Texas Natural Resource Conservation Commission

INTEROFFICE MEMORANDUM

To: Air Permits Technical Staff Date: February 22, 2000

From: John F. Steib, Jr., Director

Air Permits Division

Subject: Single Property Line Applicability

The Texas Natural Resource Conservation Commission Title 30 Texas Administrative Code § 101.2 (General Rules) allows two or more companies to agree to claim a single property line for consideration of their off-property impact. This designation is useful for situations where one company may be located within or around another company's property, as the attached example illustrates. The single property line designation allows state reviews of off-property impacts to begin at the boundary agreed to in the single property line petition. However, this state rule does not apply to federal impacts reviews such as Prevention of Significant Deterioration (PSD) National Ambient Air Quality Standards (NAAQS) and increment modeling demonstrations.

For PSD NAAQS and increment modeling purposes, the receptor grid must start at the boundary of the facility of the company seeking the permit or expanded authorization. This is the case even though the larger property line contained in the approved state single property line petition would be used for state impacts review. For federal reviews, federal regulations and policy designate that ambient air begins at the fence line, or other physical barrier to access by the public, not a property line. For situations where multiple companies have facilities within the boundaries of another company's property line, portions of the other company be considered to be off-property receptors, which would mean that the employees of the other company would be considered as the public.

The appropriate boundary to use for federal impacts review is addressed on a case-by-case basis. Factors such as common ownership and control, location of the facility within the larger property or boundary, and controlled access must be considered. In addition, for state impacts review senior management may require that emissions from all companies sharing a single property line be included in the impacts review depending on the constituent and the ambient levels monitored in the local area.

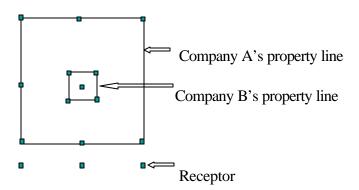
If you have any questions, please contact Mr. John Vermillion (512) 239-1292 or Mr. Dom Ruggeri (512) 239-1508.

Attachment

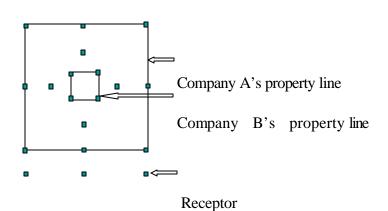
Impacts Review Example for a Company Located Within the Property of Another Company

Example 1 No Single Property Line Designation

For Company A permits, place receptors on Company B's property, and on Company A's property line and beyond, according to modeling guidelines.

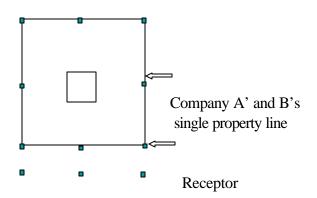


For Company B permits, place receptors on Company B's property line and beyond, according to modeling guidelines (including receptors on Company A's property).



Example 2
Single Property Line Designation

For Company A or Company B state permits, place receptors on Company A' and B's single property line and beyond, according to modeling guidelines.



For federal permits, place receptors as described in Example 1. Single property

line designations don't apply for federal permits.