQ data bases and files is not consistent with that proposed data submitted by the applicant. Any discrepancies should be identified and discussed prior to the submittal of an application. Information contained in the TCEQ emissions inventory should be consistent with the data contained in the permit files and any proposed changes. Files relating to emissions inventories and permits are available at the TCEQ in Austin. Copies may be made and/or requested, upon payment of the required copying fees. Please contact the TCEQ Air Records File Room in Austin at (512) 239-1540 for a schedule of copying fees.

Additional Information

Applicants may be required to submit additional information, as necessary. Any additional information becomes part of the application.

How to Contact the TCEQ

Question	Who	Phone	Web
TCEQ Air Rules	Air Permits Division	(512) 239-1250	www.tceq.state.tx.us/nav/rules/rules_rulemaking.html
Core Data Form Requirements	Central Registry	(512) 239-5175	www.tceq.state.tx.us/permitting/central_registry/guidance.html
Form PI-1 Requirements	Air Permits Division	(512) 239-1250	www.tceq.state.tx.us/nav/permits/air_permits.html
Receipt and Initial Review	Air Permits Initial Review Team	(512) 239-1250	www.tceq.state.tx.us/nav/data/permit_data.html
Permit Tables and Guidance	Air Permits Division	(512) 239-1250	www.tceq.state.tx.us/nav/permits/air_permits.html
Confidential Information	Office of Legal Services (Mail Code 173)		written requests only
Emissions Cap and Trade	Banking & Trading Team, Air Quality Division	(512) 239-4900	www.tceq.state.tx.us/permitting/air/nav/air_banking.html
Federal Operating Permits	Operating Permit Section Air Permits Division	(512) 239-1250	www.tceq.state.tx.us/nav/permits/air_permits.html
Small Business Assistance	Small Business and Local Government Assistance	(800) 447-2827	www.tceq.state.tx.us/assistance/sblga/sblga.html
Copies of Records and Permits Previously Filed with TCEQ	Records Services, Customer Service Center	(512) 239-2900	
Reports from TCEQ Program Databases	Production Control & Reporting Services, Customer Service Center	(512) 239-3282	

Small Business Information

The TCEQ Small Business and Local Government Assistance Office are available to assist a business owned or operated by a person employing 100 or fewer employees. If you are currently operating without authorization, you may be in violation of environmental regulations. See above for contact information for this office.

INSTRUCTIONS FOR FORM PI-1

I. APPLICANT INFORMATION

- A. Company or Other Legal Name: Permits are issued to either the owner or operator of the facility, commonly referred to as the applicant or permit holder. List the legal name of the company, corporation, or person who is applying for the permit. The legal name will be verified with the Texas Secretary of State at (512) 463-5555. The applicant may be asked to correct the name provided on the Form PI-1, if found to be different. In some cases, a copy of the legal document forming the entity may be requested to verify the legal name (i.e., general partnership, or trust filed with the county).
- B. Company Official Contact Name and Title: Please provide the name, title, address, telephone number, fax numbers, and e-mail address of the company official contact person.
- C. Technical Contact Name and Title: Please provide the name, company, address, telephone number, fax number, and e-mail address of the person the TCEQ should contact for technical questions, and who has the authority to make binding agreements and representations on behalf of the applicant. This technical contact may be a consultant.
- D. Facility Location Information: Provide the street address of the facility, if available. If there is no street address, provide driving directions in writing to the site. Identify the location by distance and direction from well-known landmarks, such as major highway intersections. Enter the city or town where the facility is located. If the address is not located in a city, then enter the city or town closest to the facility even if it is not in the same county as the facility. Enter the county where the facility is physically located. Please include the zip code of the physical facility site, not the zip code of the applicant's mailing address.
- E. TCEQ Account Identification Number: This number is assigned by the TCEQ to the entire property owned or controlled by the applicant at a specific location. A typical example of an air quality account number is JB-1234-R. Portable facilities are assigned account identification numbers which begin with a number, such as 92-1234-K. These identification numbers are being phased out by the TCEQ and will be replaced with a TCEQ Regulated Entity Number. Until you have been officially notified by TCEQ Central Registry of the Regulated Entity Number, you must provide the account number. You may call (512) 239-1250 for assistance to obtain or verify the account number.
- F. TCEQ Core Data Form: The TCEQ **requires** that a Core Data Form (TCEQ No. 10400) be submitted on all incoming applications unless **all** of the following are met:
- A Regulated Entity and Customer Reference Number have been issued by the TCEQ;
 - The Regulated Entity and Customer Reference Numbers are known by the applicant and are indicated on the Form PI 1;
 - No core data information has changed.

Note: The company and facility site information provided on the Core Data Form must be the same as provided on the Form PI 1.

The Central Registry is a centralized area to record common information about TCEQ customers and regulated activities, such as the company names, addresses, and telephone numbers. The Central Registry provides the regulated community with a central access point within the agency to check on their core data and to make changes when necessary. When core data about your facility is migrated to the Central Registry two new identification numbers are assigned: the Customer Reference Number and the Regulated Entity Reference number. The Core Data

Form is required if your records are not yet part of the central registry or if the core data for your facility is changing. In other words, if this is the initial application, permit or license for a facility site, then the Core Data Form must be completed. If you are amending, modifying or otherwise updating an existing record for your site, the Core Data Form is not required unless the core data has changed. For more information on the Central Registry go to the TCEQ Web site at www.tceq.state.tx.us/permitting/central_registry/guidance.html.

- G. TCEQ Customer Reference Number (CN): This is a unique TCEQ assigned number given to each business, governmental body, association, individual, or other entity that owns, operates, is responsible for, or is affiliated with a regulated entity. This number is assigned by the TCEQ when a Core Data Form is submitted to the TCEQ Central Registry.
- H. TCEQ Regulated Entity Number (RN): This is a unique TCEQ assigned number given to each person, organization, place or thing that is of environmental interest to the TCEQ and where regulated activities will occur. This number is assigned by the TCEQ when a Core Data Form is submitted to the TCEQ for the Central Registry. The Regulated Entity Number will be replacing existing air account numbers. For portable units, the Regulated Entity Number will be assigned to the unit. The same Regulated Entity Number should be used when applying for authorization at a different location.

II. IMPORTANT GENERAL INFORMATION

- A. Confidential Information: [THSC § 382.041] Any information related to secret or proprietary processes or methods of manufacture must be marked “CONFIDENTIAL” if you do not want this information in the public file. Confidential information must be separated from non-confidential information and submitted in a separate packet or envelope. Each page of information considered confidential must be marked “CONFIDENTIAL” when submitted to the TCEQ, preferably in large red letters at the bottom of each page. Such information must not appear on the same page with information that cannot be held confidential, such as the type of air contaminant or rate of emissions. You must present the confidential information in an abbreviated non-confidential format (process description, flow diagram, etc.) for inclusion in the public file and state in the public file that a confidential submittal exists. This is needed to maintain continuity in the public file. Information marked “CONFIDENTIAL” will be kept in a locked file separate from that part of the application considered to be “public records” under the Texas Public Information Act, Texas Government Code Chapter 552. Information designated confidential will not be disclosed to anyone other than an authorized permit holder or other agencies as otherwise provided by law. Company representatives may, upon presenting dated proof of affiliation and authorization, be given access to any files pertaining to their company.

The submittal of confidential information is governed by the Texas Clean Air Act § 382.041(a) and the Texas Public Information Act. The TCAA states in part: “[A] member, employee, or agent of the Commission may not disclose information submitted to the Commission relating to secret processes or methods of manufacture or production that is identified as confidential when submitted.” In addition, the Texas Attorney General Opinion Number H-836 (dated June 14, 1976) addresses the type of information that may be treated as confidential and who may access such data. The TCEQ policy regarding confidential information submitted in support of a permit application/request is summarized below.

- The specific names and amounts of air contaminants emitted into the atmosphere from a permitted facility CANNOT be classified as confidential.
- The amount paid by an applicant for the permit application fee cannot be held confidential; however, if no estimate of capital cost is included with a permit application, the applicant shall pay a fee of \$75,000.00.
- Information which a company desires the agency to treat as confidential must be clearly labeled “CONFIDENTIAL” on EACH PAGE. The information must be marked at the time of submittal. Confidential information should be separated from non-confidential information in a separate packet or envelope. The company should submit an appropriate non-confidential version that can be placed in the appropriate section of the public portion of the application to provide continuity and a complete review.

- B. Investigation or Enforcement Action: Indicate whether the application is being submitted in response to, or related to, a TCEQ investigation, notice of violation (NOV), or enforcement action for this facility. If so, please attach copies of any correspondence regarding the investigation or enforcement action from the TCEQ.
- C. Number of New Jobs: Estimate the anticipated number of new jobs which will be created in the community as a result of the new facility or changes to an existing facility in this application.
- D. Name of State Senator and Representatives: The TCAA §§ 382.0516 and 382.056 require the TCEQ to notify the state representative and senator of the area when a permit or permit amendment application is received. Provide the names and district numbers for these state officials who represent the location where the facility is or will be located. This information can be obtained at www.capitol.state.tx.us/ or www.legis.state.tx.us/.
- E. Name and address of County Judge (for Concrete Batch Plants): The TCAA § 382.0516 requires the TCEQ to notify the county judge of the area when a permit or permit amendment application for a concrete batch plant is received. Please provide the name and mailing address of the county judge for the location where the facility is or will be located. This information can be obtained at www.txdirectory.com.
- F. Name and address of Presiding Officer (for Concrete Batch Plants): The TCAA § 382.0516 requires, if the facility is or will be located in a municipality or the extraterritorial jurisdiction of a municipality, the TCEQ to notify the presiding officer of the municipality's governing body of the area when a permit or permit amendment application for a concrete batch plant is received. Indicate whether the facility is located in a municipality or the extraterritorial jurisdiction of a municipality. If it is, please provide the name(s) and mailing address of the presiding officer(s) (i.e., mayor, city manager) for the location where the facility is or will be located.

III. FACILITY AND SOURCE INFORMATION

- A. Site Name: Enter the name of the site for which the application is being submitted.
- B. Area Name/Type of Facility: Indicate the name of the area to be permitted. This name should be descriptive and indicate the general type of operation, manufacturing process, equipment or facility which would be authorized under the permit (include any numerical designation, if appropriate). Examples of acceptable names are, "Sulfuric Acid Plant," "No. 5 Steam Boiler," "Electric Arc Furnace #2," and "Fiberglass Boat Manufacturing Facility." Vague names such as, "Chemical Plant" and "North Process Area" are not acceptable names. Also, check the appropriate box indicating whether the facility is permanent or portable. Hot mix asphalt plants and trench burners are typical portable facilities; a petroleum storage tank would be considered a permanent facility.
- C. Principal Company Product or Business and Standard Industrial Classification (SIC) Code: All industries should have a SIC code which describes the main business activity at the site. A list of SIC codes can be found through the Federal Government's Web site at www.osha.gov/oshstats/sicscr.html.
- D. Projected Start of Construction and Projected Start of Operation Dates: **You must obtain an air authorization before beginning construction.** Construction is broadly interpreted as anything other than site clearance or site preparation. Land clearing, soil load-bearing tests, leveling of the area, sewers and utility lines, road building, power line installation, fencing, construction shack building, etc., are considered "site clearance/preparation." Equipment may be received at a plant site and stored, provided no attempt is made to assemble the equipment or to connect it into any electrical, plumbing, or other utility system. All work, such as excavation, form erection, or foundations upon which facilities will rest is considered construction. Questions regarding the definition of "start of construction," should be submitted in writing to the TCEQ APD with copies to the appropriate TCEQ regional office and any local air pollution control program(s). Each request for clarification must be in writing with sufficient detail to identify the specific activity in question, and the TCEQ response to this request must be in writing for the authorization to be valid.

IV. TYPE OF PERMIT ACTION REQUESTED

- A. Permit Number: If the application is for an existing permitted facility, please list the current permit number. Please confirm that the permit number is accurate before submitting your application. For more assistance call (512) 239-1250.

B. Initial Permit Application: Please mark the appropriate box indicating what type of action is requested by the application. Please check all boxes that apply in this section of the application. Please indicate the type of permit being requested, if known. If a new multiple plant permits is being requested, the applicant is required to attach additional pages describing all facilities to be covered for each of the remaining portions of the Form PI-1.

C. Permit Amendment: Amendments are required if changes are proposed to occur to a permitted facility and representations vary from the original application and cause:

- a change in the method of control of emissions;
- a change in the character of the emissions (new criteria pollutant or new specie); or
- an increase in the emission rate of any air contaminant (any criteria pollutant or any specie on any averaging time).

Amendments are also required if the facility is a previously exempted PBR which, as a result of proposed modifications, will no longer qualify for exempt/PBR. Please check all boxes that apply in this section of the application.

Permit Type: It is important to indicate the type of permit being amended by the proposed construction or modification.

D. Permit Renewal Option: The adoption of Senate Bill 1673 [THSC 382.055(a)(2)](80th Texas Legislature) has made it possible to process a renewal application at the same time as an amendment for preconstruction permits under the Clean Air Act. The legislation states that the amendment application must be filed not more than three years before the date the permit is scheduled to expire. It also states that submittal of the renewal application in conjunction with an amendment application is optional for the applicant, and the amendment application must be subject to notice requirements under the Texas Health and Safety Code, § 382.056. If you wish to pursue this option, you will need to submit a Form PI-1R, Table 30R, and application fee and a complete permit renewal application.

E. Change in Location of Permitted Facility: Portable facility permits are designated by a TCEQ Account Identification Number which begins with a 9 (ex: 94-1234-X) instead of the standard alphabetic nomenclature (XY-1234-Z) used to designate permanent facilities. These portable permits also contain "relocation conditions" which typically contain control requirements, distance limitations, and instructions for seeking approval from the appropriate regional office. Some of these permit conditions have been superceded by new laws.

1. Current Location: To properly track how facilities move throughout the state, the address from which the facility is moving should be included on the application form.
2. Current Technical Requirements: In a general change of location reviews are performed when a facility is moving to a new site, but all other technical and operational conditions listed in the permit can still be met. If other changes are requested, a permit amendment may be required.

Additional instructions for change of location applications: All other sections of the Form PI-1 should be completed with the exception of Section V and Section VIII. No fee is required for a change of location or relocation application. Technical Information and Table 1(a) is not required since only the site of the facility should be changing through a change of location application. If a process flow diagram, process description or material balance is modified a permit amendment review will be required.

F. Consolidation into this Permit: To ensure protectiveness, and in some cases best available control technology is used, previously issued authorizations (exemptions, PBRs, or standard permits) are consolidated into a permit either by incorporation or by reference. Incorporation is voluntary and referencing is mandatory.

G. Permitting of Emissions from Planned Maintenance, Startup, and Shutdown (MSS) Facilities and Related Activities:
An application for authorization of planned MSS activities should be submitted by the schedule found in the Overview Section. Planned MSS activities may also be included in new permit or amendment applications. However, early amendment applications only for planned MSS activities are discouraged. Indicate if this permit action will include a facility or group of facilities that have planned maintenance, startup and shutdown emissions that cannot be authorized by a permit by rule or standard permit or that are authorized by a permit by rule or standard permit and are being rolled into this permit.

1. Existing MSS Authorizations: If the application seeks to authorize emissions from previously existing MSS activities, provide a list of the sources/activities and the associated permit by rule and/or standard permit registration number.
2. Inclusion in Emission Inventory Submittals: Provide a list of each source/activity that has been previously submitted as a part of an emissions inventory if the site is subject to emission inventory requirements under 30 TAC 101.10.
3. Dates of Emission inventory Submittals: List which years the MSS activities have been included in emission inventories.

H. Federal Operating Permit (FOP) Requirements (30 TAC Chapter 122 Applicability):

1. Information and guidance on applicability of 30 TAC Chapter 122 can be accessed at the following address: www.tceq.state.tx.us/permitting/air/titlev/pro_applicability.html

Please note that the authorization approved pursuant to this PI-1 application may trigger the requirements of 30 TAC Chapter 122. For sites with existing FOP(s), authorization and approval of this PI-1 may require the submission of an appropriate revision application or notification according to the timelines outlined in 30 TAC Chapter 122, Subchapter C. For example, if approval of this PI-1 includes PSD or NA review OR a Title V review of an existing PSD or NA permit, a significant revision of the FOP is required. In addition, the approved construction or modification that is covered under the PSD or NA review cannot be operated until the new applicable requirements are codified in the FOP and the FOP is issued. In other cases, the FOP holder may be required to submit a minor revision and meet certain conditions to operate the facilities or changes approved pursuant to this PI-1 application. The qualification criteria for FOP revisions and timelines for submission are outlined in 30 TAC Chapter 122, Subchapter C, Division 2. For sites with existing GOPs, authorization and approval of the PI-1 may result in the site no longer qualifying for the GOP. The qualifications for a GOP are available at www.tceq.state.tx.us/permitting/air/nav/air_genoppermits.html

The requirements of 30 TAC Chapter 122 pertaining to FOP revisions are explained in APD guidance available at: www.tceq.state.tx.us/permitting/air/guidance/titlev/tv_fop_guidance.html

If authorizations approved pursuant to this PI-1 increase the site's potential-to-emit and render the site a "major source" as defined in 30 TAC Chapter 122, an FOP application is required. 30 TAC Chapter 122, Sec. 122.130 includes timelines for submission of an FOP application. Mark the appropriate box if you are uncertain if the emissions that will be authorized pursuant to this PI-1 will subject the site to the requirements of 30 TAC Chapter 122. APD guidance on submitting an FOP application is available at: http://www.tceq.state.tx.us/permitting/air/nav/air_titlevopperm.html.

2. Identify the type(s) of FOP(s) issued for the site by checking the appropriate box. In addition, check the appropriate box if any GOP/SOP application(s) for the site including revision applications are currently under review by APD. Check the appropriate box if you are submitting an SOP/GOP application or SOP/GOP revision application pursuant to this PI-I application

If you have questions about the applicability of 30 TAC Chapter 122 or impact of this PI-1 on your existing FOP, please contact the TCEQ APD at (512) 239-1250.

V. PERMIT FEE INFORMATION

- A. Permit Fees: [30 TAC § 116.141 or § 116.163] Most permit and amendment applications require an application fee at the time of application submittal. Applications for special permits amendments and change of locations do not require a fee. In addition, recent legislation has provided for exemptions from fee payment for research projects by state agencies or institutions of higher education. Review of an application will not begin until required fees are received. The minimum fee is \$900.00 and the maximum fee is \$75,000.00. For most actions, the required fee and Table 30 entitled, “Certification of Estimated Capital Cost and Permit Application Fee” is required to ensure the application is consistent with the requirements of 30 TAC § 116.141 or § 116.163. Checks or money orders should be made payable to TCEQ. Please note that the State Treasury will not accept checks drawn on foreign banks.
1. Is a copy of the check or money order attached to the original submittal of this application?
 2. Is a Table 30 entitled, “Certification of estimated Capital Cost and Fee Verification,” attached?
 - If the application is for a multiple plant permit (MPP) the fee is \$900.00 per application (not per plant site).
 - If the application is for a flexible permit the fee shall be based on the total annual allowable emissions from the permitted facility, group of facilities, or account for which the flexible permit is being sought. The fee shall be \$32.00 per ton with the minimum fee being \$900.00 and the maximum fee \$75,000.00. For flexible permit amendments, the fee shall be calculated based on \$32.00 per ton for the incremental increase with the minimum fee being \$900.00 and the maximum fee being \$75,000.00
 - Copies of Table 30 are available through the APD Web site at www.tceq.state.tx.us/nav/permits/air_permits.html. Table 30 must bear an original signature in ink.
 - The amount of the application fee cannot be held as confidential. Applicants who choose not to disclose the estimated capital cost of the project are not required to submit Table 30; however, in this case, the applicant must pay the maximum fee pursuant to 30 TAC § 116.141(d) of \$75,000.00.
 - Questions relating to what constitutes “direct costs” and “indirect costs” as defined by 30 TAC § 116.141 should be discussed at a pre-permit meeting and, if unresolved, further inquiries should be made in writing to the TCEQ Office of Legal and Regulatory Services.

To expedite the processing of the application, please provide a copy of the check or money order with the application package. To verify receipt of payment or any other questions regarding payment of fees to the TCEQ, please call the Financial Administration Division, Cashiers Office at (512) 239-0357.

VI. PUBLIC NOTICE APPLICABILITY

Overview of Requirements: The TCAA § 382.056 requires that an applicant publish a “notice of intent” to obtain a permit and in certain circumstances, “notice of preliminary decision.” These notices must be published in a newspaper of general circulation in the municipality where the proposed facility is/will be located. The notice must include a description of the facility, the fact that a person who may be affected by emissions from the facility may request a public hearing and any other information the TCEQ requires by rule. The TCEQ adopted rules for these requirements in 30 TAC Chapter 39 (Public Notification). Additional information regarding public notice can be found on the TCEQ, APD Web site at www.tceq.state.tx.us/nav/permits/air_permits.html.

The Form PI-1 requests the following information to determine whether public notice is required:

- A. New Permit Application: All new state or federal permit applications must go through public notice.
- B. Major Modification of a Prevention of Significant Deterioration (PSD), Nonattainment or 30 TAC § 112(g) permit: All federal permit major modification applications must go through public notice.
- C. Permit Amendment Application: In certain circumstances, permit amendment applications must go through public notice. The requirements for a permit amendment public notice are listed in 30 TAC § 39.402. The following specific issues determine whether notice is required.
 1. Change in Character of Emission or New Air Contaminant: It is important to indicate whether there will be any new air contaminants or a change in character of emissions associated with the amendment application. This

determination should be based on a specific chemical compound (example: formaldehyde), not a class of chemicals (ex: aldehydes) or a category of criteria air pollutants (ex: VOC).

2. Agricultural Facilities: Indicate if the facilities are considered agricultural facilities under the TCAA § 382.020.
3. Emission Changes: Summarize the proposed emission changes which are a result of the application. To determine the total emissions increase in an amended permit, applicants should include:
 - increases in emissions as a result of construction of new facilities at an existing permitted site;
 - changes to permitted allowable emission rates as a result of physical or operational changes and modifications to existing facilities;
 - changes to allowable emission rates as a result of incorporation of a previous authorization when above that authorization's current limitations or authorized actual emission rates;
 - changes to allowable emission rates identified by sampling of the waste stream when above that facility's current limitations or authorized actual emission rates;
 - emissions due to routine maintenance, start-ups or shutdowns not currently authorized; and subtraction of permitted and enforceable emission reductions which are included as a part of the permit amendment application.

The TCEQ does not intend the total emissions increase in an amended permit to include:

- consolidation or incorporation of any previously authorized facility or activity (permits by rule, standard permits, existing facility permits, etc.);
- changes to permitted allowable emission rates when exclusively due to changes to standardized emission factors; or
- reductions in emissions which are not enforceable through the amended permit.

Thus, the total emissions increase would be the sum of emissions increases under the amended permit and the emissions decreases under the amended permit for each air contaminant.

- D. Change of Location Application: In certain circumstances, change of location must go through public notice. The requirements for change of location public notice are listed in TCAA § 382.056. Recent changes by the 77th Texas Legislature are effective for all pending and new requests and applications as of September 1, 2001 and supercedes previous TCEQ rules and regulations [30 TAC § 116.130(b)], individual permit conditions, and all other policies and practices. See Mechanical Guidance Document page for additional information on change of location reviews or call the Mechanical/Combustion Section, APD through (512) 239-1250.

Examples of Public Notice Applicability for change of location:

1. Is the site in or contiguous to the right of way of a public works project?

If "YES," the new portable facility application will **NOT** be required to complete public notice.
If "NO," the new portable facility application will be required to complete public notice.
2. Is there a permitted facility at the location?

If "NO," the new portable facility application will be required to complete a public notice.
If "YES," go to Section C.
3. Has there been a portable facility at the site during the past 2 years?

If "YES," the new portable facility application will be required to complete a public notice.
If "NO," the new portable facility application will **NOT** be required to complete a public notice.

VII. PUBLIC NOTICE INFORMATION *(if applicable)*

If public notice is required, additional information is needed to process the application. If you are unsure whether public notice will be required, the TCEQ would encourage you to complete this section to expedite review of the application.

- A. **Responsible Person:** A designated representative for the applicant should be identified as the person responsible for ensuring public notice is properly published in any appropriate newspaper and signs are posted at the facility site. This person will be contacted directly when the TCEQ is ready to authorize public notice for the application. To expedite contact, e-mail and fax numbers are requested.
- B. **Technical Contact:** The TCAA § 382.056 requires that each public notice contain a technical contact to represent the applicant during the public comment period. This person is responsible for answering any questions from the general public regarding the application and their name and phone number will be listed in the public notice. This person may or may not be the technical contact for the permit application review.
- C. **Application in Public Place:** The TCAA § 382.056 also requires that applicants place a copy of the application at a public place in the county where the facilities are/will be located. Applicants are asked where in the county they are going to make the application available for public review and comment. The location must be a public place and described in the notice. A public place is a location which is owned and operated by public funds (such as libraries, county courthouses, city halls) and cannot be a commercial enterprise. **Applicants are required to pre-arrange this availability with the public place indicated on the Form PI-1.**

The application must remain available from the first day of publication through the designated comment period. If the application is submitted to the TCEQ with information marked as confidential, applicants are required to indicate which specific portions of the application are not being made available to the public. These portions of the application must be accompanied with the following statement:

“Any request for portions of this application that are marked as confidential must be submitted in writing, pursuant to the Public Information Act, to the TCEQ Public Information Coordinator, MC 197, P.O. Box 13087, Austin, Texas 78711 3087.”

- D. **Bilingual Notice:** In some cases, public notice in an alternate language is required. The questions on the Form PI-1 are designed to assist applicants to determine if a bilingual notice is necessary. If an elementary or middle school nearest to the facility offers a bilingual program a bilingual notice will be required. If there is not, but children who would normally attend those schools are eligible to attend bilingual programs elsewhere in the school district, the bilingual notice will also be necessary. If it is determined that alternate language notice is required, applicants are responsible for ensuring that the publication in the alternate language is complete and accurate in that language. Electronic versions of the Spanish template examples and glossary of air contaminant terms are also available through the TCEQ Web site at www.tceq.state.tx.us/permitting/air/nav/air_publicnotice.html.

VIII. SMALL BUSINESS CLASSIFICATION *(required)*

Small Business Classification: [HB3430 changed Texas Government Code § 2006.001(2) and (3)] (80th Legislative). If a permit is being requested by a small business, the rules allow for alternative public notification requirements if **all** of the following are met:

- A. The company has fewer than 100 employees or less than \$6 million in annual gross receipts;
- B. The source is not a major stationary source under the federal operating permit requirements;
- C. The site does not emit 50 tons per year or more of any individual regulated air contaminant; and
- D. The site does not emit 75 tons per year or more of all regulated air contaminants combined.

If these requirements are met, public notice does not have to include publication of the prominent (15 in²) newspaper notice, which has been found to be a significant cost of newspaper publication.

IX. TECHNICAL INFORMATION

- A. Area Map: Provide an area map that should be adequate for a person who has never visited the area to be able to find the proposed site. If an effects review is required, significant landmarks such as buildings, residences, schools, parks, churches, hospitals, parks, day care centers, etc., should be noted. Please note the name and location of all schools within 3,000 feet of the site boundary. Texas law requires that these schools are reviewed for potential emissions impacts. Please check the appropriate box on Form PI-1 to indicate whether there are any schools within 3,000 feet of the facility.

The APD prefers that applicants submit a representation of the site property line on 7.5 minute series United States Geological Survey (U.S.G.S.) topographical maps (scale is equal to 1:24,000). If the site is sufficiently large that it is impractical to depict the site property on a 1:24,000 scale map, other U.S.G.S. topographical maps of larger scales (1:100,000 or 1:250,000) may be acceptable. Paper maps can be obtained directly from the U.S.G.S. or through local map suppliers. For more information on how to order paper maps or locates your nearest U.S.G.S. map suppliers go to www.usgs.gov, phone toll-free (888)-ASK-USGS (275-8747), or phone (303) 202-4700. Electronic versions of the paper maps can be obtained free of charge from the Texas Natural Resource Information Service at www.tnris.org.

Should the applicant not use a U.S.G.S. map, the area map must show all of the same features present on a U.S.G.S. map which include a true north arrow, a scale, the entire plant property and the location of the property relative to prominent geographical features such as highways, roads, streams, and significant landmarks such as buildings, residences, schools, parks, and churches.

- B. Plot Plan: Provide a plot plan that should clearly show a scale, a north arrow, all property lines, emission points, buildings, tanks, process vessels, other process equipment and two bench mark locations (preferably UTM coordinates). Should you submit the plot plan in electronically the preferred format to use is *.dxf or *.dwg or any other computer aided drawing (CAD) format. Labeling listing identification of emission points, buildings, tanks, etc., must be consistent with other representations in the permit application such as emission calculations, process flow diagrams, Table 1(a), air dispersion modeling, air quality analysis reports, etc. and, if required, the separately filed TCEQ Emissions Inventory.

All emission points on the affected property must be identified. This includes all authorizations, e.g., construction permits, permits by rule, standard permits, etc. Please provide a table of emission points indicating the authorization type and authorization identifier, such as a permit number or rule citation under which each emission point is currently authorized. A review of TCEQ files for this site may be necessary to determine this information.

If dispersion modeling is required for an air quality analysis, a separate table cross-referenced to the plot plan should be submitted listing building, tank, and other down-wash structure heights.

- C. Process Flow Diagram and Process Description: A process flow diagram is required for all permit applications so that the APD permit reviewer can verify all technical information regarding the affected facility. Permit reviewers know only what you tell them about your process or business. It is important that the information you provide is complete and accurate.

After a picture has been developed of your process, describe exactly how your business operates. A good way to do this is by telling the permit reviewer, step by step, what you do with each material that comes into your business. For example, you store it, use all or part of it in a process, create a product, and when and how the product moves out the door. You may have some of the material left as waste. Account for all of the materials you use. Tell the permit reviewer what you do with it at every step. It can be helpful to develop a process flow diagram by linking boxes with lines to visually show the process you are describing.

The process description should assist the permit reviewer through the process with emphasis on where the emissions are generated, why the emissions must be generated, what air pollution controls are used (including process design features that minimize emissions), and where the emissions enter the atmosphere. Your process description should tell the permit reviewer how you will be operating if you produce the maximum possible emissions. This will probably be your highest production rate. Each step in the process should be discussed and should refer to the process flow diagram. When applicable, cycle times, reaction times, temperatures, pressures, material flow rates

and production rates should be discussed. Be specific, and do not use generalities such as “a small amount,” “sometimes,” and “occasionally opened.” The process description should also include how the facility is operated during periods of planned MSS, what emission reduction techniques will be used to limit emissions, changes in character of emissions, and the frequency and duration of each type of planned MSS activity.

Detailed piping and instrumentation drawings are usually not required. Only those system components directly relevant to the evaluation of air quality impacts need be included. Block flow diagrams generally are not sufficient except for very simple facilities such as boilers. The flow diagram should be sufficiently descriptive to enable the reviewing permit engineer to determine the raw materials to be used in the process, all major processing steps, all major equipment items, individual emission points associated with each process step, the location and identification of all emission abatement devices, and the location and identification of all waste streams (including wastewater streams that may have associated emissions). Alternate material flows, changes in routing of emission during periods of planned MSS should be depicted as well as any alternate emission control devices that will be used during these periods. The reviewing permit engineer will evaluate the project based on a total material balance (all streams into the system and all streams out). The reference equipment numbers, process nomenclature and emission point numbers on the flow diagrams must be consistent with the information on Table 1(a), Table 2, plot plan and TCEQ emission inventory.

- D. Maximum Operating Schedule: Provide the maximum operating schedule of the facility in terms of maximum hours per day, maximum days per week, maximum weeks per year, and total hours per year. If process units are operated at varying schedules throughout the year, the overall schedule must account for these variations. For example, if a facility which is normally operated 8 hours per day and 5 days per week and is operated on a weekend, or more than 8 hours per day, list the schedule which will provide adequate flexibility. If the facility only operates seasonally, please provide a short description on when operations occur, for example; “March through September 10 hr/day, 7 day/wk; October through February 2 hr/day, 1 day/wk.”
- E. Maximum Emissions Data and Calculations: At a minimum, the application must represent the **maximum hourly and total annual emission rates** of the new or changed facility, including emission rates for planned MSS facilities and related activities. These rates, once verified and reviewed, will be included in the Maximum Allowable Emission Rate Table (MAERT) issued with the permit or permit amendment.

Maximum **hourly** emission rates (pounds per hour) should be based on the maximum (design) production capacity of the facility or the emissions from MSS. Dividing the average annual emissions (tons per year) by the annual hours of operation in order to determine hourly emissions (pounds per hour) is often unacceptable. Maximum hourly emission rates from planned MSS activities should be listed separately and any emission points unique to these activities should also be noted.

Annual emission rates (tons per year) should be reflective of the average operation throughout any consecutive 12-month period. Planned MSS activity emission rates should be listed separately and any emission points unique to these activities should also be noted.

Include a discussion of the hours of operation and how they relate to emission rates on a short-term (maximum pounds per hour) and long-term (maximum tons per year) basis. The frequency and duration of planned MSS activities and their effect on emission rates should be presented.

Variations in emissions must be clearly identified and accounted for in the maximum hourly and annual emission rates, if the process is a non-continuous batch operation, or there are widely varying operating scenarios. Additional information should be supplied to describe the emission variations, particularly for emissions from MSS facilities and related activities.

In most cases, supporting calculations and technical bases for the estimates are required. Include copies of the calculations and discuss any assumptions made.

Emission rate information for **each air contaminant** during production operations and during periods of planned MSS maintenance startup and shutdown must be included. Chemicals must be identified specifically, for example; “Methanol” rather than “hydrocarbons” or “polyester/styrene resin dust” and “iron dust” rather than “dust.” Material Safety Data Sheets, Air Quality Data Sheets, or equivalent supporting documents should be supplied for all mixtures which contain potential air contaminants.

The applicant must provide an adequate demonstration of expected continuous compliance with the permitted emission rates including MSS emissions. The reviewing permit engineer must be able to duplicate all emissions calculations with the information supplied by the applicant.

1. Emission Point Summary Table 1(a): The Table 1(a) summarizes all emission points and associated hourly and annual emissions and describes the physical parameters of each emission point during production operations as well as planned MSS. These values will be the basis of the technical review of the Form PI-1 and, ultimately, the development of maximum allowable emission rates (MAER). Table 1(a) is located on the APD, TCEQ Web site at www.tceq.state.tx.us/nav/permits/air_permits.html.
 - An emission point is defined as the point from which air contaminants enter the ambient air. This point should be identified with a unique alphanumeric identification of no more than ten characters.
 - For a modified facility, all emission sources, existing as well as new, must be listed in the emissions table.
 - For MSS, all emission points, existing as well as new, must be listed in the emissions table.
 - Chemicals must be identified specifically. Examples: “Methanol” rather than “hydrocarbons,” “polyester/styrene resin dust” or “iron dust” or “limestone dust” or “silica sand dust” rather than “dust.” Material Safety Data Sheets or Air Quality Data Sheets should be supplied for all materials which contain potential air contaminants unless an alternative method of identification and quantification of specific air contaminants has been approved prior to submittal of the application. Large groups of data may be attached to the application as appendices.
 - Clearly discuss and document the total emissions in tons per year of each pollutant (e.g., SO₂, PM, etc.) for which the application is to be evaluated. Facilities with a large number of emission points as well as multiple species of air contaminants per emission point may provide a separate table which contains the emission rates by emission point broken into separate species.
 - Emission points must be identified by UTM coordinates (in meters) on Table 1(a). Location of individual emission points by latitude and longitude on Table 1(a) is not sufficiently precise because one second of latitude or longitude is on the order of 100 feet. UTM reference coordinates may be obtained from U.S.G.S. topographical maps. Accuracy in specifying the coordinates of all emission points is critical in maintaining the integrity of the TCEQ emissions inventory.
2. Material Balance Table 2: A material balance is required for all applications to confirm technical emissions information. Table 2 is adequate for many process material balances, and additional sheets may be used if necessary. Values in Table 2 must be consistent with those in Table 1(a) and other application information. Complex material balances may be presented on spreadsheets or indicated on process flow diagrams where the material balance stream numbers are consistent with the stream numbers in the process flow diagram. All materials in the process should be addressed whether or not they directly result in the emission of an air contaminant. Table 2 is located on the APD, TCEQ Web site at www.tceq.state.tx.us/nav/permits/air_permits.html.
3. Equipment, Process, or Control Device Tables: To facilitate review of applications, the TCEQ has developed tables to identify important parameters for some common equipment types. Depending on the type of facility to be permitted, one or more of these tables may be required as a part of the application. These tables are available through the APD Web site at www.tceq.state.tx.us/nav/permits/air_permits.html.

- F. Actual facility emissions: [30 TAC 116.150 and 30 TAC 116.160] Actual emissions for existing facilities must be reviewed for potential federal permit applicability. The applicability of nonattainment to a specific new source or a modification of an existing source is addressed in Part I of the TCEQ publication, Nonattainment New Source Review Guidance Document, available through the APD Web site. The applicability of PSD to a specific new source or a modification of an existing source is addressed in the TCEQ publication, PSD Air Quality Guidance Document, also available through the APD Web site at www.tceq.state.tx.us/nav/permits/air_permits.html. In order to allow evaluation of federal applicability, please submit baseline emissions (in tons per year). The applicant should clearly identify the actual emissions from each component of normal operation: production and planned MSS.

X. STATE REGULATORY REQUIREMENTS

Applicants are required to submit itemized information and/or analysis that will demonstrate that all general application requirements as specified in 30 TAC § 116.111 are met. Each requirement in 30 TAC § 116.111 must be addressed.

- A. Protection of Public Health and Welfare: [30 TAC § 116.111(a)(2)(A)]. The applicant must address each of the air quality rules and regulations for applicability and explain the basis for expected compliance. If any particular rule or regulation is not applicable, please give the basis for nonapplicability. Not all air quality regulations are appropriate for every application. It is not the intent here to require lengthy justifications as to why each and every rule is or is not applicable to the proposed facility. However, 30 TAC Chapter 116 does require demonstration of compliance with all air quality rules and regulations by the proposed facility, even if that demonstration is by reason of its nonapplicability.
- 30 TAC Chapter 101 General Rules
 - 30 TAC Chapter 111 Visible Emissions and Particulate Matter
 - 30 TAC Chapter 112 Sulfur Compounds
 - 30 TAC Chapter 113 Toxic Materials
 - 30 TAC Chapter 115 Volatile Organic Compounds - applicable only in certain counties
 - 30 TAC Chapter 117 Nitrogen Compounds - applicable only in certain counties
 - 30 TAC Chapter 122 Federal Operating Permits
- B. Measurement of Significant Air Contaminants: [30 TAC § 116.111(a)(2)(B)]. The applicant must propose how significant emissions will be measured (stack sampling, ambient monitoring, continuous emissions monitoring, leak detection and repair program for fugitive emissions, etc.) to demonstrate initial and ongoing compliance with permit limitations. Enforceable permit conditions will be based on measures which will provide for adequate demonstration of continuous compliance. These conditions are a critical part of the permit.
- C. Best Available Control Technology (BACT): [30 TAC § 116.111(a)(2)(C)]. The applicant must provide a demonstration that the facilities will use the “best available control technology with consideration given to the technical practicability and the economic reasonableness of reducing or eliminating emissions from the facility.” The information required to demonstrate BACT is described in great detail in the APD BACT Guidance Document on the APD Web site and summarized in Appendix A (Required Content of a BACT Analysis) of that guidance. A listing of current BACT requirements is located at www.tceq.state.tx.us/permitting/air/nav/bact_index.html.

An applicant’s BACT analysis must address all air contaminants subject to review from the affected emission units under normal production operating conditions as well as during planned MSS activities. For each contaminant, an applicant must identify the emission reduction option(s) proposed to satisfy BACT. Describe in detail the technique used for emission reduction, discuss proposed performance of the option(s) chosen, and provide supporting information as necessary for the proposal.

Generally, a BACT determination would be made based on evaluation of:

- emission reduction performance levels accepted as BACT in recent permit reviews for the same process/industry if no new technical developments have been made which indicate that additional reductions are economically or technically reasonable; or

- those emission reduction performance levels accepted as BACT in recent permits for similar air emission streams in a different process or industry; or
- a detailed technical and quantitative economic analysis of all emission reduction options available for the process or emission unit under review. Permit applicants may find it helpful to meet with APD staff in Austin to discuss possible BACT proposals for specific facilities.

Any of the following or combination of the following may be proposed for BACT:

- pollution prevention (process controls/changes, source reduction);
- equipment specification/equipment monitoring;
- add-on abatement equipment; and/or
- good engineering practice/best management practice

Consistent with our emphasis on “pollution prevention,” applicants are encouraged to address pollution prevention as an emission reduction option. Pollution prevention is the most preferred option for emission reduction because it can become an integral part of a facility’s process. Pollution prevention is best when accomplished with process control methods or process changes that eliminate emissions. However, process controls or changes may be proposed to simply reduce emissions or result in an emission stream that is more amenable to control.

The final determination of acceptability of an emission reduction proposal is based on the proposal’s overall ability to reduce or eliminate emissions from the facility. To determine overall ability, the following elements of performance are evaluated for the proposed emission reduction option(s):

- capture efficiency;
- emission reduction efficiency or resulting emission level;
- reliability;
- on-stream time; and
- enforceability

Again, the process of determining BACT is described in great detail in the APD BACT Guidance Document on the APD Web site and the applicant is encouraged to use that document to assist in developing a BACT proposal.

- D. **Achieve Performance:** [30 TAC § 116.111(a)(2)(G)]. Sufficient information must be submitted representing a clear technical justification that the facility will perform as indicated. All assumptions and calculation bases should be provided. This information should include (but is not limited to) useful life of the equipment and proper maintenance programs and original design criteria such as process flow diagrams, material balances, emissions calculations, vendor data on pollution control equipment, control efficiencies, or test data from similar facilities.

Describe how process and abatement equipment operational parameters will be monitored. If a specific capture or collection efficiency is proposed, data must be submitted to support this claim, including design drawings on hoods, etc. Explain how captured emissions will be handled and procedures to be followed during upsets, spills, etc. It must be clearly understood by the applicant that the facilities covered by a permit must continuously perform as represented. This means that proper equipment maintenance procedures must be implemented and followed, spills cleaned up promptly, fugitive emissions reduced, equipment covers maintained in place, leaks fixed, etc. The design of emission capture systems must be adequate to ensure that good emission capture techniques are constructed initially. Design calculations and drawings must be provided demonstrating that good capture techniques will be used. Other areas that should be addressed in the application (when applicable) include bagfilter dust disposal, scrubber waste disposal, cleanup of spills, plant roads and parking areas, storage pile maintenance, general plant housekeeping, and maintenance of air pollution control equipment.

- E. Atmospheric Dispersion Modeling: [30 TAC § 116.111(a)(2)(J)]. Section 382.002 of the TCAA states, “The policy of this state and the purpose of this chapter are to safeguard the state’s air resources from pollution by controlling or abating air pollution and emissions of air contaminants, consistent with the protection of public health, general welfare, and physical property, including the aesthetic enjoyment of air resources by the public and the maintenance of adequate visibility.” Title 30 TAC § 116.111(1) states in part, “The emissions from the proposed facility will comply with all rules and regulations of the TCEQ and with the intent of the Texas Clean Air Act, including protection of the health and physical property of the people.”

Permit applications for new construction or modifications may be required to include air dispersion modeling in order for the TCEQ staff to evaluate the impact of emissions from the proposed facility upon the health, general welfare and property of the public, and for the applicant to demonstrate compliance with all air quality rules and regulations and the intent of the Texas Clean Air Act. In all cases, applicants should contact the TCEQ APD staff prior to performing air quality dispersion modeling for submission as part of a permit application.

In almost all cases, an air quality analysis should be performed by the permit applicant and should be submitted to the APD as requested before the application will be considered technically complete and a permit issued. The air quality analysis is normally performed with approved state and/or federal atmospheric dispersion models. In a limited number of cases, screening models or other screening procedures may be used at the discretion of the APD staff. Alternative methods of performing the analysis should be approved by the staff prior to use.

Prior to performing the air quality analysis for a federal permit application for PSD, a written modeling protocol should be submitted to both the APD and U.S. Environmental Protection Agency (EPA) Region 6 modeling contacts. Because of the costs associated with any modeling exercise, it is the APD’s recommendation that modeling not be performed until the modeling protocol has been approved and all emission rates and other technical issues which might affect the results are resolved. These issues can be discussed at a pre-permit meeting or conference. In most cases, modeling would not need to be submitted with the application. The absence of modeling results from an application will not affect the determination of administrative completeness; however, the applicant should be prepared to submit modeling results as quickly as possible once required by the permit reviewer. See the current version of the TCEQ’s Air Quality Modeling Guidelines for detailed modeling requirements and report format on the TCEQ APD web site www.tceq.state.tx.us/nav/permits/air_permits.html.

In addition to determining whether predicted emissions impacts will comply with applicable state and federal air quality standards, it may be necessary for the applicant to perform special dispersion modeling in order to assess potential toxic and odorous impacts of certain chemicals in abnormal release scenarios. Impacts resulting from a catastrophic release will be reviewed against concentrations that are immediately dangerous to life and health, whereas routine and upset emissions impacts will be reviewed against effects screening levels determined by the Toxicology and Risk Assessment Section. The approvable impact level of a given chemical may be obtained by calling the TCEQ Toxicology and Risk Assessment Section in Austin. While the value given in such a contact could change during the review process, such a change is not likely.

- F. Disaster Review: If the proposed facility will handle sufficient quantities of certain chemicals which, if released accidentally, would cause off-property impacts that could be immediately dangerous to life and health, a disaster review analysis may be required as part of the application. The applicant should consult the NSRPD Disaster Review Guidance Document prior to preparing the application for preliminary insights on possible disaster review requirements. This document can be found at www.tceq.state.tx.us/assets/public/permitting/air/Guidance/NewSourceReview/disasrvw.pdf.

Please note that if the proximity of citizens and the project proposal is such that it is not expected that the applicant can incorporate sufficient prevention and mitigation measures relative to a catastrophic release, the agency may not recommend issuance of the permit and may recommend that the applicant propose an alternative site for the project.

- G. Certain areas of the State have concentrations of specific pollutants that are of concern to the TCEQ. The TCEQ Toxicology Section has designated these portions of the State as Air Pollutant Watch List (APWL) areas. The location of the areas and pollutants of interest are located at; www.tceq.state.tx.us/implementation/tox/AirPollutantMain/APWL.html.
1. If the site is located in an APWL area, what is the APWL Site number?
 2. Does the site emit a pollutant of concern for the APWL area in which the site is located?
 3. If the site emits one or more of the pollutants of concern, what are the pollutants emitted?
- H. Emissions Cap and Trade: [30 TAC § 101(H)(3)] A facility or group of facilities located at a site in the Houston/Galveston nonattainment area with the potential for nitrogen oxides (NO_x) emissions, may be subject to 30 TAC Chapter 101, Subchapter H, Division 3 [30 TAC § 101(H)(3)], entitled, "Mass Emissions Cap and Trade." These rules apply to all stationary facilities at sites in the eight-county Houston/Galveston nonattainment area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller) that have a combined uncontrolled design capacity to emit 10 tons per year or more of NO_x and are subject to the emission specifications under 30 TAC §§ 117.106, 117.206, and 117.475. Authorized NO_x emissions increases at sites subject to the Mass Emissions Cap and Trade program may need to obtain allowances.
1. Does the facility or group of facilities located at this site have an uncontrolled design capacity to emit 10 tpy or more of NO_x?
 2. Is this site subject to 30 TAC Chapter 101, Subchapter H, Division 3 (Mass Emissions Cap and Trade)?
 3. Does this action make the site subject to 30 TAC Chapter 101, Subchapter H, Division 3 (Mass Emissions Cap and Trade)?
 4. Does this action require the site to obtain additional emission allowances?

XI. FEDERAL REGULATORY REQUIREMENTS

- A. New Source Performance Standards (NSPS): [30 TAC § 116.111(a)(2)(D)]. The applicant must show if any requirements of Title 40 Code of Federal Regulations Part 60 (40 CFR Part 60) apply to the permitted facility and demonstrate that the permitted facility can or is complying with the applicable NSPS requirements. The NSPS requires certain facilities and activities to operate within specific limitations and, during permit review, applicants should list how compliance with the standards will be met. This should include; a discussion of how the emission controls (if any are required) meet rule requirements; how work practices meet rule requirements; calculations or sampling/test data demonstrating compliance with any numerical standards (ppm, lb/MMBtu, g/hp-hr, lb VOC/gallon solids etc.); or continuous emissions monitoring system (CEMS) data.

A list of NSPS subparts may be found on the TCEQ New Source Review Web site at www.tceq.state.tx.us/nav/permits/air_permits.html and is subject to change without notice. Applicants should refer to the current version of 40 CFR Part 60 for specific details concerning applicability of the standards. Generally, the effective date of an NSPS subpart is the date of proposal. Copies of these standards can be found on the Government Printing Office Web site at www.gpoaccess.gov/cfr/.

- B. National Emission Standards for Hazardous Air Pollutants (NESHAP): [30 TAC § 116.111(a)(2)(E)]. The applicant must show if any requirements of 40 CFR Part 61 apply to the permitted facility and demonstrate that the permitted facility can or is complying with the applicable NESHAP requirements. The NESHAPs requires certain facilities and activities to operate within specific limitations and, during permit review, applicants should list how compliance with the standards will be met. This should include; a discussion of how the emission controls (if any are required) meet rule requirements; how work practices meet rule requirements; calculations or sampling/test data demonstrating compliance with any numerical standards (ppm, lb/MMBtu, tpy of benzene throughput etc.); or continuous emissions monitoring system (CEMS) data.

A list of NESHAP subparts may be found on the TCEQ New Source Review Web site at www.tceq.state.tx.us/nav/permits/air_permits.html and is subject to change without notice. Applicants should refer to the current version of 40 CFR Part 61 for specific details concerning applicability of the standards. Copies of these standards can be found on the Government Printing Office Web site at www.gpoaccess.gov/cfr/.

- C. Maximum Achievable Control Technologies (MACT): [30 TAC § 116.111(a)(2)(F)]. The applicant must show if any requirements of 40 CFR Part 63 apply to the permitted facility and demonstrate that the permitted facility is complying with the applicable NESHAP requirements. The NESHAPs require certain facilities and activities to operate within specific limitations and, during permit review, applicants should list how compliance with the standards will be met. This should include; a discussion of how the emission controls (if any are required) meet rule requirements; how work practices meet rule requirements; calculations or sampling/test data demonstrating compliance with any numerical standards (ppm, lb/MMBtu, lb VOC/gallon solids, lb VOC /lb coating etc.); or continuous emissions monitoring system (CEMS) data.

A list of MACT subparts may be found on the TCEQ New Source Review Web site at www.tceq.state.tx.us/nav/permits/air_permits.html and is subject to change without notice. Applicants should refer to the current version of 40 CFR Part 63 for specific details concerning applicability of the standards. Copies of these standards can be found on the Government Printing Office website at www.gpoaccess.gov/cfr/.

- D. Nonattainment Permitting Requirements: [30 TAC § 116.111(a)(2)(H)]. Applicants are encouraged to consult the Nonattainment New Source Review Guidance Document available through the APD Web site for detailed guidance in determining the applicability and requirements of nonattainment review in Texas. If the facility is located or proposed to be located in a designated nonattainment area of Texas, 30 TAC §§ 116.150 and 116.151 must be addressed for the affected pollutants. Planned MSS emissions must also be taken into consideration in this review. By signing the Form PI-1, the applicant certifies compliance with all applicable nonattainment permitting requirements. Additional information on major source thresholds for nonattainment reviews is located on the APD Web site at www.tceq.state.tx.us/nav/permits/air_permits.html.
- E. Prevention of Significant Deterioration (PSD) permitting requirements: [30 TAC § 116.111(a)(2)(I)] **If the facility is located or proposed to be located in an attainment or unclassified area of Texas, 30 TAC §§ 116.160-116.162 must be addressed for the affected pollutants.** New sources and modifications classified as major under the PSD rules must submit additional information required for review pursuant to those rules. Planned MSS emissions must also be taken into consideration in this review. More information on these major source thresholds can be found on the APD Web site at www.tceq.state.tx.us/nav/permits/air_permits.html.

Effective July 24, 1992, TCEQ has full delegation of PSD permitting in Texas. The PSD rules are provided in 40 CFR § 52.21. Monitoring, modeling, and BACT requirements will vary with the magnitude, location and type of emissions of a new source or modification. These considerations also apply to Planned MSS emissions. It is extremely important that communication between the applicant and the APD staff be initiated well in advance of submittal of an application subject to PSD review. If you have any questions about PSD applicability to the proposed new source or modification, please contact the APD staff for assistance.

Title 30 TAC § 116.160 addresses the applicability of the PSD air quality regulations at 40 CFR § 52.21 and protection of visibility at 40 CFR § 51.301. By signing the Form PI-1, the applicant certifies compliance with all provisions of 30 TAC § 116.160.

In accordance with 30 TAC § 116.160, the TCEQ may not issue a permit to a new major source or major modification located in an area designated as attainment or unclassifiable if the ambient air impacts from such source or modification exceeds the **de minimis** impact levels specified in 30 TAC § 116.12 at any locality in the state designated as non-attainment or predicted to be non-attainment for the applicable standard.

- F. Hazardous Air Pollutant Major Source [FCAA § 112(g)]: [30 TAC § 116.111(a)(2)(K)] If the facility for which a permit is sought is a major source of hazardous air contaminants and EPA has not promulgated a MACT standard under 40 CFR Part 63 for a required source category, the FCAA § 112(g) requires states to perform a case-by-case control technology review. Any construction or reconstruction of a facility which has the potential to emit major amounts of hazardous air contaminants must comply with the requirements in 30 TAC Chapter 116, Subchapter C. If necessary, all required documentation and analysis must be part of the permit application. The signature on the Form PI-1 indicates compliance with these requirements. A major source of hazardous air contaminants is a site where there is 10 tpy of any particular hazardous air pollutant, or 25 tpy of any combination of hazardous air pollutants. The list of 187 HAPS may be found on the TCEQ New Source Review Web site at www.tceq.state.tx.us/nav/permits/air_permits.html and is subject to change without notice.

XII. COPIES OF THIS APPLICATION

Retain at least one copy of the application for your own records. Please mark the appropriate boxes on Form PI-1 to indicate all of the copies sent to the TCEQ. Failure to distribute copies of the registration may delay processing. Also, all subsequent correspondence should be copied to the TCEQ regional office and local Air Pollution Control Program(s), as appropriate. Please indicate to whom copies have been sent on the cover letter of any subsequent correspondence. Please do not attach a copy of Form PI-1 to subsequent correspondence unless specifically requested, as this may cause another registration file to be created. Please indicate the assigned TCEQ permit number, TCEQ air quality account number, and permit reviewer, if known, on all subsequent correspondence.

OPTIONAL: In order to expedite processing of permit applications, an applicant may send an additional copy of the Form PI-1, Core Data Form and all attachments to the PAR section. This copy will be forwarded to the permitting section for the technical review. Please mark the Form PI-1, Core Data Form, and all attachments as "COPY."

- A. Has the required fee been sent separately with a copy of this Form PI-1 to the TCEQ Revenue Section
- B. Are the Core Data Form, Form PI-1, and all attachments being sent to the TCEQ in Austin?
- C. Is a copy of the Core Data Form, the Form PI-1, and all attachments being sent to the appropriate TCEQ regional office?
- D. Is a copy of the Core Data Form, the Form PI-1, and all attachments being sent to each appropriate local air pollution control program(s)?
- E. Is a copy of the Core Data Form, Form PI-1, and all attachments (without confidential information) being sent to the EPA Region 6 office in Dallas, Texas?

EPA Region 6 office has requested that all applications submitted to EPA be provided in electronic format on a readable Compact Disk (CD). Microsoft Word for text, Excel for spreadsheets, or a searchable Adobe Acrobat (pdf) file is the preferred formats. **Do not submit any files with an ".exe" extension or confidential information.** No hard copies of the information contained in the application would be necessary if submitted electronically with the exception of any document that requires an original signature.

Please contact Ms. Bonnie Braganza (braganza.bonnie@epa.gov) at (214) 665-7340 or Mr. Matthew Loesel (loesel.matthew@epa.gov) at (214) 665-8544 if you have any questions pertaining to electronic submittals.

<i>Who</i>	<i>Where</i>	<i>What</i>
Revenue Section, TCEQ	Regular, Certified, Priority Mail MC 214, P.O. Box 13088, Austin, Texas 78711-3088 or Hand Delivery, Overnight Mail Mail Code 214, 12100 Park 35 Circle, Building A, Third Floor, Austin, Texas 78753	Fee, 1 copy of Form PI-1 and 1 copy of the Core Data Form
Air Permits Initial Review Team (APIRT), TCEQ	Regular, Certified, Priority Mail Mail Code 161, P.O. Box 13087, Austin, Texas 78711-3087 or Hand Delivery, Overnight Mail Mail Code 161, 12100 Park 35 Circle, Building C, Third Floor, Room 300 W, Austin, Texas 78753 <i>Note: The official application cannot be faxed to the TCEQ</i>	Original Form PI-1; Original Core Data Form; Original attachments; and 1 copy of check or money order <i>OPTIONAL</i> 1 copy of Form PI-1; 1 copy of Core Data Form; and 1 copy of all attachments
Appropriate TCEQ regional office	To find your regional office address go to www.tceq.state.tx.us/about/directory/region/reglist.html or call (512) 239-1250	1 copy of the Form PI-1; 1 copy of the Core Data Form; and 1 copy of all attachments
Appropriate local air pollution control program(s)	To find your local air pollution control programs go to www.tceq.state.tx.us/nav/permits/air_permits.html	1 copy of the Form PI-1; 1 copy of the Core Data Form; and 1 copy of all attachments
U.S. Environmental Protection Agency (federal permit and major modification applications only)	Environmental Protection Agency, Region 6 Air Permits Section (6PD-R) 1445 Ross Avenue, Suite 1200 Dallas, Texas 75202-2733	See Section XI.E

F. The International Boundary Water Commission (IBWC) has requested that they be notified of any new construction that is done within 100 kilometers (62.14 miles) of the Rio Grande River. If your construction is within that area, please notify the IBWC at the following address:

ATTN: EMD Division Chief
International Boundary Water Commission
United States Section
4171 N. Mesa, Suite C-100
El Paso, Texas 79902-1441
1-800-262-8857

G. Federal Land Manager: If the proposed facilities are located within 100 kilometers of a Class I Area, federal regulations require notification of the appropriate Federal Land Manager. Class I areas are areas of special national or regional value from a natural, scenic, recreational, or historic perspective. If a facility may affect the Class I area, the applicant must send a copy of the application to Air Resources Division, P.O. Box 25287, Denver, Colorado 80225. Class I areas in and around Texas include the following:

National Parks:	Big Bend National Park, Texas Guadalupe Mountains National Park, Texas Carlsbad Caverns National Park, New Mexico	Fish & Wildlife Parks: Wilderness Area:	Wichita Mountains, Oklahoma Salt Creek, New Mexico Caney Creek, Arkansas
-----------------	---	--	--

XIII. SUBMITTAL BY TEXAS LICENSED PROFESSIONAL ENGINEER

Applications for which the estimated capital cost of the project (as defined by 30 TAC § 116.141) exceeds \$2 million dollars must be submitted under seal of a Texas licensed professional engineer, pursuant to 30 TAC § 116.110(d). If an exemption from this requirement is being claimed pursuant to the Texas Engineering Practice Act (TEPA), please cite the TEPA section under which exemption is claimed.

XIV. DELINQUENT FEES AND PENALTIES

Notice: This form will not be processed until all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the “Delinquent Fee and Penalty Protocol.” For more information regarding Delinquent Fees and Penalties, go to the TCEQ Web site at: www.tceq.state.tx.us/agency/delin/index.html.

XV. SIGNATURE

Application for authority to construct must be made by the owner or operator of the facility. The appropriate company official (owner, plant manager, president, vice president or environmental director) must sign all copies of the application. It is not appropriate for the applicant’s consultant to sign the application.

Note: Signatures must be original in ink, not reproduced by photocopy, fax or other means and must be received by the TCEQ prior to any permit being issued.

Customers may use the TCEQ Web site to determine application receipt and status throughout the process, as well as obtain guidance and application documents relating to air permitting at www.tceq.state.tx.us/nav/permits/air_permits.html.

For questions relating to the initial receipt and administrative review of the application, please contact: Air Permits Initial Review Team at (512) 239-1250, Fax: (512) 239-4500.

For questions relating to the technical review or any other questions relating to air permitting, please contact: Air Permits Division at (512) 239-1250, Fax: (512) 239-1300.



**Texas Commission on Environmental Quality
Form PI-1 General Application for
Air Preconstruction Permit and Amendments**

Update: The TCEQ **requires** that a Core Data Form be submitted on all incoming applications unless a Regulated Entity and Customer Reference Number have been issued by the TCEQ **and** no core data information has changed. For more information regarding the Core Data Form, call (512) 239-5175 or go to the TCEQ Web site at www.tceq.state.tx.us/permitting/central_registry/guidance.html.

I. APPLICANT INFORMATION			
A. Company or Other Legal Name:			
Texas Secretary of State Charter/Registration Number <i>(if applicable)</i> :			
B. Company Official Contact Name:			
Title:			
Mailing Address:			
City:	State:	Zip Code:	
Telephone No:	Fax No.:	E-mail Address:	
C. Technical Contact Name:			
Title:			
Company Name:			
Mailing Address:			
City:	State:	Zip Code:	
Telephone No.:	Fax No.:	E-mail Address:	
D. Facility Location Information:			
Street Address:			
If no street address, provide clear driving directions to the site in writing:			
City:	County:	Zip Code:	
E. TCEQ Account Identification Number (leave blank if new site or facility):			
F. Is a TCEQ Core Data Form (TCEQ Form No. 10400) attached?			<input type="checkbox"/> YES <input type="checkbox"/> NO
G. TCEQ Customer Reference Number (leave blank if unknown):			
H. TCEQ Regulated Entity Number (leave blank if unknown):			
II. IMPORTANT GENERAL INFORMATION			
A. Is confidential information submitted with this application?			<input type="checkbox"/> YES <input type="checkbox"/> NO
If "YES," is each "confidential" page marked " CONFIDENTIAL " in large red letters?			<input type="checkbox"/> YES <input type="checkbox"/> NO



**Texas Commission on Environmental Quality
Form PI-1 General Application for
Air Preconstruction Permit and Amendments**

II. IMPORTANT GENERAL INFORMATION <i>(continued)</i>		
B. Is this application in response to a TCEQ investigation or enforcement action? If "YES", attach a copy of any correspondence from the TCEQ		<input type="checkbox"/> YES <input type="checkbox"/> NO
C. Number of New Jobs:		
D. Names of the State Senator and district number for this facility site:		
Names of State Representative and district number for this facility site:		
E. For Concrete Batch Plants, name of the County Judge for this facility site:		
Mailing Address:		
City:	State:	Zip Code:
F. For Concrete Batch Plants, is the facility located in a municipality or an extraterritorial jurisdiction of a municipality? If "YES," list the name(s) of the Presiding Officer(s) for this facility site:		<input type="checkbox"/> YES <input type="checkbox"/> NO
Mailing Address:		
City:	State:	Zip Code:
III. FACILITY AND SOURCE INFORMATION		
A. Site Name:		
B. Area Name/Type of Facility:		<input type="checkbox"/> Permanent <input type="checkbox"/> Portable
C. Principal Company Product or Business:		
Principal Standard Industrial Classification Code:		
D. Projected Start of Construction Date: _____		Projected Start of Operation Date: _____
IV. TYPE OF PERMIT ACTION REQUESTED		
A. Permit Number <i>(if existing)</i> :		
B. Is this an initial permit application?		<input type="checkbox"/> YES <input type="checkbox"/> NO
If "YES," check the type of permit requested <i>(check all that apply)</i> :		
<input type="checkbox"/> State Permit <input type="checkbox"/> Nonattainment Federal Permit		
<input type="checkbox"/> Flexible Permit <input type="checkbox"/> Prevention of Significant Deterioration Federal Permit		
<input type="checkbox"/> Multiple Plant Permit <input type="checkbox"/> Hazardous Air Pollutants Permit Federal Clean Air Act § 112(g)		
Other: _____		



**Texas Commission on Environmental Quality
Form PI-1 General Application for
Air Preconstruction Permit and Amendments**

IV. TYPE OF PERMIT ACTION REQUESTED <i>(continued)</i>		
C. Is this a permit amendment? If "YES," check the type of permit requested (<i>check all that apply</i>): <input type="checkbox"/> State Permit Amendment <input type="checkbox"/> Flexible Permit Amendment <input type="checkbox"/> Multiple Plant Permit Amendment <input type="checkbox"/> Nonattainment Major Modification <input type="checkbox"/> Prevention of Significant Deterioration Major Modification <input type="checkbox"/> Hazardous Air Pollutants Permit Federal Clean Air Act § 112(g) Modification Other: _____		<input type="checkbox"/> YES <input type="checkbox"/> NO
D. Is a permit renewal application being submitted in conjunction with this amendment in accordance with Senate Bill 1673? [THSC 382.055(a)(2)](80 th Legislative)		<input type="checkbox"/> YES <input type="checkbox"/> NO
E. Is this application for a change in location of previously permitted facilities?		<input type="checkbox"/> YES <input type="checkbox"/> NO
If "YES," answer E. 1. and E. 2.		
1. Current location of facility:		
Street Address (<i>If no street address, provide clear driving directions to the site in writing.</i>):		
City:	County:	Zip Code:
2. Will the proposed facility, site, and plot plan meet all current technical requirements of the permit special conditions? If "NO," attach detailed information.		<input type="checkbox"/> YES <input type="checkbox"/> NO
F. Are there any standard permits, exemptions or permits by rule to be consolidated into this permit?		<input type="checkbox"/> YES <input type="checkbox"/> NO
G. Are you permitting a facility or group of facilities that have planned maintenance, startup and shutdown emissions that cannot be authorized by a permit by rule or standard permit or that are authorized by a permit by rule or standard permit and are being rolled into this permit? If "YES," attach information on any changes to emissions under this application as specified in Section VIII. and Section IXX.		<input type="checkbox"/> YES <input type="checkbox"/> NO
If "YES," answer G. 1 through G. 3.		
1. Are the activities to be included in this permit covered by any previously existing MSS authorizations? If "YES," provide a listing of all other authorizations (permit by rule or standard permit and the associated registration number if any).		<input type="checkbox"/> YES <input type="checkbox"/> NO
2. Have the emissions been previously submitted as part of an emissions inventory?		<input type="checkbox"/> YES <input type="checkbox"/> NO
3. List which years the MSS activities were included in emissions inventory submittals:		



**Texas Commission on Environmental Quality
Form PI-1 General Application for
Air Preconstruction Permit and Amendments**

IV. TYPE OF PERMIT ACTION REQUESTED (continued)	
H. Federal Operating Permit Requirements (30 TAC Chapter 122 Applicability) Is this facility located at a site required to obtain a federal operating permit under 30 TAC Chapter 122?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> To be Determined
1. Identify the requirements of 30 TAC Chapter 122 that will be triggered if this PI-1 application is approved. <input type="checkbox"/> FOP Significant Revision <input type="checkbox"/> FOP Minor <input type="checkbox"/> Application for an FOP Revision <input type="checkbox"/> Operational Flexibility/Off-Permit Notification <input type="checkbox"/> Streamlined Revision for GOP <input type="checkbox"/> To be determined <input type="checkbox"/> None	
2. Identify the type(s) of FOP(s) issued and/or FOP application(s) submitted/pending for the site (check all that apply)	
<input type="checkbox"/> SOP <input type="checkbox"/> GOP <input type="checkbox"/> GOP application/revision application: submitted or under APD review	
<input type="checkbox"/> SOP application/revision application: submitted or under APD review <input type="checkbox"/> N/A	
V. PERMIT FEE INFORMATION	
A. Fee paid for this application:	\$
1. Is a copy of the check or money order attached to the original submittal of this application?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
2. Is a Table 30 entitled, "Certification of estimated Capital Cost and Fee Verification," attached?	<input type="checkbox"/> YES <input type="checkbox"/> NO
VI. PUBLIC NOTICE APPLICABILITY	
A. Is this a new permit application?	<input type="checkbox"/> YES <input type="checkbox"/> NO
B. Is this an application for a major modification of a PSD, NA or 30 TAC § 112(g) permit?	<input type="checkbox"/> YES <input type="checkbox"/> NO
C. Is this a state permit amendment application?	<input type="checkbox"/> YES <input type="checkbox"/> NO
If "YES," answer C. 1. through C. 3.	
1. Is there any change in character of emissions in this application?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Is there a new air contaminant in this application?	<input type="checkbox"/> YES <input type="checkbox"/> NO
2. Do the facilities handle, load, unload, dry, manufacture, or process grain, seed, legumes, or vegetables fibers (agricultural facilities)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3. List the total annual emission increases associated with the application (<i>list all that apply</i>):	
Volatile Organic Compounds (VOC): _____ tpy	Particulate Matter (PM): _____ tpy
Sulfur Dioxide (SO ₂): _____ tpy	Lead (Pb): _____ tpy
Carbon Monoxide (CO): _____ tpy	Nitrogen oxides (NO _x): _____ tpy
Other air contaminants not listed above: _____ tpy	List: _____ tpy



**Texas Commission on Environmental Quality
Form PI-1 General Application for
Air Preconstruction Permit and Amendments**

VI. PUBLIC NOTICE APPLICABILITY <i>(continued)</i>			
D. Is this a change of location application?			<input type="checkbox"/> YES <input type="checkbox"/> NO
If "YES," answer D. 1. through D. 3.			
1. Is the new facility site located in or contiguous to the right-of-way of a public works project?			<input type="checkbox"/> YES <input type="checkbox"/> NO
2. Is there a permitted facility occupying the new site? If "YES," please list the permit number:			<input type="checkbox"/> YES <input type="checkbox"/> NO
3. Have portable facilities occupied the new site at any time in the last two years?			<input type="checkbox"/> YES <input type="checkbox"/> NO
VII. PUBLIC NOTICE INFORMATION <i>(complete if applicable)</i>			
A. Responsible Person:			
Name:		Title:	
Mailing Address:			
City:	State:	Zip Code:	
Telephone No.:	Fax No.:	E-mail Address:	
B. Technical Contact:			
Company Name:			
Name:		Title:	
Mailing Address:			
City:	State:	Zip Code:	
Telephone No.:	Fax No.:	E-mail Address:	
C. Application in Public Place:			
Name of Public Place:			
Physical Address:		City:	County:
The public place has granted authorization to place the application for public viewing and copying?			<input type="checkbox"/> YES <input type="checkbox"/> NO
D. Is a bilingual program required by the Texas Education Code in the School District?			<input type="checkbox"/> YES <input type="checkbox"/> NO
Are the children who attend either the elementary school or the middle school closest to your facility eligible to be enrolled in a bilingual program provided by the district?			<input type="checkbox"/> YES <input type="checkbox"/> NO
If yes, which language is required by the bilingual program?			<input type="checkbox"/> YES <input type="checkbox"/> NO



**Texas Commission on Environmental Quality
Form PI-1 General Application for
Air Preconstruction Permit and Amendments**

VIII. SMALL BUSINESS CLASSIFICATION <i>(required)</i>	
A. Does this company (including parent companies and subsidiary companies) have fewer than 100 employees or less than \$6 million in annual gross receipts?	<input type="checkbox"/> YES <input type="checkbox"/> NO
B. Is the site a major source under 30 TAC Chapter 122, Federal Operating Permit Program?	<input type="checkbox"/> YES <input type="checkbox"/> NO
C. Are the site emissions of any individual air contaminant greater than 50 tpy?	<input type="checkbox"/> YES <input type="checkbox"/> NO
D. Are the site emissions of all air contaminants combined greater than 75 tpy?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IX. TECHNICAL INFORMATION	
A. Is a current area map attached?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Are any schools located within 3,000 feet of this facility?	<input type="checkbox"/> YES <input type="checkbox"/> NO
B. Is a plot plan of the plant property attached?	<input type="checkbox"/> YES <input type="checkbox"/> NO
C. Is a process flow diagram and a process description attached?	<input type="checkbox"/> YES <input type="checkbox"/> NO
D. Maximum Operating Schedule: _____ Hours/Day _____ Days/Week _____ Weeks/Year _____	
Seasonal Operation? If "YES," please describe	<input type="checkbox"/> YES <input type="checkbox"/> NO
E. Are worst-case emissions data and calculations attached?	<input type="checkbox"/> YES <input type="checkbox"/> NO
1. Is a Table 1(a) entitled, "Emission Point Summary Table," attached?	<input type="checkbox"/> YES <input type="checkbox"/> NO
2. Is a Table 2 entitled, "Material Balance Table," attached?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3. Are equipment, process, or control device tables attached?	<input type="checkbox"/> YES <input type="checkbox"/> NO
F. Are actual emissions for the last two years (determination federal applicability) attached?	<input type="checkbox"/> YES <input type="checkbox"/> NO
X. STATE REGULATORY REQUIREMENTS <i>Applicants must be in compliance with all applicable state regulations to obtain a permit or amendment.</i>	
A. The emissions from the proposed facility will comply with all rules and regulations of the TCEQ and details are attached?	<input type="checkbox"/> YES <input type="checkbox"/> NO
B. The proposed facility will be able to measure emissions of significant air contaminants and details are attached?	<input type="checkbox"/> YES <input type="checkbox"/> NO
C. A demonstration of Best Available Control Technology (BACT) is attached?	<input type="checkbox"/> YES <input type="checkbox"/> NO
D. The proposed facilities will achieve the performance in the permit application and compliance demonstration or record keeping information is attached?	<input type="checkbox"/> YES <input type="checkbox"/> NO
E. Is atmospheric dispersion modeling attached?	<input type="checkbox"/> YES <input type="checkbox"/> NO



**Texas Commission on Environmental Quality
Form PI-1 General Application for
Air Preconstruction Permit and Amendments**

X. STATE REGULATORY REQUIREMENTS (continued) <i>Applicants must be in compliance with all applicable state regulations to obtain a permit or amendment.</i>	
F. Does this application involve any air contaminants for which a “disaster review” is required? If “YES,” details must be attached.	<input type="checkbox"/> YES <input type="checkbox"/> NO
<i>Note: For a list of air contaminants for which a “disaster review” will be required, refer to the NSRPD Disaster Review Guidance Document at www.tceq.state.tx.us/permitting/air/rules/federal/63/63hmpg.html.</i>	
G. Is this facility or group of facilities located at a site within an Air Pollutant Watch List (APWL) area? If “YES,” answer G. 1. through G. 3.	<input type="checkbox"/> YES <input type="checkbox"/> NO
1. List the APWL Site Number	
2. Does the site emit a pollutant of concern for the APWL area in which the site is located?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3. If “YES,” list the pollutant(s) of concern emitted by this site:	
H. Is this facility or group of facilities located at a site within the Houston/Galveston nonattainment area? (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, or Waller Counties)	<input type="checkbox"/> YES <input type="checkbox"/> NO
1. Does the facility or group of facilities located at this site have an uncontrolled design capacity to emit 10 tpy or more of NO _x ?	<input type="checkbox"/> YES <input type="checkbox"/> NO
2. Is this site subject to 30 TAC Chapter 101, Subchapter H, Division 3 (Mass Emissions Cap and Trade)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3. Does this action make the site subject to 30 TAC Chapter 101, Subchapter H, Division 3 (Mass Emissions Cap and Trade)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
4. Does this action require the site to obtain additional emission allowances?	<input type="checkbox"/> YES <input type="checkbox"/> NO
XI. FEDERAL REGULATORY REQUIREMENTS <i>Applicants must be in compliance with all applicable federal regulations to obtain a permit or amendment. If any of the following questions is answered “YES, the application must contain detailed attachments addressing applicability, identify federal regulation Subparts, show how requirements are met, and include compliance information.</i>	
A. Does a Title 40 Code of Federal Regulations Part 60, (40 CFR Part 60) New Source Performance Standard (NSPS) apply to a facility in this application?	<input type="checkbox"/> YES <input type="checkbox"/> NO
B. Does 40 CFR Part 61, National Emissions Standard for Hazardous Air Pollutants (NESHAP) apply to a facility in this application?	<input type="checkbox"/> YES <input type="checkbox"/> NO
C. Does a 40 CFR Part 63, Maximum Achievable Control Technology (MACT) standard apply to a facility in this application?	<input type="checkbox"/> YES <input type="checkbox"/> NO
D. Does nonattainment permitting requirements apply to this application?	<input type="checkbox"/> YES <input type="checkbox"/> NO
E. Does prevention of significant deterioration permitting requirements apply to this application?	<input type="checkbox"/> YES <input type="checkbox"/> NO
F. Does Hazardous Air Pollutant Major Source [FAA § 112(g)] requirements apply to this application?	<input type="checkbox"/> YES <input type="checkbox"/> NO
XII. COPIES OF THIS APPLICATION	
A. Has the required fee been sent separately with a copy of this Form PI-1 to the TCEQ Revenue Section? (MC 214, P.O. Box 13088, Austin, Texas 78711).	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA



**Texas Commission on Environmental Quality
Form PI-1 General Application for
Air Preconstruction Permit and Amendments**

XII. COPIES OF THIS APPLICATION (continued)	
B. Are the Core Data Form, Form PI-1, and all attachments being sent to the TCEQ in Austin?	<input type="checkbox"/> YES <input type="checkbox"/> NO
OPTIONAL: Has an extra copy of the Core Data Form, Form PI-1 and all attachments been sent to the TCEQ in Austin? If "YES," please mark this application as "COPY."	<input type="checkbox"/> YES <input type="checkbox"/> NO
C. Is a copy of the Core Data Form, the Form PI-1, and all attachments being sent to the appropriate TCEQ regional office	<input type="checkbox"/> YES <input type="checkbox"/> NO
D. Is a copy of the Core Data Form, the Form PI-1, and all attachments being sent to each appropriate local air pollution control program(s)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
List all local air pollution control program(s):	
E. Is a copy of the Core Data Form, Form PI-1, and all attachments (without confidential information) being sent to the EPA Region 6 office in Dallas, Texas? (federal applications only)	<input type="checkbox"/> YES <input type="checkbox"/> NO
F. This facility is located within 100 kilometers of the Rio Grande River and a copy of the application was sent to the International Boundary Water Commission (IBWC):	<input type="checkbox"/> YES <input type="checkbox"/> NO
G. This facility is located within 100 kilometers of a federally-designated Class I area and a copy of the application was sent to the appropriate Federal Land Manager:	<input type="checkbox"/> YES <input type="checkbox"/> NO
XIII. PROFESSIONAL ENGINEER (P.E.) SEAL	
Is the estimated capital cost of the project greater than \$2 million dollars? If "YES," the application must be submitted under the seal of a Texas licensed Professional Engineer (P.E.).	<input type="checkbox"/> YES <input type="checkbox"/> NO
XIV. DELINQUENT FEES AND PENALTIES	
Notice: This form will not be processed until all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the "Delinquent Fee and Penalty Protocol." For more information regarding Delinquent Fees and Penalties, go to the TCEQ Web site at: www.tceq.state.tx.us/agency/delin/index.html .	
XV. SIGNATURE	
The signature below confirms that I have knowledge of the facts included in this application and that these facts are true and correct to the best of my knowledge and belief. I further state that to the best of my knowledge and belief, the project for which application is made will not in any way violate any provision of the Texas Water Code (TWC), Chapter 7, Texas Clean Air Act (TCAA), as amended, or any of the air quality rules and regulations of the Texas Commission on Environmental Quality or any local governmental ordinance or resolution enacted pursuant to the TCAA. I further state that I understand my signature indicates that this application meets all applicable nonattainment, prevention of significant deterioration, or major source of hazardous air pollutant permitting requirements. I further state that I have read and understand TWC §§ 7.177-7.183, which defines <u>CRIMINAL OFFENSES</u> for certain violations, including intentionally or knowingly making or causing to be made false material statements or representations in this application, and TWC § 7.187, pertaining to <u>CRIMINAL PENALTIES</u> .	
NAME: _____ SIGNATURE: _____ DATE: _____	
Original Signature Required	