

## Municipal Solid Waste Landfill General Operating Permit

### (a) Qualification Criteria

A site and the individual emission units located at a site may be authorized to operate under this general operating permit (GOP) provided that:

- (1) Sites and emission units authorized by any case-by-case New Source Review (NSR) permits under Title 30 Texas Administrative Code (30 TAC) Chapter 116 (Control of Air Pollution by Permits for New Construction or Modification) shall not be authorized under this GOP.
- (2) At the time of application submittal, the site and each emission unit located at the site are in compliance with all applicable requirements.
- (3) Emission units that are authorized to operate under this GOP shall not use an alternative means of compliance which must be approved by the executive director of the Texas Commission on Environmental Quality (TCEQ) or the administrator of the United States Environmental Protection Agency (EPA), unless otherwise stated in the GOP.
- (4) Boilers and steam generators which are authorized to operate under this GOP shall:
  - (A) not equal or exceed 100 million British thermal units per hour (MMBtu/hr) rated capacity;
  - (B) fire only natural gas or landfill gas; and
  - (C) not supply more than one-third of its potential electric output capacity and more than 25 megawatts electrical output to any utility power distribution system for sale.
- (5) Stationary gas turbines which are authorized to operate under this GOP shall:
  - (A) only be fired with liquid or gaseous renewable non-fossil fuels if the turbine is an electric utility turbine as defined in 40 CFR Part 60, Subpart GG (Standards of Performance for Stationary Gas Turbines); and
  - (B) only be fired with natural gas or liquid or gaseous renewable non-fossil fuels if the turbine is not an electric utility turbine as defined in 40 CFR Part 60, Subpart GG.
- (6) Electric generating facilities that supply electric power to the grid authorized to operate under this GOP shall only be fired with liquid or gaseous renewable non-fossil fuel.

### (b) Site-wide Requirements

- (1) The permit holder shall comply with the requirements relating to GOPs, which are contained in 30 TAC Chapter 122 (Federal Operating Permits Program).
- (2) The permit holder shall comply with all terms and conditions relating to GOPs contained in 30 TAC § 122.143 (General Terms and Conditions), 30 TAC § 122.144 (Recordkeeping Terms and Conditions), and 30 TAC § 122.145 (Reporting Terms and Conditions).
- (3) The permit holder shall certify compliance in accordance with 30 TAC § 122.146 (Compliance Certification Terms and Conditions). The permit holder shall comply with 30 TAC § 122.146 using at a minimum, but not limited to, the continuous or intermittent compliance method data from monitoring, recordkeeping, reporting, or testing required

by the permit and any other credible evidence or information. The certification period may not exceed 12 months and the certification must be submitted within 30 days after the end of the period being certified.

- (4) If the holder of an authorization to operate (ATO) under this permit chooses to demonstrate that the ATO is no longer required, a written request to void the ATO shall be submitted to the TCEQ by the Responsible Official (RO) in accordance with 30 TAC § 122.161(e) (Miscellaneous). The holder of an ATO shall comply with this permit's requirements, including compliance certification and deviation reporting, until notified by the TCEQ that the ATO is voided.
- (5) All reports required by this permit must include in the submittal a cover letter which identifies the following information: company name, TCEQ regulated entity number, air account number (if assigned), site name, area name (if applicable), and Air Permits Division permit number(s).
- (6) Emission units authorized to operate under this GOP shall have all applicable requirements codified in this GOP. For new applicable requirements or state-only requirements affecting units authorized to operate under this GOP as a result of changes at the site, the permit holder shall comply with 30 TAC § 122.503 (Application Revisions for Changes at a Site). For new applicable requirements or state-only requirements affecting units authorized to operate under this GOP, the permit holder shall comply with 30 TAC § 122.504 (Application Revisions When an Applicable Requirement or State-Only Requirement is Promulgated or Adopted or a General Operating Permit is Revised or Rescinded).
- (7) A citation listed in the tables of GOP 517(c), which has a notation [G] listed before it, shall include all subordinate sections, subsections, paragraphs, subparagraphs, clauses, subclauses, items, and subitems contained within the referenced citation as applicable requirements.
- (8) The following requirements concerning NSR authorizations shall apply.
  - (A) The permit holder shall comply with 30 TAC Chapter 116 by obtaining an NSR authorization prior to new construction or modification of emission units located in the area covered by this GOP.
  - (B) The permit holder shall comply with the requirements of NSR authorizations issued or claimed by the permit holder for the emission units located in the permitted area that are identified in the GOP.
  - (C) The permit holder shall comply with the following requirements of Permits by Rule (PBR), as applicable:
    - (i) 30 TAC § 106.4 (Requirements for Permitting by Rule);
    - (ii) 30 TAC § 106.8 (Recordkeeping); and
    - (iii) 30 TAC § 106.13 (References to Standard Exemptions and Exemptions from Permitting).
  - (D) The permit holder shall comply with the following requirements of PBRs, including previous versions, standard exemptions and exemptions from permitting, as applicable:
    - (i) 30 TAC § 106.102 (Comfort Heating);
    - (ii) 30 TAC § 106.142 (Rock Crushers);

- (iii) 30 TAC §106.148 (Material Unloading);
- (iv) 30 TAC § 106.181 (Used-Oil Combustion Units);
- (v) 30 TAC § 106.183 (Boilers, Heaters, and Other Combustion Devices);
- (vi) 30 TAC § 106.227 (Soldering, Brazing, Welding);
- (vii) 30 TAC §106.244 (Ovens, Barbecue Pits, and Cookers);
- (viii) 30 TAC § 106.261 (Facilities (Emission Limitations));
- (ix) 30 TAC § 106.262 (Facilities (Emission and Distance Limitations));
- (x) 30 TAC § 106.263 (Routine Maintenance, Start-up and Shutdown of Facilities, and Temporary Maintenance Facilities);
- (xi) 30 TAC §106.264 (Replacements of Facilities);
- (xii) 30 TAC §106.265 (Hand-held and Manually Operated Machines);
- (xiii) 30 TAC §106.266 (Vacuum Cleaning Systems)
- (xiv) 30 TAC § 106.411 (Steam or Dry Cleaning Equipment);
- (xv) 30 TAC § 106.412 (Fuel Dispensing);
- (xvi) 30 TAC § 106.433 (Surface Coat Facility);
- (xvii) 30 TAC § 106.436 (Auto Body Refinishing Facility);
- (xviii) 30 TAC § 106.451 (Wet Blast Cleaning)
- (xix) 30 TAC § 106.452 (Dry Abrasive Cleaning);
- (xx) 30 TAC § 106.454 (Degreasing Units);
- (xxi) 30 TAC § 106.472 (Organic and Inorganic Liquid Loading and Unloading);
- (xxii) 30 TAC § 106.473 (Organic Liquid Loading and Unloading);
- (xxiii) 30 TAC § 106.476 (Pressurized Tanks or Tanks Vented to Control);
- (xxiv) 30 TAC § 106.478 (Storage Tank and Change of Service);
- (xxv) 30 TAC § 106.491 (Dual-Chamber Incinerators);
- (xxvi) 30 TAC § 106.492 (Flares);
- (xxvii) 30 TAC § 106.496 (Air Curtain Incinerators);
- (xxviii) 30 TAC §106.511 (Portable and Emergency Engines and Turbines);
- (xxix) 30 TAC § 106.512 (Stationary Engines and Turbines);
- (xxx) 30 TAC § 106.533 (Remediation); and
- (xxxi) 30 TAC § 106.534 (Municipal Solid Waste Landfills and Transfer Stations).

(E) Based on the information contained in the registration application, the permit holder shall comply with the following requirements of Air Quality Standard Permits, as applicable:

- (i) 30 TAC § 116.611 (Registration to use a Standard Permit); and
- (ii) 30 TAC § 116.615 (General Conditions).

- (F) Based on the information contained in the registration application, the permit holder shall comply with the following requirements of Air Quality Standard Permits, including previous versions, as applicable:
- (i) Air Quality Standard Permit for Air Quality Pollution Control Projects;
  - (ii) 30 TAC §116.617 (State Pollution Control Project Standard Permit);
  - (iii) Air Quality Standard Permit for Temporary Rock and Concrete Crushers;
  - (iv) Air Quality Standard Permit for Electric Generating Units;
  - (v) Air Quality Standard Permit for Boilers; and
  - (vi) 30 TAC Chapter 330, Subchapter U (Standard Air Permits for Municipal Solid Waste Landfill Facilities and Transfer Stations).
- (G) The permit holder shall maintain records to demonstrate compliance with any emission limitation or standard that is specified in a PBR or Standard Permit listed in the application. The records shall yield reliable data from the relevant time period that are representative of the emission unit's compliance with the PBR or Standard Permit. These records may include, but are not limited to, production capacity and throughput, hours of operation, safety data sheets (SDSs), chemical composition of raw materials, speciation of air contaminant data, engineering calculations, maintenance records, fugitive data, performance tests, capture/control device efficiencies, direct pollutant monitoring (continuous emission monitoring system (CEMS), continuous opacity-monitoring system (COMS), or predictive emission monitoring system (PEMS)), or control device parametric monitoring. These records shall be made readily accessible and available as required by 30 TAC § 122.144.
- (i) If applicable, monitoring of control device performance or general work practice standards shall be made in accordance with the Periodic Monitoring Tables included in this permit.
  - (ii) Any monitoring or recordkeeping data indicating noncompliance with the PBR or Standard Permit shall be considered and reported as a deviation according to 30 TAC § 122.145.
- (9) The permit holder shall comply with the following requirements of 30 TAC Chapter 111 (Control of Air Pollution from Visible Emissions and Particulate Matter).
- (A) Visible emissions from stationary vents with a flow rate of less than 100,000 actual cubic feet per minute, that are not identified in the application for 30 TAC Chapter 111, Subchapter A, Division 1 (Visible Emissions) shall not exceed 20% opacity averaged over a six-minute period. The permit holder shall comply with the following requirements for stationary vents at the site subject to this standard:
- (i) 30 TAC § 111.111(a)(1)(B) (Requirements for Specified Sources);
  - (ii) 30 TAC § 111.111(a)(1)(E);
  - (iii) 30 TAC § 111.111(a)(1)(F)(i), (ii), (iii), or (iv); and
  - (iv) for emission units with vent emissions subject to 30 TAC § 111.111(a)(1)(B), complying with 30 TAC § 111.111(a)(1)(F)(ii), (iii), or (iv), and capable of producing visible emissions from, but not limited

to, particulate matter, acid gases, and nitrogen oxides (NO<sub>x</sub>), the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146. These periodic monitoring requirements do not apply to vents that do not emit visible emissions such as vents that emit only VOC or individual vents identified in the application that provide passive ventilation, such as plumbing vents; or vents that are subject to the emission limitation of 30 TAC § 111.111(a)(1)(B) and the periodic monitoring requirements have been selected from section (g), the “Periodic Monitoring Option Tables.”

- (a) An observation of stationary vents from emission units in operation shall be conducted at least once during each calendar quarter unless the emission unit is not operating for the entire quarter.
- (b) For stationary vents from a combustion source, if an alternative to the normally fired fuel is fired for a period greater than or equal to 24 consecutive hours, the permit holder shall conduct an observation of the stationary vent for each such period to determine if visible emissions are present. If such period is greater than 3 months, observations shall be conducted once during each quarter. Supplementing the normally fired fuel with natural gas or fuel gas to increase the net heating value to the minimum required value does not constitute creation of an alternative fuel.
- (c) Records of all observations shall be maintained.
- (d) Visible emissions observations of emission units operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of emission units operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions observations shall be made during times when the activities described in 30 TAC § 111.111(a)(1)(E) are not taking place. Visible emissions shall be determined with each stationary vent in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 miles, away from each stationary vent during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer’s eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.
- (e) Compliance certification.

- a. If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(1) and (a)(1)(B).
  - b. However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(1)(F) as soon as practicable, but no later than 24 hours after observing visible emissions to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.
  - c. Some vents may be subject to multiple visible emission or monitoring requirements. All credible data must be considered when certifying compliance with this requirement even if the observation or monitoring was performed to demonstrate compliance with a different requirement.
- (B) For visible emissions from a building, enclosed facility, or other structure; the permit holder shall comply with the following requirements:
- (i) 30 TAC § 111.111(a)(7)(A);
  - (ii) 30 TAC § 111.111(a)(7)(B)(i) or (ii); and
  - (iii) For a building containing an air emission source, enclosed facility, or other structure containing or associated with an air emission source subject to 30 TAC § 111.111(a)(7)(A), complying with 30 TAC § 111.111(a)(7)(B)(i) or (ii), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO<sub>x</sub>, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146.
    - (a) An observation of visible emissions from a building containing an air emission source, enclosed facility, or other structure containing or associated with an air emission source which is required to comply with 30 TAC § 111.111(a)(7)(A) shall be conducted at least once during each calendar quarter unless the air emission source or enclosed facility is not operating for the entire quarter.
    - (b) Records of all observations shall be maintained.

- (c) Visible emissions observations of air emission sources or enclosed facilities operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of air emission sources or enclosed facilities operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions shall be determined with each emissions outlet in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 miles, away from each emissions outlet during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.
- (d) Compliance certification.
  - a. If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(7) and (a)(7)(A).
  - b. However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(7)(B) as soon as practicable, but no later than 24 hours after observing visible emissions to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.
- (C) For visible emissions from all other sources not specified in 30 TAC § 111.111(a)(1), (4), or (7); the permit holder shall comply with the following requirements:
  - (i) 30 TAC § 111.111(a)(8)(A);
  - (ii) 30 TAC § 111.111(a)(8)(B)(i) or (ii); and

- (iii) for a source subject to 30 TAC § 111.111(a)(8)(A), complying with 30 TAC § 111.111(a)(8)(B)(i) or (ii), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO<sub>x</sub>, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146.
- (a) An observation of visible emissions from a source which is required to comply with 30 TAC § 111.111(a)(8)(A) shall be conducted at least once during each calendar quarter unless the source is not operating for the entire quarter.
  - (b) Records of all observations shall be maintained.
  - (c) Visible emissions observations of sources operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of sources operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions shall be determined with each source in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 miles, away from each source during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.
  - (d) Compliance certification.
    - a. If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(8) and (a)(8)(A).
    - b. However, if visible emissions are present during the observation the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(8)(B) as soon as practicable, but no later than 24 hours after observing visible emissions to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of



compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.

- (D) Certification of opacity readers determining opacities under Method 9 (as outlined in 40 CFR Part 60, Appendix A-4 (Test Methods 6 through 10B)) to comply with opacity monitoring requirements shall be accomplished by completing the Visible Emissions Evaluators Course, or approved agency equivalent, no more than 180 days before the opacity reading.
- (E) For emission units with contributions from uncombined water, the permit holder shall comply with the requirements of 30 TAC § 111.111(b).
- (F) For solid fuel heating devices, the permit holder shall comply with the requirements of 30 TAC § 111.111(c).
- (G) Permit holders for sites located in the City of El Paso, that portion of Harris County inside the loop formed by Beltway 8 and that area of Nueces County outlined in the Group II State Implementation Plan for Inhalable Particulate Matter that have materials handling, construction, roads, streets, alleys, and parking lots shall comply with the following requirements:
  - (i) 30 TAC § 111.143 (Materials Handling);
  - (ii) 30 TAC § 111.145 (Construction and Demolition);
  - (iii) 30 TAC § 111.147 (Roads, Streets, and Alleys); and
  - (iv) 30 TAC § 111.149 (Parking Lots).
- (H) Emission limits on nonagricultural processes, except for the steam generators specified in 30 TAC § 111.153 (Emissions Limits for Steam Generators), shall comply with the following requirements:
  - (i) emissions of particulate matter (PM) from any source may not exceed the allowable rates as required in 30 TAC § 111.151(a) (Allowable Emissions Limits);
  - (ii) sources with an effective stack height ( $h_e$ ) less than the standard effective stack height ( $H_e$ ), must reduce the allowable emission level by multiplying it by  $[h_e/H_e]^2$  as required in 30 TAC § 111.151(b); and
  - (iii) effective stack height shall be calculated by the equation specified in 30 TAC § 111.151(c).
- (I) The permit holder shall comply with the following requirements:
  - (i) Emissions of PM from a specific agricultural process affected by Texas Clean Air Act (TCAA) § 382.020 (Control of Emissions from Facilities that Handle Certain Agricultural Products) may not exceed the allowable emission rates required in 30 TAC § 111.171 (Emissions Limits Based on Process Weight Method), except as provided by 30 TAC § 111.173 (Emissions Limits Based on Alternate Method).
  - (ii) Under 30 TAC § 111.175 (Exemptions), specific agricultural processes affected by TCAA § 382.020 shall be exempt from 30 TAC § 111.111, 30 TAC § 111.141 (Geographic Areas of Application and Date of Compliance), 30 TAC § 111.143, 30 TAC § 111.145, 30 TAC

§ 111.147, 30 TAC § 111.149, 30 TAC § 111.151, and 30 TAC § 111.153.

- (J) Outdoor burning, as stated in 30 TAC § 111.201 (General Prohibition), shall not be authorized unless the following requirements are satisfied:
  - (i) 30 TAC § 111.205 (Exception for Fire Training);
  - (ii) 30 TAC § 111.207 (Exception for Fires Used for Recreation, Ceremony, Cooking, and Warmth);
  - (iii) 30 TAC § 111.209 (Exception for Disposal Fires);
  - (iv) 30 TAC § 111.211 (Exception for Prescribed Burn);
  - (v) 30 TAC § 111.213 (Exception for Hydrocarbon Burning);
  - (vi) 30 TAC § 111.215 (Executive Director Approval of Otherwise Prohibited Outdoor Burning);
  - (vii) 30 TAC § 111.217 (Requirements for Certified and Insured Prescribed Burn Managers);
  - (viii) 30 TAC § 111.219 (General Requirements for Allowable Outdoor Burning); and
  - (ix) 30 TAC § 111.221 (Responsibility for Consequences of Outdoor Burning).
- (10) For air curtain incinerators burning 100 percent wood waste, 100 percent clean lumber, 100 percent yard waste or 100 percent mixtures of wood waste, clean lumber and/or yard waste subject to 30 TAC Chapter 113, Subchapter D, Division 5 (Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction on or Before December 9, 2004), the permit holder shall comply with the following requirements:
  - (A) 30 TAC § 113.2352 (What are the emission limitations for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?);
  - (B) 30 TAC § 113.2353 (How must I monitor opacity for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?);
  - (C) 30 TAC § 113.2354 (What are the recordkeeping and reporting requirements for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?); and
  - (D) the permit holder shall comply with these requirements in accordance with 30 TAC § 113.2301 (When must I comply?).
- (11) The permit holder for a site having storage vessels maintaining a working pressure sufficient at all times to prevent any vapor or gas loss to the atmosphere as specified in 30 TAC Chapter 115, Subchapter B, Division 1 (Storage of Volatile Organic Compounds) shall comply with the following:
  - (A) for a site in the Beaumont/Port Arthur or El Paso ozone nonattainment area, the requirements of 30 TAC § 115.112(a)(1) (Control Requirements);
  - (B) for a site in Gregg, Nueces, or Victoria County, the requirements of 30 TAC § 115.112(b)(1);
  - (C) for a site in Aransas, Bexar, Calhoun, Matagorda, San Patricio, or Travis County

the requirements of 30 TAC § 115.112(c)(1); or

- (D) for a site in the Houston/Galveston/Brazoria or Dallas/Fort Worth ozone nonattainment area, the requirements of 30 TAC § 115.112(e)(1).
- (12) The permit holder shall comply with the following requirements of 30 TAC Chapter 115, Subchapter C, Division 2 (Filling of Gasoline Storage Vessels (Stage I) for Motor Vehicle Fuel Dispensing Facilities):
- (A) When filling stationary gasoline storage vessels (Stage I) for motor vehicle fuel dispensing facilities specified in 30 TAC Chapter 115, Subchapter C (Volatile Organic Compound Transfer Operations), the permit holder shall comply with the following requirements:
    - (i) 30 TAC § 115.221 (Emission Specifications);
    - (ii) 30 TAC § 115.222 (Control Requirements);
    - (iii) 30 TAC § 115.224(1) and (2) (Inspection Requirements);
    - (iv) 30 TAC § 115.225(1) - (3) (Testing Requirements);
    - (v) 30 TAC § 115.226 (Recordkeeping Requirements); and
    - (vi) 30 TAC § 115.227(3) and (4) (Exemptions).
  - (B) When filling stationary gasoline storage vessels (Stage I) for motor vehicle fuel dispensing facilities, constructed prior to November 15, 1992, with transfers to stationary storage tanks located at a facility which has dispensed no more than 10,000 gallons of gasoline in any calendar month after January 1, 1991, the permit holder shall comply with the following requirements specified in 30 TAC Chapter 115, Subchapter C:
    - (i) 30 TAC § 115.222(3) as it applies to liquid gasoline leaks;
    - (ii) 30 TAC § 115.222(7);
    - (iii) 30 TAC § 115.224(1) as it applies to liquid gasoline leaks; and
    - (iv) 30 TAC § 115.226(2)(B).
  - (C) When filling gasoline storage vessels with a nominal capacity greater than 1,000 gallons (Stage I) at motor vehicle fuel dispensing facilities, which have dispensed less than 125,000 gallons of gasoline in any calendar month after January 1, 1999, the permit holder shall comply with the following requirements specified in 30 TAC Chapter 115, Subchapter C:
    - (i) 30 TAC § 115.222(3) as it applies to liquid gasoline leaks;
    - (ii) 30 TAC § 115.222(7);
    - (iii) 30 TAC § 115.224(1) as it applies to liquid gasoline leaks; and
    - (iv) 30 TAC § 115.226(2)(B).
  - (D) When filling stationary gasoline storage containers with a nominal capacity less than or equal to 1,000 gallons at a Stage I motor vehicle fuel dispensing facility, the permit holder shall comply with the following requirements specified in 30 TAC Chapter 115, Subchapter C:
    - (i) 30 TAC § 115.222(3) as it applies to liquid gasoline leaks;
    - (ii) 30 TAC § 115.222(7); and

- (iii) 30 TAC § 115.224(1) as it applies to liquid gasoline leaks.
- (E) When filling gasoline storage vessels (Stage 1) for motor vehicle fuel dispensing facilities which has dispensed less than 125,000 gallons of gasoline in any calendar month after January 1, 1999, in the covered attainment counties (as defined in 30 TAC § 115.10 (Definitions)) other than Bexar, Comal, Guadalupe, Wilson, Bastrop, Caldwell, Hays, Travis, and Williamson the permit holder will comply with the following requirements in 30 TAC Chapter 115, Subchapter C:
  - (i) 30 TAC § 115.222(3) as it applies to gasoline leaks;
  - (ii) 30 TAC § 115.222(7);
  - (iii) 30 TAC § 115.224(1); and
  - (iv) 30 TAC § 115.226(2)(B).
- (F) When filling gasoline storage vessels (Stage 1) for motor vehicle fuel dispensing facilities which have dispensed no more than 25,000 gallons of gasoline in any calendar month after December 31, 2004, in Bexar, Comal, Guadalupe, Wilson, Bastrop, Caldwell, Hays, Travis, and Williamson counties, the permit holder will comply with the following requirements in 30 TAC Chapter 115, Subchapter C:
  - (i) 30 TAC § 115.222(3) as it applies to gasoline leaks;
  - (ii) 30 TAC § 115.222(7);
  - (iii) 30 TAC § 115.224(1); and
  - (iv) 30 TAC § 115.226(2)(B).
- (13) For filling of motor vehicle fuel tanks at motor vehicle fuel dispensing facilities constructed prior to May 12, 2012 specified in 30 TAC Chapter 115, Subchapter C, Division 4: Control of Vehicle Refueling Emissions (Stage II) at Motor Vehicle Fuel Dispensing Facilities, the permit holder shall comply with the following requirements:
  - (A) 30 TAC § 115.241 (Decommissioning of Stage II Vapor Recovery Equipment);
  - (B) 30 TAC § 115.242 (Control Requirements);
  - (C) 30 TAC § 115.244 (Inspection Requirements);
  - (D) 30 TAC § 115.245 (Testing Requirements); and
  - (E) 30 TAC § 115.246 (Recordkeeping Requirements).
- (14) For Control of Reid Vapor Pressure of Gasoline specified in 30 TAC Chapter 115, Subchapter C, Volatile Organic Compound Transfer Operations, the permit holder shall comply with the following requirements:
  - (A) 30 TAC § 115.252 (Control Requirements);
  - (B) 30 TAC § 115.255 (Approved Test Methods); and
  - (C) 30 TAC § 115.256 (Recordkeeping Requirements).
- (15) For Control of Reid Vapor Pressure of Gasoline at any stationary tank, reservoir, or other container used exclusively for the fueling of implements of agriculture, the permit holder shall comply with the following requirements specified in 30 TAC Chapter 115, Subchapter C:
  - (A) 30 TAC § 115.255; and

- (B) 30 TAC § 115.257(1) (Exemptions).
- (16) For the Control of Reid Vapor Pressure of Gasoline at a motor vehicle fuel dispensing facility, the permit holder shall comply with the following requirements specified in 30 TAC Chapter 115, Subchapter C:
  - (A) 30 TAC § 115.252;
  - (B) 30 TAC § 115.255; and
  - (C) 30 TAC § 115.257(2).
- (17) For Control of Reid Vapor Pressure of Gasoline at any tank, reservoir, storage vessel, or other stationary container with a nominal capacity of 500 gallons or less, the permit holder shall comply with the following requirements specified in 30 TAC Chapter 115, Subchapter C:
  - (A) 30 TAC § 115.255; and
  - (B) 30 TAC § 115.257(3).
- (18) For the degassing of all transport vessels with a nominal capacity of 8,000 gallons or more, the permit holder shall comply with the following 30 TAC Chapter 115, Subchapter F (Miscellaneous Industrial Sources), requirements:
  - (A) 30 TAC § 115.541(a) - (d) (Emission Specifications);
  - (B) 30 TAC § 115.542(a) and (a)(1), (a)(2), (a)(3) or (a)(4) (Control Requirements). Where the requirements of 30 TAC Chapter 115, Subchapter F contain multiple compliance options, the permit holder shall keep records of when each compliance option was used;
  - (C) 30 TAC § 115.542(b), (c), and (e);
  - (D) 30 TAC § 115.544(a)(1) and (a)(2) (Inspection, Monitoring, and Testing Requirements), for inspections;
  - (E) 30 TAC § 115.544(b), for monitoring;
  - (F) 30 TAC § 115.544(b)(1) and (b)(2), for monitoring of control devices;
  - (G) 30 TAC § 115.544(b)(2)(A) - (J), for monitoring (as appropriate to the control device);
  - (H) 30 TAC § 115.544(b)(3), (b)(4) and (b)(6), for VOC concentration or lower explosive limit threshold monitoring;
  - (I) 30 TAC § 115.544(c) and (c)(1) - (c)(3), for testing of control devices used to comply with 30 TAC § 115.542(a)(1);
  - (J) 30 TAC § 115.545(1) - (11) and (13) (Approved Test Methods);
  - (K) 30 TAC § 115.546(a), (a)(1), and (a)(3) (Recordkeeping and Notification Requirements), for recordkeeping;
  - (L) 30 TAC § 115.546(a)(2) and (a)(2)(A) - (J), for recordkeeping (as appropriate to the control device);
  - (M) 30 TAC § 115.546(a)(4), for recordkeeping of control efficiency demonstration required in § 115.544(c), and the results of any testing conducted in accordance with the provisions specified in §115.545;
  - (N) 30 TAC § 115.546(b), for notification; and

- (O) 30 TAC § 115.549(b) (Compliance Schedules).
- (19) The permit holder for a site that is a major source of NO<sub>x</sub> located in the Beaumont/Port Arthur area and subject to the requirements of 30 TAC Chapter 117, Subchapter B, Division 1 (Beaumont-Port Arthur Ozone Nonattainment Area Major Sources) shall comply with the initial control plan procedures as required in 30 TAC § 117.150 (Initial Control Plan Procedures).
- (20) The permit holder for a site that is a major source of NO<sub>x</sub> located in the or Houston/Galveston/Brazoria area and subject to the requirements of 30 TAC Chapter 117, Subchapter B, Division 3 (Houston-Galveston-Brazoria Ozone Nonattainment Area Major Sources) shall comply with the initial control plan procedures as required in 30 TAC § 117.350 (Initial Control Plan Procedures).
- (21) The permit holder for a site in the Beaumont/Port Arthur area and subject to the requirements of 30 TAC Chapter 117, Subchapter B, Division 1 shall comply with the compliance schedules and submit written notification to the executive director as required in 30 TAC § 117.9000 (Compliance Schedule for Beaumont-Port Arthur Ozone Nonattainment Area Major Sources).
- (22) The permit holder for a site in the Houston/Galveston/Brazoria area and subject to the requirements of 30 TAC Chapter 117, Subchapter B, Division 3 shall comply with the compliance schedules and submit written notification to the executive director as required in 30 TAC § 117.9020 (Compliance Schedule for Houston-Galveston-Brazoria Ozone Nonattainment Area Major Sources).
- (23) The permit holder for a site in the Dallas/Fort Worth area and subject to the requirements of 30 TAC Chapter 117, Subchapter B, Division 4 (Dallas-Fort Worth Eight-Hour Ozone Nonattainment Area Major Sources) shall comply with the compliance schedules and submit written notification to the executive director as required in 30 TAC § 117.9030(a) (Compliance Schedule for Dallas-Fort Worth Eight-Hour Ozone Nonattainment Area Major Sources).
- (24) For boilers, process heaters, and stationary reciprocating engines subject to the requirements of 30 TAC Chapter 117, Subchapter D, Division 1 (Houston-Galveston-Brazoria Ozone Nonattainment Area Minor Sources):
- (A) 30 TAC § 117.2010 (a), and (c) - (f) (Emission Specifications) for sources subject to mass emissions cap and trade under 30 TAC Chapter 101, Subchapter H (Emissions Banking and Trading);
  - (B) 30 TAC § 117.2010 (b), and (c) - (f) for sources not subject to mass emissions cap and trade under 30 TAC Chapter 101, Subchapter H;
  - (C) 30 TAC § 117.2030 (Operating Requirements);
  - (D) 30 TAC § 117.2035(a) - (g) (Monitoring, and Testing Requirements) and § 117.2045(a) - (c) (Recordkeeping and Reporting Requirements); and
  - (E) 30 TAC § 117.9200 (Compliance Schedule for Houston-Galveston-Brazoria Ozone Nonattainment Area Minor Sources).
- (25) For boilers, process heaters, and stationary reciprocating engines exempt from Subchapter D, Division 1 at minor sources of NO<sub>x</sub> under 30 TAC § 117.2003(a) (Exemptions), the permit holder shall comply with:
- (A) 30 TAC § 117.2030(c);

- (B) 30 TAC §117.2035(g);
  - (C) 30 TAC §117.2045(b); and
  - (D) 30 TAC § 117.2045(c).
- (26) For boilers and process heaters exempt from Subchapter D, Division 1 at minor sources of NO<sub>x</sub> under 30 TAC § 117.2003(b) (not subject to 30 TAC Chapter 101, Subchapter H), the permit holder shall comply with:
- (A) 30 TAC § 117.2035(a);
  - (B) 30 TAC § 117.2035(d); and
  - (C) 30 TAC § 117.2045(c).
- (27) For stationary reciprocating engines subject to 30 TAC Chapter 117, Subchapter D, Division 2 (Dallas-Fort Worth Eight-Hour Ozone Nonattainment Area Minor Sources) at minor sources of NO<sub>x</sub> the permit holder shall comply with:
- (A) 30 TAC § 117.2110(a) - (e) (Emission Specifications for Eight-Hour Attainment Demonstration);
  - (B) 30 TAC § 117.2130 (Operating Requirements);
  - (C) 30 TAC § 117.2135 (Monitoring, Notification, and Testing Requirements);
  - (D) 30 TAC § 117.2145 (Recordkeeping and Reporting Requirements); and
  - (E) 30 TAC § 117.9210 (Compliance Schedule for Dallas-Fort Worth Eight-Hour Ozone Nonattainment Area Minor Sources).
- (28) For stationary reciprocating engines exempt from Subchapter D, Division 2 at minor sources of NO<sub>x</sub> under 30 TAC § 117.2103 (Exemptions), the permit holder shall comply with:
- (A) 30 TAC § 117.2130(c);
  - (B) 30 TAC § 117.2135(e);
  - (C) 30 TAC § 117.2145(b); and
  - (D) 30 TAC § 117.2145 (c).
- (29) For any unit subject to any subpart of 40 CFR Part 60 (Standards of Performance for New Stationary Sources), the permit holder shall comply with the following requirements unless otherwise stated in the applicable subpart:
- (A) 40 CFR § 60.7 (Notification and Recordkeeping);
  - (B) 40 CFR § 60.8 (Performance Tests);
  - (C) 40 CFR § 60.11 (Compliance with Standards and Maintenance Requirements);
  - (D) 40 CFR § 60.12 (Circumvention);
  - (E) 40 CFR § 60.13 (Monitoring Requirements);
  - (F) 40 CFR § 60.14 (Modification);
  - (G) 40 CFR § 60.15 (Reconstruction); and
  - (H) 40 CFR § 60.19 (General Notification and Reporting Requirements).
- (30) For air curtain incinerators subject to 40 CFR Part 60, Subpart EEEE (Standards of

Performance for Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006), the permit holder shall comply with the following requirements:

- (A) 40 CFR § 60.2971(a), (a)(1), (a)(2) and (b) (What are the emission limitations for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?), for emission limitations;
  - (B) 40 CFR § 60.2972(a), (b), (c) and (d) (How must I monitor opacity for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?), for monitoring requirements;
  - (C) 40 CFR § 60.2973(b), (c) and (f) (What are the recordkeeping and reporting requirements for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?), for recordkeeping requirements; and
  - (D) 40 CFR § 60.2973(a)(1) - (3), (d) and (e), for reporting requirements.
- (31) For any unit subject to any 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants), the permit holder shall comply with the following requirements unless otherwise stated in the applicable subpart:
- (A) 40 CFR § 61.05 (Prohibited Activities);
  - (B) 40 CFR § 61.07 (Application for Approval of Construction or Modification);
  - (C) 40 CFR § 61.09 (Notification of Startup);
  - (D) 40 CFR § 61.10 (Source Reporting and for Waiver Request);
  - (E) 40 CFR § 61.12 (Compliance with Standards and Maintenance Requirements);
  - (F) 40 CFR § 61.13 (Emissions Tests and Waiver of Emission Tests);
  - (G) 40 CFR § 61.14 (Monitoring Requirements);
  - (H) 40 CFR § 61.15 (Modification); and
  - (I) 40 CFR § 61.19 (Circumvention).
- (32) The permit holder shall comply with the requirements of 30 TAC Chapter 113, Subchapter C, § 113.100 (General Provisions (40 Code of Federal Regulations Part 63, Subpart A)) for units subject to any subpart of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories), unless otherwise stated in the applicable subpart.
- (33) Emission units subject to 40 CFR Part 63, Subparts A, AAAA, YYYY, ZZZZ, and DDDDD (General Provisions; National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills; National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines; National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines; and National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, respectively) as identified in the application are subject to 30 TAC Chapter 113, Subchapter C, §§ 113.100, 113.840, 113.1080, 113.1090, and 113.1130 (General Provisions (40 Code of Federal Regulations Part 63, Subpart A); Municipal Solid Waste Landfills (40 Code of Federal Regulations Part 63, Subpart AAAA); Stationary Combustion Turbines (40 Code of Federal Regulations Part 63, Subpart YYYY); Reciprocating Internal Combustion



Engines (40 Code of Federal Regulations Part 63, Subpart ZZZZ), and Industrial, Commercial, and Institutional Boilers and Process Heaters Major Sources (40 Code of Federal Regulations Part 63, Subpart DDDDD), respectively), which incorporate the 40 CFR Part 63 Subparts by reference.

- (34) For each gasoline dispensing facility, with a throughput of less than 10,000 gallons per month as specified in 40 CFR Part 63, Subpart CCCCC (National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities), the permit holder shall comply with the following requirements (30 TAC Chapter 113, Subchapter C, § 113.1380 (Gasoline Dispensing Facilities Area Sources (40 Code of Federal Regulations Part 63, Subpart CCCCC)) incorporated by reference):
- (A) 40 CFR § 63.11111(e) (Am I subject to the requirements in this subpart?), for records of monthly throughput;
  - (B) 40 CFR § 63.11111(i), for compliance due to increase of throughput;
  - (C) 40 CFR § 63.11113(c) (When do I have to comply with this subpart?), for compliance due to increase of throughput;
  - (D) 40 CFR § 63.11115(a) (What are my general duties to minimize emissions?), for operation of the source;
  - (E) 40 CFR § 63.11116(a) and (a)(1) - (4) (Requirements for facilities with monthly throughput of less than 10,000 gallons of gasoline), for work practices;
  - (F) 40 CFR § 63.11116(b), for records availability;
  - (G) 40 CFR § 63.11116(d), for portable gasoline containers; and
  - (H) 40 CFR § 63.11120(d) (What testing and monitoring requirements must I meet?), for annual certification of gasoline cargo tanks.
- (35) The permit holder shall comply with certified registrations submitted to the TCEQ for purposes of establishing federally enforceable emission limits. A copy of the certified registration shall be maintained with the permit. Records sufficient to demonstrate compliance with the established limits shall be maintained. The certified registration and records demonstrating compliance shall be provided, on request, to representatives of the appropriate TCEQ regional office and any local air pollution control agency having jurisdiction over the site. The permit holder shall submit updated certified registrations when changes at the site require establishment of new emission limits. If changes result in emissions that do not remain below major source thresholds, the permit holder shall submit a revision application to codify the appropriate requirements in the permit.
- (36) For processes subject to 40 CFR Part 68 (Chemical Accident Prevention Provisions) and specified in 40 CFR § 68.10 (Applicability), the permit holder shall comply with the requirements of 40 CFR Part 68. The permit holder shall submit to the appropriate agency, either a compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR § 68.10(a), or as part of the compliance certification submitted under 30 TAC § 122.146, a certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of a risk management plan. This general provision is enforceable only by the EPA.
- (37) The permit holder for a site subject to Title VI of the Federal Clean Air Act (FCAA) Amendments shall meet the following requirements for protection of stratospheric ozone.

- (A) Any on site servicing, maintenance, and repair on refrigeration and non-motor vehicle air-conditioning appliances using ozone-depleting refrigerants or non-exempt substitutes shall be conducted in accordance with 40 CFR Part 82, Subpart F (Recycling and Emissions Reduction). Permit holders shall ensure that repairs on or refrigerant removal from refrigeration and non-motor vehicle air-conditioning appliances using ozone-depleting refrigerants are performed only by properly certified technicians using certified equipment. Records shall be maintained as required by 40 CFR Part 82, Subpart F.
- (B) Any on site servicing, maintenance, and repair of fleet vehicle air conditioning using ozone-depleting refrigerants shall be conducted in accordance with 40 CFR Part 82, Subpart B (Servicing of Motor Vehicle Air Conditioners). Permit holders shall ensure that repairs or refrigerant removals are performed only by properly certified technicians using certified equipment. Records shall be maintained as required by 40 CFR Part 82, Subpart B.
- (C) The permit holder shall comply with 40 CFR Part 82, Subpart A (Production and Consumption Controls) for controlling the production, transformation, destruction, export or import of a controlled (ozone-depleting) substance or product as specified in 40 CFR § 82.1 (Purpose and Scope) - § 82.24 (Recordkeeping and Reporting Requirements for Class II Controlled Substances) and the applicable Part 82 Appendices.
- (D) The permit holder shall comply with 40 CFR Part 82, Subpart C (Ban on Nonessential Products Containing Class I Substances and Ban on Nonessential Products Containing or Manufactured With Class II Substances) as specified in 40 CFR §§ 82.60 (Purpose) - 82.70 (Nonessential Class II Products and Exceptions) and the applicable Part 82 Appendices.
- (E) The permit holder shall comply with 40 CFR Part 82, Subpart D (Federal Procurement) related to the procurement requirements of Class I or Class II (ozone-depleting) substances or products containing those substances as specified in 40 CFR §§ 82.80 (Purpose and Scope) - 82.86 (Reporting Requirements) and the applicable Part 82 Appendices.
- (F) The permit holder shall comply with the following 40 CFR Part 82, Subpart E (The Labeling of Products Using Ozone-Depleting Substances) requirements for labeling products using ozone-depleting substances:
  - (i) 40 CFR § 82.100 (Purpose);
  - (ii) 40 CFR § 82.102 (a)(1) - (3), (b), and (c) (Applicability);
  - (iii) 40 CFR § 82.104 (Definitions);
  - (iv) 40 CFR §§ 82.106 (Warning Statement Requirements) - 82.112 (Removal of Label Bearing Warning Statement) relating to warning statements and labels;
  - (v) 40 CFR § 82.114 (Compliance by Manufacturers and Importers with Requirements for Labeling of Containers of Controlled Substances, or Products Containing Controlled Substances) relating to labeling containers of controlled [ozone-depleting] substances;
  - (vi) 40 CFR § 82.116 (Compliance by Manufacturers or Importers Incorporating Products Manufactured with Controlled Substances) relating to incorporation of products manufactured with controlled

- [ozone-depleting] substances;
  - (vii) 40 CFR § 82.118 (Compliance by Wholesalers, Distributors, and Retailers);
  - (viii) 40 CFR § 82.120 (Petitions);
  - (ix) 40 CFR § 82.122 (Certification, Recordkeeping, and Notice Requirements); and
  - (x) 40 CFR § 82.124 (Prohibitions).
- (G) The permit holder shall comply with 40 CFR Part 82, Subpart F related to the disposal requirements for appliances using Class I or Class II (ozone-depleting) substances or non-exempt substitutes as specified in 40 CFR §§ 82.150 (Purpose and scope) - 82.166 (Reporting and Recordkeeping Requirements for Leak Repair) and the applicable Part 82 Appendices.
- (H) The permit holder shall comply with 40 CFR Part 82, Subpart F related to the refrigerant reclamation requirements for appliances using Class I or Class II (ozone-depleting) substances or non-exempt substitutes as specified in 40 CFR §§ 82.150 - 82.166 and the applicable Part 82 Appendices.
- (I) The permit holder shall comply with 40 CFR Part 82, Subpart G (Significant New Alternatives Policy Program) related to the Significant New Alternative Policy Program as specified in 40 CFR §§ 82.170 (Purpose and Scope) - 82.184 (Petitions) and the applicable Part 82 Appendices.
- (J) The permit holder shall comply with 40 CFR Part 82, Subpart G related to the exemptions for Significant New Alternative Policy Program as specified in 40 CFR § 82.176(b)(1) (Applicability).
- (K) The permit holder shall comply with 40 CFR Part 82, Subpart H (Halon Emissions Reduction) requirements as specified in 40 CFR §§ 82.250 (Purpose and Scope) - 82.270 (Prohibitions) and the applicable Part 82 Appendices.
- (L) The permit holder shall comply with 40 CFR Part 82, Subpart A, § 82.13 (Recordkeeping and reporting requirements for Class I controlled substances) requirements for the production and consumption for Class I controlled substances.
- (38) For the purpose of generating emission reduction credits through 30 TAC Chapter 101, Subchapter H, Division 1 (Emission Credit Program), the permit holder shall comply with the following requirements:
- (A) 30 TAC § 101.302 (General Provisions);
  - (B) 30 TAC § 101.303 (Emission Reduction Credit Generation and Certification);
  - (C) 30 TAC § 101.304 (Mobile Emission Reduction Credit Generation and Certification);
  - (D) 30 TAC § 101.309 (Emission Credit Banking and Trading); and
  - (E) The terms and conditions by which the emission limits are established to generate the reduction credit are applicable requirements of this GOP.
- (39) The permit holder shall comply with the following 30 TAC Chapter 101, Subchapter H, Division 3 (Mass Emissions Cap and Trade Program) requirements:
- (A) 30 TAC § 101.352 (General Provisions);

- (B) 30 TAC § 101.353 (Allocation of Allowances);
  - (C) 30 TAC § 101.354 (Allowance Deductions);
  - (D) 30 TAC § 101.356 (Allowance Banking and Trading);
  - (E) 30 TAC § 101.359 (Reporting);
  - (F) 30 TAC § 101.360 (Level of Activity Certification); and
  - (G) The terms and conditions by which the emission limits are established to meet or exceed the cap are applicable requirements of this GOP.
- (40) For the purpose of generating discrete emission reduction credits through 30 TAC Chapter 101, Subchapter H, Division 4 (Discrete Emission Credit Program), the permit holder shall comply with the following requirements:
- (A) 30 TAC § 101.372 (General Provisions);
  - (B) 30 TAC § 101.373 (Discrete Emission Reduction Credit Generation and Certification);
  - (C) 30 TAC § 101.374 (Mobile Discrete Emission Reduction Credit Generation and Certification);
  - (D) 30 TAC § 101.378 (Discrete Emission Credit Banking and Trading); and
  - (E) The terms and conditions by which the emission limits are established to generate the discrete reduction credit are applicable requirements of this GOP.
- (41) The permit holder shall comply with the following requirements in order to use Emission Reduction Credits or Mobile Emission Reduction Credits (credits) to comply with the 30 TAC Chapter 115 (Control of Air Pollution from Volatile Organic Compounds) and 30 TAC Chapter 117 (Control of Air Pollution from Nitrogen Compounds) applicable requirements listed elsewhere in this GOP:
- (A) The credit must meet all the geographic, timeliness, applicable pollutant type, and availability requirements listed in 30 TAC Chapter 101, Subchapter H, Division 1;
  - (B) The permit holder must notify the TCEQ according to 30 TAC § 101.306(c) (Emission Credit Use);
  - (C) The executive director has approved the use of the credit according to 30 TAC § 101.306(c)(2);
  - (D) The permit holder keeps records of the use of credits towards compliance with the applicable requirements in accordance with 30 TAC § 101.302(i) and 30 TAC § 122.144;
  - (E) The permit holder meets the requirements of 30 TAC § 101.305 (Emission Reductions Achieved Outside the United States); and
  - (F) The permit holder is not or does not become subject to 30 TAC Chapter 101, Subchapter H, Division 3 for nitrogen oxide control requirements under 30 TAC Chapter 117.
- (42) The permit holder shall comply with the following requirements in order to use Discrete Emission Reduction Credits (credits) to comply with the 30 TAC Chapter 115 and 30 TAC Chapter 117 applicable requirements listed elsewhere in this GOP:
- (A) the credit must meet all the geographic, timeliness, applicable pollutant type, and availability requirements listed in 30 TAC Chapter 101, Subchapter H, Division 4;

- (B) the permit holder must notify the TCEQ according to 30 TAC § 101.376(d) (Discrete Emission Credit Use);
  - (C) the executive director has approved the use of the credit according to 30 TAC § 101.376(d)(1)(A);
  - (D) the permit holder keeps records of the use of credits towards compliance with the applicable requirements in accordance with 30 TAC § 101.372(h) and 30 TAC § 122.144;
  - (E) the permit holder meets the requirements of 30 TAC § 101.375 (Emission Reductions Achieved Outside the United States); and
  - (F) the permit holder is not or does not become subject to 30 TAC Chapter 101, Subchapter H, Division 3 for nitrogen oxide control requirements under 30 TAC Chapter 117.
- (43) The permit holder shall comply with the following sections of 30 TAC Chapter 101 (General Rules):
- (A) 30 TAC §101.1 (Definitions), insofar as the terms defined in this section are used to define the terms used in other applicable requirements;
  - (B) 30 TAC §101.3 (Circumvention);
  - (C) 30 TAC §101.8 (Sampling), if such action has been requested by the TCEQ;
  - (D) 30 TAC §101.9 (Sampling Ports), if such action has been requested by the TCEQ;
  - (E) 30 TAC §101.10 (Emissions Inventory Requirements);
  - (F) 30 TAC §101.201 (Emissions Event Reporting and Recordkeeping Requirements);
  - (G) 30 TAC §101.211 (Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements);
  - (H) 30 TAC §101.221 (Operational Requirements);
  - (I) 30 TAC §101.222 (Demonstrations); and
  - (J) 30 TAC §101.223 (Actions to Reduce Excessive Emissions).
- (44) The permit holder shall comply with the appropriate compliance assurance monitoring requirements selected from section (e), the “Compliance Assurance Monitoring Option Tables” no later than 180 days after the initial issuance of the authorization to operate under the GOP. In addition, the permit holder shall comply with the following:
- (A) The permit holder shall comply with the terms and conditions contained in 30 TAC § 122.147 (General Terms and Conditions for Compliance Assurance Monitoring).
  - (B) The permit holder shall report, consistent with the averaging time identified in the Form OP-MON, “Monitoring Requirements,” deviations as defined by the deviation limit in the Form OP-MON. Any monitoring data below a minimum limit or above a maximum limit, that is collected in accordance with the requirements specified in 40 CFR § 64.7(c) (Operation of Approved Monitoring), shall be reported as a deviation. Deviations shall be reported according to 30 TAC § 122.145.

- (C) The permit holder may elect to collect monitoring data on a more frequent basis and average the data, consistent with the averaging time specified in the Form OP-MON, for purposes of determining whether a deviation has occurred. However, the additional data points must be collected on a regular basis. In no event shall data be collected and used in particular instances in order to avoid reporting deviations. All monitoring data shall be collected in accordance with the requirements specified in 40 CFR § 64.7(c).
- (D) The permit holder shall comply with either of the following requirements for any particulate matter capture system associated with the control device subject to Compliance Assurance Monitoring (CAM). If the results of the following inspections indicate that the capture system is not working properly, the permit holder shall promptly take necessary corrective action:
  - (i) once per year the permit holder shall inspect any fan for proper operation and inspect the capture system used in compliance of CAM for cracks, holes, tears, and other defects; or
  - (ii) once per year, the permit holder shall inspect for fugitive emissions escaping from the capture system in compliance of CAM by performing a visible emissions observation for a period of at least six minutes in accordance with 40 CFR Part 60, Appendix A, Test Method 22 (Visual Determinations of Fugitive Emissions from Material Sources and Smoke Emissions from Flares).
- (E) The permit holder shall comply with either of the following requirements for any capture system associated with the VOC control device subject to CAM. If the results of the following inspections indicate that the capture system is not working properly, the permit holder shall promptly take necessary corrective actions:
  - (i) once a year the permit holder shall inspect the capture system in compliance of CAM for leaks in accordance with 40 CFR Part 60, Appendix A, Test Method 21 (Determination of volatile organic compound leaks). Leaks shall be indicated by an instrument reading greater than or equal to 500 ppm above background or as defined by the underlying applicable requirement; or
  - (ii) once a month, the permit holder shall conduct a visual, audible, and/or olfactory inspection of the capture system in compliance of CAM to detect leaking components.
- (F) The permit holder shall conduct a once a month visual, audible, and/or olfactory inspection of the capture system to detect leaking components for any capture system associated with the control device subject to CAM. If the results of the following inspections indicate that the capture system is not working properly, the permit holder shall promptly take necessary corrective actions.
- (G) The permit holder shall comply with either of the following requirements for any bypass of the control device subject to CAM. If the results of the following inspections or monitoring indicate bypass of the control device, the permit holder shall promptly take necessary corrective actions and report a deviation:
  - (i) install a flow indicator that is capable of recording flow, at least once every fifteen minutes, immediately downstream of each valve that if opened would allow a vent stream to bypass the control device and be

emitted, either directly or indirectly, to the atmosphere; or

- (ii) once a month, the permit holder shall inspect the valves checking the position of the valves and the condition of the car seals. Identify all times when the car seal has been broken and the valve position has been changed to allow a vent stream to bypass the control device and be emitted, either directly or indirectly, to the atmosphere.

- (H) The permit holder shall comply with the requirements of 40 CFR § 70.6(a)(3)(ii)(A) (Permit Content) and 30 TAC § 122.144(1)(A) - (F) for documentation of all required inspections.

- (45) The permit holder shall comply with the appropriate periodic monitoring requirements selected from section (g), the “Periodic Monitoring Option Tables” no later than 180 days after the issuance of the GOP. Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permit holder shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. The permit holder may elect to collect monitoring data on a more frequent basis and average the data, consistent with the averaging time specified in the Form OP-MON, for purposes of determining whether a deviation has occurred. However, the additional data points must be collected on a regular basis. In no event shall data be collected and used in particular instances to avoid reporting deviations. Deviations shall be reported according to 30 TAC § 122.145.

- (c) Permit Tables