

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Federal Operating Permit Reviewers
Air Permits Division

Date: July 17, 2006

From: Richard A. Hyde, P.E., Director
Air Permits Division

Subject: Review of Applicable Requirements During Federal Operating Permit Revisions

To maintain data integrity in the Air Permits Division Information Management System (IMS), the following procedure is adopted with immediate effect:

A complete review of all applicable requirements for the emission unit/group will be performed by permit reviewers when a permit application is received to revise a particular regulatory requirement for that emission source. During this review, if it is determined that applicable requirements other than the requested revision have also changed for the emission source under consideration, the permit will be updated to include the latest applicable requirements for all regulations. The permit reviewer will incorporate such additional updates to the permit if the Decision Support System and Requirements Reference Tables are available in the IMS to identify the detailed regulatory citations in the permit.

This decision to review all the applicable requirements for an emission source may result in the need to request additional information from the applicant. If additional information is required, the permit reviewer will notify the applicant of such deficiencies and additional changes incorporated in the permit. The permit reviewer will ensure that the revisions are processed in the IMS and documented in the permit's Statement of Basis and Technical Summary.

Example: An applicant submits a minor revision to incorporate the latest applicable requirements to a storage tank in response to regulatory changes to 30 Texas Administrative Code (TAC) Chapter 115, Subchapter B, Division 1, pertaining to Storage of Volatile Organic Compounds. In this case, the permit reviewer will incorporate the revised applicable requirements of 30 TAC Chapter 115, Subchapter B and also check whether the storage tank is subject to other air regulations. If the storage tank is subject to another regulation, for example, 40 Code of Federal Regulations Part 63 Subpart G, the permit reviewer will review the Subpart G requirements for the emission source under consideration and ensure that the latest applicable requirements are included in the revised permit. If this expanded review results in the permit reviewer's determination that additional monitoring (for example, Periodic Monitoring) is needed, then such monitoring will also be added to the permit during the revision and necessary supporting information to identify such additional monitoring will be sought from the permit holder. In some cases, the new IMS engine run may result in "hollow solution sets" in place of existing detailed regulatory citations in the permit. Such a potential situation could arise if existing unit-attribute information in the IMS is insufficient to identify the applicable requirements due to changes in the regulation. In such a case, the permit reviewer will seek additional information from the permit holder to identify the applicable requirements for the process unit/emission unit.

If you have any questions on this issue, please contact Tanveer Anjum at (512) 239-1129.