

**Apr 2017**

**ENCHANTED ROCK SOLUTIONS, LLC  
00334 McAllen 01 Pecan/N Ware  
McAllen, TX**

**AIR QUALITY  
STANDARD PERMIT  
FOR ELECTRIC  
GENERATING UNITS  
APPLICATION**

**CN: 604376574**

**Prepared By:**

**Enchanted Rock Solutions, LLC**  
1907 Lawrence Road, Ste. 400  
Kemah, Texas 77565  
(713) 429-4091

**Project Number HEB00334**



6.2.3	40 CFR 63 – National Emission Standards for Hazardous Air Pollutants for Source Categories .....	73
7.0	MAPS .....	74

## **LIST OF FIGURES**

FIGURE 1: PROCESS FLOW DIAGRAM .....	16
FIGURE 2: AREA MAP.....	75
FIGURE 3: PLOT PLAN .....	76

## **LIST OF APPENDICES**

APPENDIX A – MANUFACTURER’S DATA SHEETS (CONFIDENTIAL INFORMATION SUBMITTED UNDER SEPARATE COVER)	
APPENDIX B – TABLE 29 (CONFIDENTIAL INFORMATION SUBMITTED UNDER SEPARATE COVER)	

## **1.0 INTRODUCTION**

## 6.0 INTRODUCTION

Enchanted Rock Solutions, LLC (Enchanted Rock) is proposing to build and operate an electric generating facility in McAllen, Hidalgo County, TX. The 00334 McAllen 01 Pecan/N Ware Plant (HEB00334) being proposed will serve as a backup power source for HEB and will produce and sell electricity to the grid during peak times. This standard permit registration is to authorize HEB00334 to produce and sell electricity from 3 natural gas powered spark ignition reciprocating engines operated year round. Enchanted Rock is submitting this application for an Air Quality Standard Permit for Electric Generating Units to authorize the construction of the proposed HEB00334 Plant.

The proposed HEB00334 Plant will be located in McAllen, Hidalgo County, TX at 3601 Pecan.

### 6.1 Standard Permit Registration Contact Information

The contact information for this Air Quality Standard Permit for Electric Generating Units Application will be:

Payson Tucker  
Partner  
Enchanted Rock Solutions, LLC  
1907 Lawrence Road, Suite 400  
Kemah, Texas 77565  
(713) 429-4091  
Email: [ptucker@erockhold.com](mailto:ptucker@erockhold.com)

Copies of all correspondence should be sent to:

Chris Marlais  
Manager – Air Quality  
Providence  
1200 W. Walnut Hill Lane, Suite 1000  
Irving, TX 75038  
Phone: (972) 550-9326 (office)  
Email: [chrismarlais@providenceeng.com](mailto:chrismarlais@providenceeng.com)

### 6.2 TCEQ Forms

This section contains the following TCEQ forms and tables required for a Standard permit application:

- **TCEQ CORE DATA Form**
- **TCEQ Form PI-1S**, Registrations for Air Standard Permit
- **Copy of Payment**



# TCEQ Core Data Form

TCEQ Use Only

For detailed instructions regarding completion of this form, please read the Core Data Form Instructions or call 512-239-5175.

## TCEQ SECTION I: General Information

<b>1. Reason for Submission</b> (If other is checked please describe in space provided)			
<input checked="" type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application)			
<input type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)		<input type="checkbox"/> Other	
<b>2. Attachments</b> Describe Any Attachments: (ex. Title V Application, Waste Transporter Application, etc.)			
<input type="checkbox"/> Yes <input type="checkbox"/> No			
<b>3. Customer Reference Number (if issued)</b>		<b>4. Regulated Entity Reference Number (if issued)</b>	
CN 604376574		RN	

## SECTION II: Customer Information

<b>5. Effective Date for Customer Information Updates (mm/dd/yyyy)</b>			
<b>6. Customer Role</b> (Proposed or Actual) – as it relates to the <u>Regulated Entity</u> listed on this form. Please check only <u>one</u> of the following:			
<input type="checkbox"/> Owner	<input type="checkbox"/> Operator	<input type="checkbox"/> Owner & Operator	
<input type="checkbox"/> Occupational Licensee	<input type="checkbox"/> Responsible Party	<input type="checkbox"/> Voluntary Cleanup Applicant	<input type="checkbox"/> Other: _____
<b>7. General Customer Information</b>			
<input type="checkbox"/> New Customer		<input type="checkbox"/> Update to Customer Information	
<input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State)		<input type="checkbox"/> Change in Regulated Entity Ownership	
<input type="checkbox"/> No Change**			
<b>**If "No Change" and Section I is complete, skip to Section III – Regulated Entity Information.</b>			
<b>8. Type of Customer:</b>			
<input type="checkbox"/> Corporation	<input type="checkbox"/> Individual	<input type="checkbox"/> Sole Proprietorship- D.B.A	
<input type="checkbox"/> City Government	<input type="checkbox"/> County Government	<input type="checkbox"/> Federal Government	<input type="checkbox"/> State Government
<input type="checkbox"/> Other Government	<input type="checkbox"/> General Partnership	<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Other: _____
<b>9. Customer Legal Name</b> (If an individual, print last name first: ex: Doe, John)			<b>End Date:</b>
_____			_____
<b>10. Mailing Address:</b>			
City	State	ZIP	ZIP + 4
_____	_____	_____	_____
<b>11. Country Mailing Information</b> (if outside USA)		<b>12. E-Mail Address</b> (if applicable)	
_____		_____	
<b>13. Telephone Number</b>		<b>14. Extension or Code</b>	
( ) -		_____	
		<b>15. Fax Number</b> (if applicable)	
		( ) -	
<b>16. Federal Tax ID</b> (9 digits)		<b>17. TX State Franchise Tax ID</b> (11 digits)	
_____		_____	
		<b>18. DUNS Number</b> (if applicable)	
		_____	
		<b>19. TX SOS Filing Number</b> (if applicable)	
		_____	
<b>20. Number of Employees</b>			<b>21. Independently Owned and Operated?</b>
<input type="checkbox"/> 0-20	<input type="checkbox"/> 21-100	<input type="checkbox"/> 101-250	<input type="checkbox"/> Yes
<input type="checkbox"/> 251-500	<input type="checkbox"/> 501 and higher	<input type="checkbox"/> No	

## SECTION III: Regulated Entity Information

<b>22. General Regulated Entity Information</b> (If 'New Regulated Entity' is selected below this form should be accompanied by a permit application)			
<input checked="" type="checkbox"/> New Regulated Entity <input type="checkbox"/> Update to Regulated Entity Name <input type="checkbox"/> Update to Regulated Entity Information <input type="checkbox"/> No Change** (See below)			
<b>**If "NO CHANGE" is checked and Section I is complete, skip to Section IV, Preparer Information.</b>			
<b>23. Regulated Entity Name</b> (name of the site where the regulated action is taking place)			
00334 McAllen 01 Pecan/N Ware			

24. Street Address of the Regulated Entity: (No P.O. Boxes)	3601 Pecan						
	City	McAllen	State	TX	ZIP	78501	ZIP + 4
25. Mailing Address:	1907 Lawrence Rd., Suite 400						
	City	Kemah	State	TX	ZIP	77565	ZIP + 4
26. E-Mail Address:	ptucker@erockhold.com						
27. Telephone Number	28. Extension or Code		29. Fax Number (if applicable)				
( 281 ) 407-9877			( ) -				
30. Primary SIC Code (4 digits)	31. Secondary SIC Code (4 digits)	32. Primary NAICS Code (5 or 6 digits)		33. Secondary NAICS Code (5 or 6 digits)			
1010		22111					
34. What is the Primary Business of this entity? (Please do not repeat the SIC or NAICS description.)							
Electric Generating Unit							

Questions 34 – 37 address geographic location. Please refer to the instructions for applicability.

35. Description to Physical Location:					
36. Nearest City	County		State		Nearest ZIP Code
37. Latitude (N) In Decimal:	38. Longitude (W) In Decimal:				
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form or the updates may not be made. If your Program is not listed, check other and write it in. See the Core Data Form instructions for additional guidance.

<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Industrial Hazardous Waste	<input type="checkbox"/> Municipal Solid Waste
<input checked="" type="checkbox"/> New Source Review – Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS	<input type="checkbox"/> Sludge
<input type="checkbox"/> Stormwater	<input type="checkbox"/> Title V – Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil	<input type="checkbox"/> Utilities
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

## SECTION IV: Preparer Information

40. Name:	Payson Tucker	41. Title:	Partner
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(281) 407-9877		( ) -	ptucker@erockhold.com

## SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 9 and/or as required for the updates to the ID numbers identified in field 39.

(See the Core Data Form instructions for more information on who should sign this form.)

Company:	Enchanted Rock Solutions, LLC	Job Title:	Partner
Name (In Print):	Payson Tucker	Phone:	( 281 ) 407-9877
Signature:		Date:	

**Texas Commission on Environmental Quality  
Form PI-1S  
Registrations for Air Standard Permit**

<b>I. Registrant Information</b>		
<b>A. Company or Other Legal Customer Name:</b>		
Enchanted Rock Solutions, LLC		
<b>B. Company Official Contact Information</b> ( <input checked="" type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Other:)		
Name: Payson Tucker		
Title: Partner		
Mailing Address: 1901 Lawrence Rd., Suite 400		
City: Kemah	State: TX	ZIP Code: 77565
Phone: 281-407-9877	Fax:	
E-mail Address: ptucker@erockhold.com		
<i>All permit correspondence will be sent via regular mail unless electronic copies are specifically requested. The company official must initial here if electronic correspondence is requested.</i>		
_____		
<b>C. Technical Contact Information</b> ( <input checked="" type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Other:)		
Name: Payson Tucker		
Title: Partner		
Company Name: Enchanted Rock Solutions, LLC		
Mailing Address: 1907 Lawrence Rd., Suite 400		
City: Kemah	State: TX	ZIP Code: 77565
Phone: 281-407-9877	Fax:	
E-mail Address: ptucker@erockhold.com		
<b>II. Facility and Site Information</b>		
<b>A. Name and Type of Facility</b>		
Facility Name: 00334 McAllen 01 Pecan/N Ware		
Type of Facility: Electric Generating Unit	<input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Temporary	
For portable units, please provide the serial number of the equipment being authorized below.		
Serial No:	Serial No:	
<b>B. Facility Location Information</b>		
Street Address: 3601 Pecan		
If there is no street address, provide written driving directions to the site and provide the closest city or town, county, and ZIP code for the site (attach description if additional space is needed).		
City: McAllen	County: Hidalgo	ZIP Code: 78501
Latitude (nearest second): 26.218215	Longitude (nearest second): -98.258687	

**Texas Commission on Environmental Quality  
Form PI-1S  
Registrations for Air Standard Permit**

<b>II. Facility and Site Information (continued)</b>	
<b>C. Core Data Form (required for Standard Permits 6004, 6006, 6007, 6008, and 6013).</b>	
Is the Core Data Form (TCEQ Form 10400) attached?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
If "NO," provide customer reference number (CN) and regulated entity number (RN) below.	
Customer Reference Number (CN):	
Regulated Entity Number (RN):	
<b>D. TCEQ Account Identification Number (if known):</b>	
<b>E. Type of Action:</b>	
<input checked="" type="checkbox"/> Initial Application <input type="checkbox"/> Change to Registration <input type="checkbox"/> Renewal <input type="checkbox"/> Renewal Certification	
For Change to Registration, Renewal, or Renewal Certification actions provide the following:	
Registration Number:	Expiration Date:
<b>F. Standard Permit Claimed: Air Quality Standard Permit for Electric Generating Units</b>	
<b>G. Previous Standard Exemption or PBR Registration Number</b>	
Is this authorization for a change to an existing facility previously authorized under a standard exemption or PBR?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
If "YES," enter previous standard exemption number(s) and PBR registration number(s), and associated effective date in the spaces provided below.	
Standard Exemption and PBR Registration Number(s)	Effective Date
<b>H. Other Facilities at this Site Authorized by Standard Exemption, PBR, or Standard Permit</b>	
Are there any other facilities at this site that are authorized by an Air Standard Exemption, PBR, or Standard Permit?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
If "YES," enter standard exemption number(s), PBR registration number(s), and Standard Permit registration number(s), and associated effective date in the spaces provided below.	
Standard Exemption, PBR Registration, and Standard Permit Registration Number(s)	Effective Date

**Texas Commission on Environmental Quality  
Form PI-1S  
Registrations for Air Standard Permit**

<b>II. Facility and Site Information (continued)</b>		
<b>I. Other Air Preconstruction Permits</b>		
Are there any other air preconstruction permits at this site?		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
If "YES," enter permit number(s) in the spaces provided below.		
<b>J. Affected Air Preconstruction Permits</b>		
Does the standard permit directly affect any permitted facility?		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
If "YES," enter permit number(s) in the spaces provided below.		
<b>K. Concrete Batch Plant</b>		
<input type="checkbox"/> Central Mix <input type="checkbox"/> Ready Mix <input type="checkbox"/> Specialty Mix <input type="checkbox"/> Enhanced Controls for Concrete Batch Plants		
State Legislators:		
State Senator:		
State Representative:		
County Judge		
Name:		
Mailing Address:		
City:	State:	ZIP Code:
Presiding Officer		
Is the facility located in a municipality or extraterritorial jurisdiction of a municipality?		<input type="checkbox"/> YES <input type="checkbox"/> NO
If "YES," list the name of the Presiding Officer for the municipality and/or extraterritorial jurisdiction:		
Presiding Officer Name:		
Title:		
Mailing Address:		
City:	State:	ZIP Code:

**Texas Commission on Environmental Quality  
Form PI-1S  
Registrations for Air Standard Permit**

<b>II. Facility and Site Information (continued)</b>		
<b>L. Federal Operating Permit (FOP) Requirements</b>		
Is this facility located at a site that is required to obtain an FOP pursuant to 30 TAC Chapter 122?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> To Be Determined	
If the site currently has an existing FOP, enter the permit number:		
Check the requirements of 30 TAC Chapter 122 that will be triggered if this standard permit is approved (check all that apply).		
<input type="checkbox"/> Initial Application for an FOP <input type="checkbox"/> Significant Revision for an SOP <input type="checkbox"/> Minor Revision for an SOP <input type="checkbox"/> Operational Flexibility/Off Permit Notification for an SOP <input type="checkbox"/> Revision for a GOP <input type="checkbox"/> To be Determined <input checked="" type="checkbox"/> None		
Identify the type(s) of FOP 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 (submitted or under APD review) <input checked="" type="checkbox"/> N/A <input type="checkbox"/> SOP application/revision (submitted or under APD review)		
<b>III. Fee Information</b> (see Section IX. for address to send fee or go to <a href="http://www.tceq.texas.gov/epay">www.tceq.texas.gov/epay</a> to pay online)		
<b>A. Fee Amount:</b> \$900		
<b>B. Payment Information</b>		
Check/money order/transaction or voucher number:		
Individual or company name on check: Enchanted Rock Electric, LLC.		
Was fee paid online?		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>IV. Public Notice (if applicable)</b>		
<b>A. Responsible Person</b> ( <input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Other: _____)		
Name:		
Title:		
Company:		
Mailing Address:		
City:	State:	ZIP Code:
Phone:		
Fax:		
E-mail Address:		

**Texas Commission on Environmental Quality  
Form PI-1S  
Registrations for Air Standard Permit**

<b>IV. Public Notice (continued)</b>		
<b>B. Technical Contact</b> ( <input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Other): _____		
Name:		
Title:		
Company:		
Mailing Address:		
City:	State:	ZIP Code:
Phone No.:	Fax No.:	
E-mail Address:		
<b>C. Bilingual Notice</b>		
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," list which language(s) are required by the bilingual program?		
<b>D. Small Business Classification and Alternate Public Notice</b>		
This business has 100 employees or less, or generates 6 million dollars or less in annual gross receipts.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
The source will not be a major stationary source.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
The site will not emit 50 tons, or more, per year of any individual regulated air contaminant.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
The site will not emit 75 tons, or more, per year of all regulated air contaminants combined.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
<b>E. For Concrete Batch Plants</b>		
<b>1. Public Works Project:</b> Will the plant provide concrete to a public works project, and be located in or contiguous to the right of-way of the public works project? (If "YES," public notice is not required.)	<input type="checkbox"/> YES <input type="checkbox"/> NO	
<b>2. Application in Public Place</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Name of Public Place:		
Physical Address:		
City:	County:	

**Texas Commission on Environmental Quality**  
**Form PI-1S**  
**Registrations for Air Standard Permit**

<b>V. Renewal Certification Option</b>	
<b>A.</b> Does the permitted facility emit an air contaminant on the Air Pollutant Watch List, and is the permitted facility located in an area on the watch list?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<b>B.</b> For facilities participating in the Houston/Galveston/Brazoria area (HGB) cap and trade program for highly reactive VOCs (HRVOCs), do the HRVOCs need to be speciated on the maximum allowable emission rates table (MAERT)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<b>C.</b> Does the company and/or site have an unsatisfactory compliance history?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<b>D.</b> Are there any applications currently under review for this standard permit registration?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<b>E.</b> Are scheduled maintenance, startup, or shutdown emissions required to be included in the standard permit registration at this time?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<b>F.</b> Are any of the following actions being requested at the time of renewal:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<b>1.</b> Are there any facilities that have been permanently shutdown that are proposed to be removed from the standard permit registration?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<b>2.</b> Do changes need to be made to the standard permit registration in order to remain in compliance?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<b>3.</b> Are sources or facilities that have always been present and represented, but never identified in the standard permit registration, proposed to be included with this renewal?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<b>4.</b> Are there any changes to the current emission rates table being proposed?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<i>Note: If answers to all of the questions in Section V. Renewal Certification Option are "NO," use the certification option and skip to Section VII. of this form. If the answers to any of the questions in Section V. Renewal Certification Option are "YES," the certification option <b>cannot</b> be used.</i>	
*If notice is applicable and comments are received in response to the public notice, the application does not qualify for the renewal certification option.	

**Texas Commission on Environmental Quality  
Form PI-1S  
Registrations for Air Standard Permit**

<b>VI. Technical Information Including State and Federal Regulatory Requirements</b>	
<p><b>Place a check next to the appropriate box to indicate what you have included in your submittal.</b>  <i>NOTE: Any technical or essential information needed to confirm that facilities are meeting the requirements of the standard permit must be provided. Not providing key information could result in an automatic deficiency and voiding of the project.</i></p>	
<b>A. Standard Permit requirements (Checklists are optional; however, your review will go faster if you provide applicable checklists.)</b>	
Did you demonstrate that the general requirements in 30 TAC Sections 116.610 and 116.615 are met?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Did you demonstrate that emission limitations in 30 TAC Sections 106.261 and 106.262 are met?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Did you demonstrate that the individual requirements of the specific standard permit are met?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>B. Confidential Information (All pages properly marked "CONFIDENTIAL")</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>C. Process Flow Diagram</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>D. Process Description</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>E. Maximum Emissions Data and Calculations</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>F. Plot Plan</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>G. Projected Start Of Construction Date, Start Of Operation Date, and Length of Time at Site:</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
Projected Start of Construction (provide date): 9/1/2017	
Projected Start of Operation (provide date): TBD	
Length of Time at the Site: N/A	
<b>VII. Delinquent Fees and Penalties</b>	
<p>This form <b>will not be processed</b> 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: <a href="http://www.tceq.texas.gov/agency/delin/index.html">www.tceq.texas.gov/agency/delin/index.html</a>.</p>	

**Texas Commission on Environmental Quality  
Form PI-1S  
Registrations for Air Standard Permit**

**VIII. Signature Requirements**

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; the Texas Health and Safety Code, Chapter 382, the Texas Clean Air Act (TCAA) the air quality rules 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. The signature further signifies awareness that intentionally or knowingly making or causing to be made false material statements or representations in the application is a criminal offense subject to criminal penalties.

Name (printed): Payson Tucker

Signature (original signature required):

Date:

## **Copy of Payment**

Replace this page with the Copy of Payment in the final PDF.

## **2.0 PROCESS DESCRIPTION**

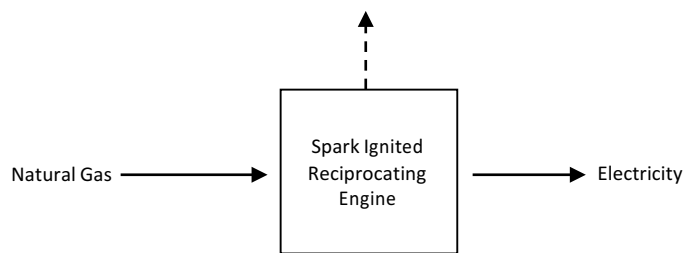
## 2.0 PROCESS DESCRIPTION

The HEB00334 Plant is an electric generating power plant that will burn natural gas in spark ignition reciprocating engines to produce electricity. The proposed power generating system will operate as a peaking power plant, and will also provide backup power to HEB located adjacent to the HEB00334 Plant.

All natural gas will be piped onto the site. The oil change will be permitted under Permit by Rule. All other maintenance activities will be de minimis.

Start-up and Shutdown activities will not be included in the MSS emissions. The spark ignition reciprocating engines are peaking generators and it is in the intention of the sites operation to experience constant start-up and shutdown. Therefore, the emissions from start-up and shutdown activities are accounted for in the emission factors provided in the manufacturer's data for normal operating emissions.

A process flow diagram (**Figure 1**) is located in this section depicting the basic process description outlined above.



**LEGENDS:**

- - - - Emissions or Exhaust

**NOTE:**

**Process Flow Diagram**

**Air Quality Permit Registration**  
McAllen, Hidalgo County, TX

**Enchanted Rock Solutions, LLC.**  
00334 McAllen 01 Pecan/N Ware



Project Number  
HEB00334

**1**  
Figure

### **3.0 EMISSIONS SUMMARY**

3.0 EMISSIONS SUMMARY

ESTIMATED EMISSIONS														
EPN(s) / Emission Source(s)	VOC		NOx		CO		PM <sub>10</sub>		PM <sub>2.5</sub>		SO <sub>2</sub>		H <sub>2</sub> S	
	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy
ENG1 / Engines 1-3	1.01	4.41	0.06	0.27	2.87	12.592	0.10	0.45	0.10	0.45	0.00	0.01	-	-
Total Engines	3	3	3	3	3	3	3	3	3	3	3	3	-	-
<b>SITE-WIDE TOTAL:</b>	<b>3.019</b>	<b>13.221</b>	<b>0.185</b>	<b>0.812</b>	<b>8.625</b>	<b>37.775</b>	<b>0.309</b>	<b>1.353</b>	<b>0.309</b>	<b>1.353</b>	<b>0.009</b>	<b>0.041</b>	<b>-</b>	<b>-</b>

**4.0 EMISSIONS CALCULATIONS (CONFIDENTIAL  
INFORMATION SUBMITTED UNDER SEPARATE COVER)**

## **5.0 IMPACT ANALYSIS**

Enchanted Rock Solutions, LLC  
00334 McAllen 01 Pecan/N Ware

*NAAQS Compliance Impacts Evaluation*

INITIAL ASSESSMENT BASED ON DE-MINIMIS RATE

De-minimis Rates		Project Net Emissions	Full Impact review required?
Air contaminant	lb/hr	lb/hr	
H <sub>2</sub> S	0.025	0.000	Impacts review not required
SO <sub>2</sub>	2	0.009	Impacts review not required
NO <sub>x</sub>	4	0.185	Impacts review not required

IMPACT EVALUATION PARAMETERS:

Contaminant Under Review	
What is the shortest distance in feet to any property line from any facility/unit included in this registration?	ft

EVALUATION RESULTS:

Select contaminant to evaluate

IMPACT EVALUATION PER EMISSION SOURCE:

EPN	Source Name	Which impacts table corresponds to this EPN?	Hourly estimated emissions for each EPN (lbs/hr)	WR <sub>EPNx</sub>	AAQS <sub>hourly</sub> (µg/m <sup>3</sup> )	Distance from emission point to nearest property line (ft)	Height of emission release point (ft)	G <sub>EPNx</sub>	E <sub>max,EPNx, hourly</sub> (lb/hr)

## **6.0 STATE AND FEDERAL REGULATORY APPLICABILITY**

## 6.0 STATE AND FEDERAL REGULATORY APPLICABILITY

This section addresses compliance with pertinent state and federal regulations by Enchanted Rock during operations at the proposed HEB00334 Plant in McAllen, TX. Each requirement is listed below (in italicized text) followed by a discussion of how the site meets the respective requirement (in bold text).

### 6.1 STATE REGULATORY APPLICABILITY

#### 6.1.1 30 TAC 101.2 Multiple Air Contaminant Sources or Properties

##### 30 TAC 101.2 (a)

*In an area where an additive effect occurs from the accumulation of air contaminants from two or more sources on a single property or from two or more properties, such that the level of air contaminants exceeds the ambient air quality standards established by the commission, and each source or each property is emitting no more than the allowed limit for an air contaminant for a single source or from a single property, further reduction of emissions from each source or property shall be made as determined by the commission.*

**Additive emissions from one or more sources from one or more properties will not exceed ambient air quality standards.**

##### 30 TAC 101.2 (b)

*Two or more property owners, or operators acting on behalf of a property owner, may petition the commission to have their properties designated a single property for purposes of demonstrating compliance with commission regulations and the control of air emissions.*

- (1) *The use of this section is intended for:*
  - (A) *a property under the control of a single entity that has been or will be divided and placed under the control of separate entities, creating a new property line configuration; or*
  - (B) *properties operated or intended to be operated as an integrated plant or plants where individual facilities are owned by separate entities, but all facilities are under the control of a single entity.*
- (2) *The petition shall be subject to the following criteria.*
  - (A) *The properties must be contiguous except for intervening roads, railroads, and/or rights-of-way, which are a part of the property. Emission points separated by a public right-of-way cannot be combined into a single property designation.*
  - (B) *All owners of real property, including but not limited to, fee interest owners and leaseholders, within the single property designation boundary must consent to the agreement. Owners of mineral interests only are not required to consent to the agreement.*

- (C) *The petition shall include the following information:*
    - (i) *a general description of the manner in which the control of emissions and demonstration of compliance with commission regulations will be administered and controlled;*
    - (ii) *designation of the party or parties who accept responsibility for off-property impacts;*
    - (iii) *the existing account number(s) for each petitioner; and*
    - (iv) *a description of how the petitioners meet the requirements of this rule.*
  - (D) *The petition shall be accompanied by:*
    - (i) *a copy of a sworn written agreement between the property owners who consent to having their properties so designated which must detail the mechanisms of control exercised on both properties;*
    - (ii) *a United States Geological Survey map or equivalent indicating:*
      - (I) *geographical features such as roads, watercourses, and prominent landmarks;*
      - (II) *present land uses in the areas surrounding the area to be included;*
      - (III) *the boundaries of the petitioners' properties; and*
      - (IV) *the area to be included in the single property designation; and*
    - (iii) *any other information needed by the commission in its review of the petition.*
  - (E) *The executive director or commission may place such conditions on the approval of the petition as appropriate to avoid a condition of air pollution or ensure compliance with state and federal regulations.*
  - (F) *The executive director may approve a petition for single property designation or an amendment to an existing designation unless otherwise prohibited by law if:*
    - (i) *the petition meets all relevant statutory and administrative criteria;*
    - (ii) *the petition does not raise new issues that require the interpretation of commission policy; and*
    - (iii) *the public interest counsel does not raise objections.*
- (c) *In this section, the terms "property" or "properties" includes leasehold and fee interests in real property, and it does not include mineral interests.*

**Enchanted Rock does not intend to petition the TCEQ to have its property designated as a single property with any other property for the purposes of demonstrating compliance with TCEQ regulations and the control of air emissions.**

**6.1.2 30 TAC 101.3 Circumvention**

**30 TAC 101.3**

*No person shall use any plan, activity, device or contrivance which the executive director determines will, without resulting in an actual reduction of air contaminants, conceal or appear to minimize the effects of an emission which would otherwise constitute a violation of the Act or regulations. Air introduced for dilution purposes only is considered a circumvention of the regulations.*

**Enchanted Rock intends to operate the facilities in accordance with the representations made in this air quality standard permit application.**

**6.1.3 30 TAC 101.4 Nuisance**

*No person shall discharge from any source whatsoever one or more air contaminants or combinations thereof, in such concentration and of such duration as are or may tend to be injurious to or to adversely affect human health or welfare, animal life, vegetation, or property, or as to interfere with the normal use and enjoyment of animal life, vegetation, or property.*

**There will not be any emissions of air contaminants or combined emissions that would be expected to injure or adversely affect human health or welfare, or affect plant, animal life or property.**

**6.1.4 30 TAC 101.5 Nuisance**

*No person shall discharge from any source whatsoever such quantities of air contaminants, uncombined water, or other materials which cause or have a tendency to cause a traffic hazard or an interference with normal road use.*

**Enchanted Rock will adequately ensure that no traffic hazards are associated with the facility.**

**6.1.5 30 TAC 101.8 Sampling**

**30 TAC 101.8 (a)**

*Any person owning or operating a source which emits air contaminants into the air of this state shall, upon request by the board or the executive director, conduct sampling to determine the opacity, rate, composition, and/or concentration of such emissions. Sampling shall be conducted at a frequency and within a period of time which are reasonable as specified by the board or executive director. The sampling method shall be specified by the board or the executive director and, further, the sampling shall be conducted so as to reflect with reasonable accuracy the above listed characteristics of such emissions.*

**Upon request by TCEQ, Enchanted Rock will conduct sampling of air pollutants in a timely manner.**

**30 TAC 101.8 (b)**

*Any person affected by subsection (a) of this section may request the executive director to approve alternate sampling techniques or other means to determine the opacity, rate, composition, and/or concentration of emissions. The executive director may approve such alternate methods or means if it can be demonstrated that such alternatives will be substantially equivalent to the sampling methods specified by the executive director or the board.*

**Enchanted Rock will request alternative sampling techniques if necessary.**

**30 TAC 101.8 (c)**

*If requested to obtain air contaminants emission data pursuant to subsection (a) of this section, the owner or operator shall attest to and report the results so obtained to the executive director within a reasonable time specified by and on forms furnished by the executive director.*

**Upon request by TCEQ, Enchanted Rock will report the sampling results in a timely manner.**

**30 TAC 101.8 (d)**

*Copies of all data, the computations, and results obtained under subsection (a) of this section shall be retained by the owner or operator of a source for at least five years and shall be made available to the board, or any members, employees or agents thereof, and to any local air pollution control agencies, during regular business hours.*

**Enchanted Rock will retain the sampling results, computations and data for at least five years. This data will be made available to the public during regular business hours.**

#### **6.1.6 30 TAC 101.9 Sampling Ports**

*Any person, at the request of the board, shall provide in connection with each flue a power source near the point of testing in addition to such sampling and testing facilities and sampling ports, including safe and easy access thereto, exclusive of instruments and sensing devices, as may be necessary for the board to determine the nature and quality of emissions which are or may be discharged as a result of source operations. Evidence and data based on these samples and calculations may be used to substantiate violations of the Act, rules, and regulations. Agents of the board shall be permitted to sample the stacks during operating hours.*

**Upon request by TCEQ, Enchanted Rock will install sampling ports and the required facilities, as well as allow for safe and easy access to these facilities.**

#### **6.1.7 30 TAC 101.13 Use and Effect of Rules**

*These rules may be used by the board as guides in the exercise of discretion, where discretion is vested. They shall not be construed as a limitation or restriction on the exercise of discretion, where it exists, nor shall they be construed to deprive the board of the exercise of any power, duties, and jurisdiction conferred by law, or to limit or restrict the amount and character of data or information which may be required for the proper administration of the law.*

**Enchanted Rock will comply with the applicable rules in this section.**

#### **6.1.8 30 TAC 101.14 Sampling Procedures and Terminology**

*Where not otherwise specified in the rules, regulations, determinations and orders of the board, the procedures used for sampling air and measuring air contaminants, and the methods of expressing the findings shall be those commonly accepted and used in the field of air pollution control.*

**Enchanted Rock will comply with the applicable rules in this section.**

### **6.1.9 30 TAC 101.18 Remedies Cumulative**

*The administrative and judicial procedures available to the board to prevent, correct, or remedy air pollution conditions or violations are cumulative. Within the limits of the authority set forth in the Act and these sections, the board or the executive director may act under any one or more of these procedures, as applicable to the facts of a particular air pollution condition or claimed violation.*

**Enchanted Rock will comply with the applicable rules in this section.**

### **6.1.10 30 TAC 101.19 Severability**

*If any provisions of any of the regulations of the board or the application of that provision to any person, situation, or circumstance is for any reason adjudged invalid, the adjudication does not affect any other provision of the regulations or the application of the adjudicated provision to any other person, situation, or circumstance. The board declares that it would have adopted the valid portions and applications of the regulations without the invalid part and to this end the provisions of the regulations are declared to be severable.*

**Enchanted Rock will comply with the applicable rules in this section.**

### **6.1.11 30 TAC 101.20 Compliance with Environmental Protection Agency Standards**

*Any person owning or operating a source of air contaminants shall comply with the following requirements:*

- (1) any applicable new source performance standards promulgated by the Environmental Protection Agency (EPA) pursuant to the Federal Clean Air Act, §111, as amended;*
- (2) any applicable emissions standards for hazardous air pollutants promulgated by the EPA pursuant to the Federal Clean Air Act, §112, as amended; and*
- (3) the conditions of any permit issued by the EPA pursuant to 40 Code of Federal Regulations §52.21, concerning the prevention of significant deterioration of air quality.*

**HEB00334 is not a Power Plant, Major Source, or a prevention of significant deterioration source. Therefore, these do not apply.**

**6.1.12 30 TAC 101.21 The National Primary and Secondary Ambient Air Quality Standards**

*The National Primary and Secondary Ambient Air Quality Standards as promulgated pursuant to section 109 of the Federal Clean Air Act, as amended, will be enforced throughout all parts of Texas.*

**Enchanted Rock will comply with all National Primary and Secondary Ambient Air Quality Standards (NAAQS).**

**6.1.13 30 TAC 101.24 Inspection Fees**

**30 TAC 101.24 (a)**

*Applicability. The owner or operator of each account to which this rule applies shall remit to the commission an inspection fee each fiscal year. A fiscal year is defined as the period from September 1 through August 31. A fiscal year, having the same number as the next calendar year, begins on the September 1 prior to that calendar year. An account subject to both an inspection fee and emissions fee, under §101.27 of this title (relating to Emissions Fees), is required to pay only the greater of the two fees. Each account will be assessed a separate inspection fee. The inspection fee shall apply to each account which contains one or more of the types of plants, facilities, and/or processes described in subsection (f) of this section, including permitted and non-permitted facilities. References for the industrial categories used are provided in the Standard Industrial Classification (SIC) Manual (Executive Office of the President, Office of Management and Budget, 1987). If more than one SIC category can apply to an account, the fee assessed shall be the highest fee listed for the applicable classifications in the fee schedule. Provisions of this section apply to all accounts, including accounts which have not been assigned specific commission identification numbers. The owner or operator of an account subject to an inspection fee is responsible for contacting the commission to obtain an identification number. The commission will not initiate the combination or separation of accounts solely for fee assessment purposes. If an account is operated at any time during the fiscal year for which the fee is assessed, a full inspection fee is due. If the commission is notified in writing that the account is not and will not be in operation during that fiscal year, a fee will not be due.*

**This type of facility is not subject to inspection fees.**

**6.1.14 30 TAC 101.27 Emissions Fees**

**30 TAC 101.27 (a)**

*Applicability. The owner or operator of an account that is required to obtain a federal operating permit as described in Chapter 122 of this title (relating to Federal Operating Permits Program) shall remit to the commission an emissions fee each fiscal year. A fiscal year is defined as the period from September 1 through August 31. A fiscal year, having the same number as the next calendar year, begins on the September 1 prior to that calendar year. Each account will be assessed a separate emissions fee. An account subject to both an emissions fee and an inspection fee, under §101.24 of this title (relating to Inspection Fees), is required to pay only the greater of the two fees. The commission will not initiate the combination or separation of accounts solely for fee assessment purposes. If an account is operated at any time during the fiscal year that a fee is being assessed, a full emissions fee is due. If the commission is notified in writing that the account is not and will not be in operation during that fiscal year, a fee will not be due.*

**This account is not required to obtain a federal operating permit and therefore is not required to submit an Emissions Fee.**

**6.1.15 30 TAC 101.201 Emissions Event Reporting and Recordkeeping Requirements**

**30 TAC 101.201 (a)**

*The following requirements for reportable emissions events apply.*

- (1) *As soon as practicable, but not later than 24 hours after the discovery of an emissions event, the owner or operator of a regulated entity shall:*
  - (A) *determine if the event is a reportable emissions event; and*
  - (B) *notify the commission office for the region in which the regulated entity is located, and all appropriate local air pollution control agencies with jurisdiction, if the emissions event is reportable.*
- (2) *The initial 24-hour notification for reportable emissions events, with the exception of emissions from boilers or combustion turbines referenced in the definition of reportable quantity (RQ) in §101.1 of this title (relating to Definitions) for each regulated entity, must at a minimum, identify for each emissions point with emissions that exceed an RQ:*
  - (A) *the name of the owner or operator of the regulated entity experiencing an emissions event;*

- (B) *the commission Regulated Entity Number of the regulated entity experiencing an emissions event, if a Regulated Entity Number exists, or if there is not a Regulated Entity Number, the air account number of the regulated entity. If a Regulated Entity Number and air account number do not exist, then identify the location of the release and a contact telephone number;*
  - (C) *the common name of the process units or areas, the common name of the facilities that incurred the emissions event, and the common name of the emission points where the unauthorized emissions exceeded an RQ were released to the atmosphere;*
  - (D) *the date and time of the discovery of the emissions;*
  - (E) *the estimated duration of the emissions;*
  - (F) *the compound descriptive type of the individually listed compounds or mixtures of air contaminants released during the emissions event, in the definition of RQ in §101.1 of this title that are known through common process knowledge, past engineering analysis, or testing to have equaled or exceeded the RQ;*
  - (G) *the estimated total quantities for those compounds or mixtures described in subparagraph (F) of this paragraph;*
  - (H) *the best known cause of the emissions event at the time of the initial 24-hour notification, if known; and*
  - (I) *the actions taken, or being taken, to correct the emissions event and minimize the emissions.*
- (3) *The initial 24-hour notification for reportable emissions events for boilers or combustion turbines referenced in the definition of RQ in §101.1 of this title must identify for each emission point with excess opacity that exceeds the RQ by more than 15%:*
- (A) *the name of the owner or operator of the regulated entity experiencing an emissions event;*
  - (B) *the commission Regulated Entity Number of the regulated entity experiencing an emissions event, if a Regulated Entity Number exists, or if there is not a Regulated Entity Number, the air account number of the regulated entity. If a Regulated Entity Number and air account number do not exist, then identify the location of the release and a contact telephone number;*
  - (C) *the best known cause of the emissions event, if known at the time of notification;*
  - (D) *the common name of the process units or areas, the common name of the facilities that experienced the emissions event, and the common name of the emission points where the unauthorized opacity that exceeded the RQ occurred;*
  - (E) *the date and time of the discovery of the emissions event;*
  - (F) *the estimated duration or expected duration of the emissions;*
  - (G) *the estimated opacity; and*
  - (H) *the actions taken, or being taken, to correct the emissions event and minimize the emissions.*

- (4) *The owner or operator of a regulated entity experiencing a reportable emissions event that also requires an initial notification under §327.3 of this title (relating to Notification Requirements) may satisfy the initial 24-hour notification requirements of this section by complying with the requirements under §327.3 of this title.*

**Enchanted Rock will notify TCEQ of any emissions events to the extent required by this rule. In addition, records of the emissions will be maintained to the extent required.**

**30 TAC 101.201 (b)**

*The owner or operator of a regulated entity experiencing an emissions event shall create a final record of all reportable and non-reportable emissions events as soon as practicable, but no later than two weeks after the end of an emissions event. Final records must be maintained on-site for a minimum of five years and be made readily available upon request to commission staff or personnel of any air pollution program with jurisdiction. If a regulated entity is not normally staffed, records of emissions events may be maintained at the staffed location within Texas that is responsible for the day-to-day operations of the regulated entity.*

- (1) *The final record of a reportable emissions event must identify for all emission points involved in the emissions event:*
- (A) *the name of the owner or operator of the regulated entity experiencing an emissions event;*
  - (B) *the commission Regulated Entity Number of the regulated entity experiencing an emissions event, if a Regulated Entity Number and air account number exists, or if there is not a Regulated Entity Number, the air account number of the regulated entity. If a Regulated Entity Number and air account number do not exist, then identify the location of the release and a contact telephone number;*
  - (C) *the physical location of the points at which emissions to the atmosphere occurred;*
  - (D) *the common name of the process units or areas, the common name and the agency-established facility identification number of the facilities that experienced the emissions event, and the common name and the agency-established emission point numbers where the unauthorized emissions were released to the atmosphere. Owners or operators of those facilities and emission points, that the agency has not established facility identification numbers or emission point numbers for, are not required to provide the facility identification numbers and emission point numbers in the report, but are required to provide the common names in the report.*
  - (E) *the date and time of the discovery of the emissions event;*
  - (F) *the estimated duration of the emissions;*

- (G) *the compound descriptive type of all individually listed compounds or mixtures of air contaminants in the definition of RQ in §101.1 of this title, from all emission points involved in the emissions event, that are known through common process knowledge or past engineering analysis or testing to have been released during the emissions event, except for boilers or combustion turbines referenced in the definition of RQ in §101.1 of this title. Compounds or mixtures of air contaminants, that have an RQ greater than or equal to 100 pounds and the amount released is less than ten pounds in a 24-hour period, are not required to be specifically listed in the report, instead these compounds or mixtures of air contaminants may be identified together as "other";*
- (H) *the estimated total quantities for those compounds or mixtures described in subparagraph (G) of this paragraph; the preconstruction authorization number or rule citation of the standard permit, permit by rule, or rule, if any, governing the facilities involved in the emissions event; and the authorized emissions limits, if any, for the facilities involved in the emissions events, except for boilers or combustion turbines referenced in the definition of RQ in §101.1 of this title, which record only the authorized opacity limit and the estimated opacity during the emissions event. Good engineering practice and methods must be used to provide reasonably accurate representations for emissions and opacity. Estimated emissions from compounds or mixtures of air contaminants that are identified as "other" under subparagraph (G) of this paragraph, are not required for each individual compound or mixture of air contaminants, however, a total estimate of emissions must be provided for the category identified as "other";*
- (I) *the basis used for determining the quantity of air contaminants emitted, except for boilers or combustion turbines referenced in the definition of RQ in §101.1 of this title;*
- (J) *the best known cause of the emissions event at the time of reporting;*
- (K) *the actions taken, or being taken, to correct the emissions event and minimize the emissions; and*
- (L) *any additional information necessary to evaluate the emissions event.*
- (2) *Records of non-reportable emissions events must identify:*
  - (A) *the name of the owner or operator of the regulated entity experiencing an emissions event;*
  - (B) *the commission Regulated Entity Number and air account number of the regulated entity experiencing an emissions event, if a Regulated Entity Number and air account number exists, or if there is not a Regulated Entity Number, the air account number of the regulated entity. If a Regulated Entity*

- Number and air account number do not exist, then identify the location of the release and a contact telephone number;
- (C) the physical location of the points at which emissions to the atmosphere occurred;
  - (D) the common name of the process units or areas, the common name and the agency-established facility identification number of the facilities that experienced the emissions event, and the common name and the agency-established emission point numbers where the unauthorized emissions were released to the atmosphere. Owners or operators of those facilities and emission points that the commission has not established facility identification numbers or emission point numbers for are not required to provide the facility identification numbers and emission point numbers in the report, but are required to provide the common names in the report;
  - (E) the date and time of the discovery of the emissions event;
  - (F) the estimated duration of the emissions;
  - (G) the compound descriptive type of the individually listed compounds or mixtures of air contaminants, in the definition of RQ in §101.1 of this title, from all emission points involved in the emissions event, that are known through common process knowledge or past engineering analysis, except for boilers or combustion turbines referenced in the definition of RQ in §101.1 of this title and that were unauthorized. Compounds or mixtures of air contaminants, that have an RQ greater than or equal to 100 pounds and the amount released is less than ten pounds in a 24-hour period, are not required to be specifically listed in the report, instead these compounds or mixtures of air contaminants may be identified together as "other";
  - (H) the estimated total quantities and the authorized emissions limits for those compounds or mixtures described in subparagraph (G) of this paragraph; the preconstruction authorization number or rule citation of the standard permit, permit by rule, or rule, if any, governing the facilities involved in the emissions event; and the authorized emissions limits, if any, for the facilities involved in the emissions events, except for boilers or combustion turbines referenced in the definition of RQ in §101.1 of this title, which record only the authorized opacity limit and the estimated opacity during the emissions event. Good engineering practice and methods must be used to provide reasonably accurate representations for emissions and opacity. Estimated emissions from compounds or mixtures of air contaminants that are identified as "other" under subparagraph (G) of this paragraph, are not required for each individual compound or mixture of air contaminants, however, a total estimate of emissions must be provided for the category identified as "other";

- (I) *the basis used for determining the quantity of air contaminants emitted, except for boilers or combustion turbines referenced in the definition of RQ in §101.1 of this title;*
- (J) *the best known cause of the emissions event at the time of recording;*
- (K) *the actions taken, or being taken, to correct the emissions event and minimize the emissions; and*
- (L) *any additional information necessary to evaluate the emissions event.*

**Enchanted Rock will write a final report with all the information requested in the rule within two weeks of the end of the emissions event. All records will be kept on site for no less than five years and made available to the public.**

**30 TAC 101.201 (c)**

*For all reportable emissions events, if the information required in subsection (b) of this section differs from the information provided in the initial 24-hour notification under subsection (a) of this section, the owner or operator of the regulated entity shall submit a copy of the final record to the commission office for the region in which the regulated entity is located and to appropriate local air pollution agencies with jurisdiction no later than two weeks after the end of the emissions event. If the owner or operator does not submit a record under this subsection, the information provided in the initial 24-hour notification under subsection (a) of this section will be the final record of the emissions event, provided the initial 24-hour notification was submitted electronically in accordance with subsection (g) of this section. Any emissions of greenhouse gases, individually or collectively, are not required to be submitted under this subsection, except for specific individual air contaminant compounds listed in the definition of RQ in §101.1 of this title.*

**Enchanted Rock will submit a final report to TCEQ for all reportable events if the information differs from the initial report within two weeks of the end of the emissions event.**

**30 TAC 101.201 (d)**

*The owner or operator of a boiler or combustion turbine, as defined in §101.1 of this title, fueled by natural gas, coal, lignite, wood, or fuel oil containing hazardous air pollutants at a concentration of less than 0.02% by weight, that is equipped with a continuous emission monitoring system that completes a minimum of one operating cycle (sampling, analyzing, and data recording) for each successive 15-minute interval, and is required to submit excess emission reports by other state or federal requirements, is exempt from creating, maintaining, and submitting final records of reportable and non-reportable emissions events of the boiler or combustion turbine under subsections (b) and (c) of this section if the notice submitted under subsection (a) of this section contains the information required under subsection (b) of this section.*

**Enchanted Rock will not operate a boiler or combustion turbine on site, therefore this rule does not apply.**

**30 TAC 101.201 (e)**

*As soon as practicable, but not later than 24 hours after the discovery of an excess opacity event, as defined in §101.1 of this title, where the owner or operator was not already required to provide an initial 24-hour notification under subsection (a)(2) or (3) of this section, the owner or operator shall notify the commission office for the region in which the regulated entity is located, and all appropriate local air pollution control agencies with jurisdiction. In the notification, the owner or operator shall identify:*

- (1) the name of the owner or operator of the regulated entity experiencing the excess opacity event;*
- (2) the commission Regulated Entity Number and air account number of the regulated entity experiencing an opacity event, if a Regulated Entity Number and air account number exists, or if there is not a Regulated Entity Number, the air account number of the regulated entity. If a Regulated Entity Number and air account number do not exist, then identify the location of the release and a contact telephone number;*
- (3) the physical location of the excess opacity event;*
- (4) the common name of the process units or areas, the common name of the facilities where the excess opacity event occurred, and the common name of the emission points where the excess opacity event occurred;*
- (5) the date and time of the discovery of the excess opacity event;*
- (6) the estimated duration of the excess opacity;*
- (7) the estimated opacity;*
- (8) the authorized opacity limit for the facilities having the excess opacity event;*

- (9) *the best known cause of the excess opacity event at the time of the notification; and*
- (10) *the actions taken, or being taken, to correct the excess opacity event.*

**Enchanted Rock will notify TCEQ of any opacity events to the extent required by this rule. In addition, records of the event will be maintained to the extent required.**

**30 TAC 101.201 (f)**

*The owner or operator of any regulated entity subject to the provisions of this section shall perform, upon request by the executive director or any air pollution control agency with jurisdiction, a technical evaluation of each emissions event. The evaluation must include at least an analysis of the probable causes of each emissions event and any necessary actions to prevent or minimize recurrence. The evaluation must be submitted in writing to the executive director and to the appropriate local air pollution agencies with jurisdiction within 60 days from the date of request. The 60-day period may be extended by the executive director. Additionally, the owner or operator of a regulated entity experiencing an emissions event must provide, in writing, additional or more detailed information regarding the emissions event when requested by the executive director or any air pollution control agency with jurisdiction, within the time established in the request.*

**Upon request, Enchanted Rock will provide TCEQ or other air pollution control agency with jurisdiction with a technical evaluation of each emissions event.**

**30 TAC 101.201 (g)**

*On and after January 1, 2003, notifications and reports required in subsection (c) of this section must be submitted electronically to the commission using the electronic forms provided by the commission. On and after January 1, 2004, notifications required in subsections (a) and (e) of this section must be submitted via commission's secure Web server, facsimile, or electronic mail to the commission using electronic forms provided by the commission. Notwithstanding the requirement to report initial 24-hour notifications electronically after January 1, 2004, the owner or operator of a regulated entity experiencing a reportable emissions event that also requires an initial notification under §327.3 of this title, is not required to report the event electronically under this section provided the owner or operator complies with the requirements under §327.3 of this title and in subsections (a) and (c) of this section. If the initial notification is not submitted by using an online form on the commission's secure Web server, the owner or operator must submit the identical information on the commission's secure Web server within 48 hours of discovery of the event. In the event the commission's server is unavailable due to technical failures*

*or scheduled maintenance, events may be reported via facsimile to the appropriate regional office. The commission will provide an alternative means of notification in the event that the commission's electronic reporting system is inoperative. Electronic notification and reporting is not required for small businesses that meet the small business definition in Texas Water Code, §5.135(g)(2) and to appropriate local air pollution control agencies with jurisdiction. Small businesses shall provide notifications and reporting by any viable means that meet the time frames required by this section.*

**All notifications and reports shall be submitted electronically.**

**30 TAC 101.201 (h)**

*Annual emissions event reporting: beginning in calendar year 2007, on or before March 31 of each calendar year or as directed by the executive director, each owner or operator of a regulated entity, as defined in §101.1 of this title that is subject to reporting under §101.10 of this title (relating to Emissions Inventory Requirements), that experienced at least one emissions event during the calendar year shall report to the executive director, and all appropriate local air pollution control agencies with jurisdiction, the following:*

- (1) the total number of reportable and the total number of non-reportable emissions events experienced at the regulated entity;*
- (2) the estimated total quantities for all compounds or mixtures of air contaminants, by compound or mixture, in the definition of RQ in §101.1 of this title that, by facility, were emitted during emissions events at the regulated entity. Compounds or mixtures of air contaminants, that have an RQ greater than or equal to 100 pounds and the amount released is less than one pound in a 24-hour period, are not required to be included in the report. Good engineering practice and methods must be used to provide reasonably accurate representations for emissions and opacity. This paragraph does not apply to boilers and combustion turbines referenced in the definition of RQ in §101.1 of this title that must report only the estimated opacities during emissions events and duration of unauthorized opacity; and*
- (3) owners and operators of regulated entities that are subject to reporting under §101.10 of this title shall provide the information required by this subsection as part of their reporting under §101.10 of this title.*

**This account is not subject to Emissions Inventories.**

**6.1.16 30 TAC 111.111 Requirements for Specified Sources**

**30 TAC 111.111 (a)**

*Visible emissions. No person may cause, suffer, allow, or permit visible emissions from any source, except as follows.*

- (1) Stationary vents. Visible emissions from any vent shall not exceed the following opacities and must meet the following requirements.*
  - (A) Opacity shall not exceed 30% averaged over a six-minute period.*
  - (B) Opacity shall not exceed 20% averaged over a six-minute period for any source on which construction was begun after January 31, 1972.*
  - (C) Opacity shall not exceed 15% averaged over a six-minute period for any source having a total flow rate greater than or equal to 100,000 actual cubic feet per minute, unless an optical instrument capable of measuring the opacity of emissions is installed in the vent in accordance with subparagraph (D) of this paragraph. Facilities utilizing such instruments shall meet opacity limits outlined in subparagraph (A) or (B) of this paragraph as applicable. Records of all such measurements shall be retained as provided for in §101.8 of this title (relating to Sampling).*
  - (D) Any opacity monitoring system installed as provided for in subparagraph (C) of this paragraph must satisfy the new source performance standards requirement for opacity continuous emissions monitoring systems (CEMS) as contained in 40 Code of Federal Regulations (CFR) Part 60, Appendix B, Performance Specification 1. In order to demonstrate compliance with Performance Specification 1, the system shall undergo performance specification testing as outlined in 40 CFR 60.13. The facility will maintain records of all such testing for a period of not less than two years which shall be available for inspection by federal, state, and local air pollution control agencies. Compliance with this provision shall be accomplished within one year of the effective date of this rule, except as specified in paragraph (2) of this subsection.*
  - (E) Visible emissions during the cleaning of a firebox or the building of a new fire, soot blowing, equipment changes, ash removal, and rapping of precipitators may exceed the limits set forth in this section for a period aggregating not more than six minutes in any 60 consecutive minutes, nor more than six hours in any 10-day period. This exemption shall not apply to the emissions mass rate standard, as outlined in §111.151(a) of this title (relating to Allowable Emissions Limits).*
  - (F) Compliance with subparagraphs (A)-(C) of this paragraph shall be determined by applying the following test methods, as appropriate. The highest reading obtained shall determine compliance with the appropriate visible emission limit:*

- (i) CEMS as described in subparagraph (D) of this paragraph;
  - (ii) Test Method 9 (40 CFR 60, Appendix A);
  - (iii) Alternate Method 1 to Method 9, Light Detection and Ranging (40 CFR 60, Appendix A); or
  - (iv) equivalent test method approved by the executive director of the Texas Air Control Board (TACB) and United States Environmental Protection Agency (EPA).
- (G) Current certification of opacity readers for determining opacities under 40 CFR 60, Appendix A, Method 9, shall be accomplished by the successful completion of a TACB visible emissions evaluator's course by opacity readers no more than 180 days before the opacity reading.
- (2) Sources requiring continuous emissions monitoring. Beginning March 1, 1994, all stationary vents located at the sources specified in this paragraph shall be equipped with a calibrated and properly operating CEMS for opacity. The system shall be calibrated, installed, operated, and maintained as specified in 40 CFR 51, Appendix P, hereby incorporated by reference:
  - (A) steam generators fired by solid fossil fuel with an annual average capacity factor of greater than 30%, as reported to the Federal Power Commission for calendar year 1974, and with a heat input of greater than 250 million British thermal unit per hour;
  - (B) steam generators that burn oil or a mixture of oil and gas and are not able to comply with the applicable particulate matter and opacity regulations without the use of particulate matter collection equipment, and have been found to be in violation of any visible emission standard contained in a state implementation plan;
  - (C) catalyst regenerators for fluid bed catalytic cracking units of greater than 20,000 barrels per day of total feed capacity.
- (3) Exemptions from continuous emissions monitoring requirements. Opacity monitors shall not be installed or used to determine opacity from any gas stream or portion of a gas stream containing condensed water vapor which could interfere with proper instrument operation, as determined by the executive director. Opacity monitoring techniques as listed in paragraph (1)(F) of this subsection may be substituted with the approval of the executive director and EPA, the highest reading of which will be used to determine compliance with the appropriate opacity standard. If opacity is determined through 40 CFR 60, Appendix A, Method 9, readings shall be made daily, unless weather or other conditions prevent visual observation.
- (4) Gas flares.

- (A) *Visible emissions from a process gas flare shall not be permitted for more than five minutes in any two-hour period, except as provided in §101.11(a) of this title (relating to Exemptions from Rules and Regulations). Process gas flares are those used in routine or scheduled facility operations. Acid gas flares, as defined in §101.1 of this title (relating to Definitions), are subject only to the provisions of paragraph (1) of this subsection. Beginning September 1, 1993, compliance with this subparagraph for process gas flares shall be determined:*
- (i) *any time there is an operational change in the flare that requires a permit amendment under TACB Regulation VI. Compliance shall be determined using Reference Method 22 (40 CFR 60, Appendix A), Reference Method 9 (40 CFR 60, Appendix A), or an alternative test method approved by the executive director and the United States Environmental Protection Agency (EPA). The observation period for this compliance demonstration shall be no less than two hours unless noncompliance is determined in a shorter time period or operational changes are made to the flare that stop any observed smoking; and*
  - (ii) *by a daily notation in the flare operation log that the flare was observed including the time of day and whether or not the flare was smoking. For flares operated less frequently than daily, the observation will be made for each operation. The flare operator shall record at least 98% of these required observations. If smoking is detected, compliance with the emission limits of this paragraph shall be determined using Reference Method 22, Reference Method 9, or an alternative test method approved by the executive director and EPA. The observation period for this compliance determination shall be no less than two hours unless noncompliance is determined in a shorter time period or operational changes are made to the flare that stop the smoking. A Method 22 or Method 9 observation will be waived provided the operator reports the flare to be in an upset condition under the requirements of §101.6 of this title (relating to Notification Requirements for Major Upset).*
- (B) *Flares used only during emergency or upset conditions are exempt from the compliance monitoring requirements of subparagraph (A)(i) and (ii) of this paragraph.*
- (5) *Motor vehicles. Motor vehicles shall not have visible exhaust emissions for more than 10 consecutive seconds. Compliance shall be determined as specified in 40 CFR 60, Appendix A, Method 22.*
- (6) *Railroad locomotives or ships.*
- (A) *Visible emissions shall not be permitted from any railroad locomotive, ship, or any other vessel to exceed an opacity of*

- 30% for any five-minute period, except during reasonable periods of engine start-up.
- (B) Compliance with subparagraph (A) of this paragraph shall be determined by applying the following test methods, as appropriate:
    - (i) Test Method 9 (40 CFR 60, Appendix A); or
    - (ii) equivalent test method approved by the executive director and EPA.
- (7) Structures.
- (A) Visible emissions shall not be permitted to exceed an opacity of 30% for any six-minute period from any building, enclosed facility, or other structure.
  - (B) Compliance with subparagraph (A) of this paragraph shall be determined by applying the following test methods, as appropriate:
    - (i) Test Method 9 (40 CFR 60, Appendix A); or
    - (ii) equivalent test method approved by the executive director and EPA.
- (8) Other sources.
- (A) Visible emissions shall not be permitted to exceed an opacity of 30% for any six-minute period from all other sources not specified in this section.
  - (B) Compliance with subparagraph (A) of this paragraph shall be determined by applying the following test methods, as appropriate:
    - (i) Test Method 9 (40 CFR 60, Appendix A); or
    - (ii) equivalent test method approved by the executive director and EPA.

**Enchanted Rock will not allow visible emissions from any source, except as provided in this rule and will comply with all applicable visible emissions requirements.**

**30 TAC 111.111 (b)**

*Compliance determination exclusions. Contributions from uncombined water shall not be included in determining compliance with this section. The burden of proof which establishes the applicability of this subsection shall be upon the person seeking to come within its provisions.*

**Enchanted Rock will not use contributions from uncombined water in determining compliance.**

**30 TAC 111.111 (c)**

*Solid fuel heating devices.*

- (1) *Operating restrictions. In the City of El Paso, including the Fort Bliss Military Reservation, no person shall operate a solid fuel heating device during a period when National Weather Service data indicates that an atmospheric stagnation condition exists or is predicted to exist. For the purposes of this section, a solid fuel heating device shall be defined as any fireplace, wood heater, wood stove, wood-fired boiler, coal-fired furnace, or similar device burning any solid fuel which is used for aesthetic, cooking (excluding commercial cooking), or heating purposes, and located inside a building.*
- (2) *Exemptions. An exemption from the requirements of this section may be granted by the executive director of the Texas Air Control Board if one or more of the following conditions are met:*
  - (A) *the solid fuel heating device is in a period of burn down; that is, a period of time not to exceed three hours for the cessation of combustion within the device;*
  - (B) *the solid fuel heating device is the sole source of heat for the building in which it is situated; or*
  - (C) *the solid fuel heating device becomes the sole source of heat within the building because of a temporary power loss.*

**HEB00334 Plant is not located in El Paso or heat solid fuel, therefore this rule is not applicable.**

**6.1.1 30 TAC 111.151 Allowable Emissions Limits**

**30 TAC 111.151 (a)**

*No person may cause, suffer, allow, or permit emissions of particulate matter from any source to exceed the allowable rates specified in Table 1 as follows, except as provided by §111.153 of this title (relating to Emissions Limits for Steam Generators).*

**Enchanted Rock will comply with this rule.**

**30 TAC 111.151 (b)**

*If a source has an effective stack height less than the standard effective stack height as determined from Table 2 as follows, the allowable emission level must be reduced by multiplying it by:*

**TABLE 1 - ALLOWABLE PARTICULATE EMISSION RATES FOR SPECIFIC FLOW RATES**

<b>Effluent Flow Rate</b>	<b>Rate of Emission</b>
<b>acfm</b>	<b>TSP lb/hr</b>
1,000	3.5
2,000	5.3
4,000	8.2
6,000	10.6
8,000	12.6
10,000	14.5
20,000	22.3
40,000	34.2
60,000	44.0
80,000	52.6
100,000	60.4
200,000	92.9
400,000	143.0
600,000	184.0
800,000	219.4
1,000,000	252.0

Interpolation and extrapolation of the data in this table shall be accomplished by the use of the equation  $E = 0.048 q^{0.62}$  for total suspended particulate (TSP) where E is the allowable emission rate in pounds per hour (lb/hr) and q is the stack effluent flow rate in actual cubic feet per minute (acfm).

The estimated exhaust flow of greater than 3,000 acfm allows for greater than 6.87 lb/hr of TSP. Each engine stack will not emit greater than 0.05 lb/hr of TSP. The Effective Stack Height based on the equation in part (c)<sup>1</sup> is 26 feet. The Standard Effective Stack Height based on stack affluent flow rates is taken from Table 2<sup>2</sup>, not shown here. The Standard Effective Stack Height for HEB00334 based on Table 2 is 17.66 feet.

### 6.1.2 30 TAC §116.610 – Applicability

#### **30 TAC 116.610(a)**

*Under the Texas Clean Air Act, §382.051, a project that meets the requirements for a standard permit listed in this subchapter or issued by the commission is hereby entitled to the standard permit, provided the following conditions listed in this section are met. For the purposes of this subchapter, project means the construction or modification of a facility or a group of facilities submitted under the same registration.*

**The following section shows how Enchanted Rock will meet this subchapter.**

#### **30 TAC 116.610(a)(1)**

*Any project that results in a net increase in emissions of air contaminants from the project other than water, nitrogen, ethane, hydrogen, oxygen, or greenhouse gases (GHGs) as defined in §101.1 of this title (relating to Definitions), or those for which a national ambient air quality standard has been established must meet the emission limitations of §106.261 of this title (relating to Facilities (Emission Limitations)), unless otherwise specified by a particular standard permit.*

**Per the administrative requirements of the Air Quality Standard Permit for Electric Generating Units, this does not apply.**

#### **30 TAC 116.610(a)(2)**

*Construction or operation of the project must be commenced prior to the effective date of a revision to this subchapter under which the project would no longer meet the requirements for a standard permit.*

**Enchanted Rock will comply with this rule.**

#### **30 TAC 116.610(a)(3)**

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<sup>1</sup> [https://texreg.sos.state.tx.us/fids/30\\_0111\\_0151-2.gif](https://texreg.sos.state.tx.us/fids/30_0111_0151-2.gif)

<sup>2</sup> [https://texreg.sos.state.tx.us/fids/30\\_0111\\_0151-1.html](https://texreg.sos.state.tx.us/fids/30_0111_0151-1.html)

*The proposed project must comply with the applicable provisions of the Federal Clean Air Act (FCAA), §111 (concerning New Source Performance Standards) as listed under 40 Code of Federal Regulations (CFR) Part 60, promulgated by the United States Environmental Protection Agency (EPA).*

**See section 6.2 for applicability of Federal Regulations.**

**30 TAC 116.610(a)(4)**

*The proposed project must comply with the applicable provisions of FCAA, §112 (concerning Hazardous Air Pollutants) as listed under 40 CFR Part 61, promulgated by the EPA.*

**See section 6.2 for applicability of Federal Regulations.**

**30 TAC 116.610(a)(5)**

*The proposed project must comply with the applicable maximum achievable control technology standards as listed under 40 CFR Part 63, promulgated by the EPA under FCAA, §112 or as listed under Chapter 113, Subchapter C of this title (relating to National Emissions Standards for Hazardous Air Pollutants for Source Categories (FCAA, §112, 40 CFR Part 63)).*

**See section 6.2 for applicability of Federal Regulations.**

**30 TAC 116.610(a)(6)**

*If subject to Chapter 101, Subchapter H, Division 3 of this title (relating to Mass Emissions Cap and Trade Program) the proposed facility, group of facilities, or account must obtain allocations to operate.*

**Enchanted Rock is not subject to Mass Emissions Cap and Trade Program.**

**30 TAC 116.610(b)**

*Any project that constitutes a new major stationary source or major modification as defined in §116.12 of this title (relating to Nonattainment and Prevention of Significant Deterioration Review Definitions) because of emissions of air contaminants other than greenhouse gases is subject to the requirements of §116.110 of this title (relating to Applicability) rather than this subchapter. Notwithstanding any provision in any specific standard permit to the contrary, any project that constitutes a new major stationary source or major modification which is subject to Subchapter B, Division 6 of this chapter (relating to Prevention of Significant Deterioration Review) due*

*solely to emissions of greenhouse gases may use a standard permit under this chapter for air contaminants that are not greenhouse gases.*

**Enchanted Rock does not constitute a major project.**

**30 TAC 116.610(c)**

*Persons may not circumvent by artificial limitations the requirements of §116.110 of this title.*

**Enchanted Rock will not circumvent applicable requirements.**

**30 TAC 116.610(d)**

*Any project involving a proposed affected source (as defined in §116.15(1) of this title (relating to Section 112(g) Definitions)) shall comply with all applicable requirements under Subchapter E of this chapter (relating to Hazardous Air Pollutants: Regulations Governing Constructed or Reconstructed Major Sources (FCAA, §112(g), 40 CFR Part 63)). Affected sources subject to Subchapter E of this chapter may use a standard permit under this subchapter only if the terms and conditions of the specific standard permit meet the requirements of Subchapter E of this chapter.*

**Enchanted Rock does not have an affected source, as described.**

**6.1.3 30 TAC §116.611 – Registration to Use a Standard Permit**

**30 TAC 116.611(a)(1-6)**

*If required, registration to use a standard permit shall be sent by certified mail, return receipt requested, or hand delivered to the executive director, the appropriate commission regional office, and any local air pollution program with jurisdiction, before a standard permit can be used. The registration must be submitted on the required form and must document compliance with the requirements of this section, including, but not limited to:*

- (1) the basis of emission estimates;*
- (2) quantification of all emission increases and decreases associated with the project being registered;*
- (3) sufficient information as may be necessary to demonstrate that the project will comply with §116.610(b) of this title (relating to Applicability);*
- (4) information that describes efforts to be taken to minimize any collateral emissions increases that will result from the project;*

- (5) a description of the project and related process; and
- (6) a description of any equipment being installed.

**Enchanted Rock will comply with this requirement.**

**30 TAC 116.611(b)**

*Construction may begin any time after receipt of written notification from the executive director that there are no objections or 45 days after receipt by the executive director of the registration, whichever occurs first, except where a different time period is specified for a particular standard permit or the source obtains a prevention of significant deterioration permit for greenhouse gases as provided in §116.164(a) of this title (relating to Prevention of Significant Deterioration Applicability for Greenhouse Gases Sources).*

**Enchanted Rock will comply with this requirement.**

**30 TAC 116.611(c)**

*In order to avoid applicability of Chapter 122 of this title (relating to Federal Operating Permits), a certified registration shall be submitted. The certified registration must state the maximum allowable emission rates and must include documentation of the basis of emission estimates and a written statement by the registrant certifying that the maximum emission rates listed on the registration reflect the reasonably anticipated maximums for operation of the facility. The certified registration shall be amended if the basis of the emission estimates changes or the maximum emission rates listed on the registration no longer reflect the reasonably anticipated maximums for operation of the facility. The certified registration shall be submitted to the executive director; to the appropriate commission regional office; and to all local air pollution control agencies having jurisdiction over the site. Certified registrations must also be maintained in accordance with the requirements of §116.115 of this title (relating to General and Special Conditions).*

**Enchanted Rock will comply with this requirement.**

**30 TAC 116.611(c)(1)**

Certified registrations established prior to December 11, 2002, shall be submitted on or before February 3, 2003.

**This subpart does not apply.**

**30 TAC 116.611(c)(2)**

Certified registrations established on or after December 11, 2002, shall be submitted no later than the date of operation.

**Enchanted Rock will comply with this requirement.**

**30 TAC 116.611(c)(3)(A-B)**

*Certified registrations established for greenhouse gases (as defined in §101.1 of this title (relating to Definitions)) on or after the effective date of EPA's final action approving amendments to §122.122 of this title (relating to Potential to Emit) into the State Implementation Plan shall be submitted:*

- (A) for existing sites that emit or have the potential to emit greenhouse gases, no later than 12 months after the effective date of EPA's final action approving amendments to §122.122 of this title as a revision to the Federal Operating Permits Program; or*
- (B) for new sites that emit or have the potential to emit greenhouse gases, no later than the date of operation. Certified registrations established on or after December 11, 2002, shall be submitted no later than the date of operation.*

**Enchanted Rock is not certifying greenhouse gas emissions. This does not apply.**

**6.1.4 30 TAC §116.615 – General Conditions**

**30 TAC 116.615(1)**

*Protection of public health and welfare. The emissions from the facility, including dockside vessel emissions, must comply with all applicable rules and regulations of the commission adopted under Texas Health and Safety Code, Chapter 382, and with the intent of the Texas Clean Air Act (TCAA), including protection of health and property of the public.*

**The emissions from the HEB00334 Plant will comply with all applicable rules and regulations of the commission.**

**30 TAC 116.615(2)**

*Standard permit representations. All representations with regard to construction plans, operating procedures, and maximum emission rates in any registration for a standard permit become conditions upon which the facility or changes thereto, must be constructed and operated. It is unlawful for any person to vary from such representations if the change will affect that person's right to claim a standard permit under this section. Any change in condition such that a person is no longer eligible to claim a standard*

*permit under this section requires proper authorization under §116.110 of this title (relating to Applicability). If the facility remains eligible for a standard permit, the owner or operator of the facility shall notify the executive director of any change in conditions which will result in a change in the method of control of emissions, a change in the character of the emissions, or an increase in the discharge of the various emissions as compared to the representations in the original registration or any previous notification of a change in representations. Notice of changes in representations must be received by the executive director no later than 30 days after the change.*

**All representations of construction plans, operating procedures, and maximum emission rates as represented in this application will be complied with. No change shall be made unless properly authorized under §116.110 of this title.**

**30 TAC 116.615(3)**

*Standard permit in lieu of permit amendment. All changes authorized by standard permit to a facility previously permitted under §116.110 of this title shall be administratively incorporated into that facility's permit at such time as the permit is amended or renewed.*

**This application is not being submitted in lieu of a permit amendment.**

**30 TAC 116.615(4)**

*Construction progress. Start of construction, construction interruptions exceeding 45 days, and completion of construction shall be reported to the appropriate regional office not later than 15 working days after occurrence of the event, except where a different time period is specified for a particular standard permit.*

**Start of construction, construction interruptions exceeding 45 days and completion of construction shall be reported to the appropriate regional office no later than 15 days after occurrence of the event.**

**30 TAC 116.615(5)**

*Start-up notification.*

- (A) *The appropriate air program regional office of the commission and any other air pollution control agency having jurisdiction shall be notified prior to the commencement of operations of the facilities authorized by a standard permit in such a manner that a representative of the executive director may be present.*

- (B) *For phased construction, which may involve a series of units commencing operations at different times, the owner or operator of the facility shall provide separate notification for the commencement of operations for each unit.*
- (C) *Prior to beginning operations of the facilities authorized by the permit, the permit holder shall identify to the Office of Permitting, Remediation, and Registration, the source or sources of allowances to be utilized for compliance with Chapter 101, Subchapter H, Division 3 of this title (relating to Mass Emissions Cap and Trade Program).*
- (D) *A particular standard permit may modify start-up notification requirements.*

**Enchanted Rock will notify the proper agencies of the commencement of operations at the HEB00334 Plant.**

**30 TAC 116.615(6)**

*Sampling requirements. If sampling of stacks or process vents is required, the standard permit holder shall contact the commission's appropriate regional office and any other air pollution control agency having jurisdiction prior to sampling to obtain the proper data forms and procedures. All sampling and testing procedures must be approved by the executive director and coordinated with the regional representatives of the commission. The standard permit holder is also responsible for providing sampling facilities and conducting the sampling operations or contracting with an independent sampling consultant.*

**If sampling of stacks or vents is required, the appropriate regional office and air pollution control agencies having jurisdiction shall be notified. The facility will only use approved sampling and testing procedures and will provide sampling facilities as well as conduct the sampling or contracting with an independent consultant.**

**30 TAC 116.615(7)**

*Equivalency of methods. The standard permit holder shall demonstrate or otherwise justify the equivalency of emission control methods, sampling or other emission testing methods, and monitoring methods proposed as alternatives to methods indicated in the conditions of the standard permit. Alternative methods must be applied for in writing and must be reviewed and approved by the executive director prior to their use in fulfilling any requirements of the standard permit.*

**Any alternatives to emission control, sampling, or other emission tests methods or monitoring that differ from the**

conditions of the standard permit will be authorized by the executive director prior to their use in fulfilling permit requirements.

**30 TAC 116.615(8)**

*Recordkeeping. A copy of the standard permit along with information and data sufficient to demonstrate applicability of and compliance with the standard permit shall be maintained in a file at the plant site and made available at the request of representatives of the executive director, the United States Environmental Protection Agency, or any air pollution control agency having jurisdiction. For facilities that normally operate unattended, this information shall be maintained at the nearest staffed location within Texas specified by the standard permit holder in the standard permit registration. This information must include, but is not limited to, production records and operating hours. Additional recordkeeping requirements may be specified in the conditions of the standard permit. Information and data sufficient to demonstrate applicability of and compliance with the standard permit must be retained for at least two years following the date that the information or data is obtained. The copy of the standard permit must be maintained as a permanent record.*

**A copy of the standard permit as well as information and data sufficient to demonstrate applicability and compliance with the standard permit shall be maintained at the site or the nearest manned site and made available upon request by representatives of the executive director, the United States Environmental Protection Agency, or air pollution control agencies having jurisdiction.**

**30 TAC 116.615(9)**

*Maintenance of emission control. The facilities covered by the standard permit may not be operated unless all air pollution emission capture and abatement equipment is maintained in good working order and operating properly during normal facility operations. Notification for emissions events and scheduled maintenance shall be made in accordance with §101.201 and §101.211 of this title (relating to Emissions Event Reporting and Recordkeeping Requirements; and Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements).*

**No facilities authorized by this standard permit shall be operated unless all air pollution capture and abatement equipment is maintained in good working order and operating properly. Appropriate notification shall be made in accordance with §101.201 and §101.211 of this title.**

**30 TAC 116.615(10)**

*Compliance with rules. Registration of a standard permit by a standard permit applicant constitutes an acknowledgment and agreement that the holder will comply with all rules, regulations, and orders of the commission issued in conformity with the TCAA and the conditions precedent to the claiming of the standard permit. If more than one state or federal rule or regulation or permit condition are applicable, the most stringent limit or condition shall govern. Acceptance includes consent to the entrance of commission employees and designated representatives of any air pollution control agency having jurisdiction into the permitted premises at reasonable times to investigate conditions relating to the emission or concentration of air contaminants, including compliance with the standard permit.*

**Enchanted Rock will comply with applicable rules, regulations, and orders of the commission issued in conformity with the Texas Clean Air Act.**

**30 TAC 116.615(11)(A-B)**

*Distance limitations, setbacks, and buffer zones. Notwithstanding any requirement in any standard permit, if a standard permit for a facility requires a distance, setback, or buffer from other property or structures as a condition of the permit, the determination of whether the distance, setback, or buffer is satisfied shall be made on the basis of conditions existing at the earlier of:*

- (A) *the date new construction, expansion, or modification of a facility begins; or*
- (B) *the date any application or notice of intent is first filed with the commission to obtain approval for the construction or operation of the facility.*

**No condition of the Air Quality Standard Permit for Electric Generating Units contains distance limitations, setbacks, or buffer zones.**

### **6.1.1 30 TAC §117 – Houston-Galveston-Brazoria Eight-Hour Ozone Nonattainment Area Minor Sources**

#### **30 TAC 117.2000 – Applicability**

*This division (relating to Houston-Galveston-Brazoria Ozone Nonattainment Area Minor Sources) applies in the Houston-Galveston-Brazoria ozone nonattainment area to the following equipment at any stationary source of nitrogen oxides (NO<sub>x</sub>) that is not a major source of NO<sub>x</sub>:*

- (1) *boilers and process heaters;*
- (2) *stationary, reciprocating internal combustion engines; and*
- (3) *stationary gas turbines, including duct burners.*

**This section is not applicable.**

#### **30 TAC 117.2003 – Exemptions**

- (a) *This division (relating to Houston-Galveston-Brazoria Ozone Nonattainment Area Minor Sources) does not apply to the following, except as specified in §§117.2030(c), 117.2035(g), and 117.2045(b) and (c) of this title (relating to Operating Requirements; Monitoring and Testing Requirements; and Recordkeeping and Reporting Requirements):*
  - (1) *boilers and process heaters with a maximum rated capacity of 2.0 million British thermal units per hour (MMBtu/hr) or less;*
  - (2) *the following stationary engines:*
    - (A) *engines with a horsepower (hp) rating of less than 50 hp;*
    - (B) *engines used in research and testing;*
    - (C) *engines used for purposes of performance verification and testing;*
    - (D) *engines used solely to power other engines or gas turbines during startups;*
    - (E) *engines operated exclusively in emergency situations, except that operation for testing or maintenance purposes is allowed for up to 52 hours per year, based on a rolling 12-month average. Any new, modified, reconstructed, or relocated stationary diesel engine placed into service on or after October 1, 2001, is*

*ineligible for this exemption. For the purposes of this subparagraph, the terms "modification" and "reconstruction" have the meanings defined in §116.10 of this title (relating to General Definitions) and 40 Code of Federal Regulations (CFR) §60.15 (December 16, 1975), respectively, and the term "relocated" means to newly install at an account, as defined in §101.1 of this title (relating to Definitions), a used engine from anywhere outside that account;*

- (F) engines used in response to and during the existence of any officially declared disaster or state of emergency;*
  - (G) engines used directly and exclusively by the owner or operator for agricultural operations necessary for the growing of crops or raising of fowl or animals;*
  - (H) diesel engines placed into service before October 1, 2001, that:
 
    - (i) operate less than 100 hours per year, based on a rolling 12-month average; and*
    - (ii) have not been modified, reconstructed, or relocated on or after October 1, 2001. For the purposes of this clause, the terms "modification" and "reconstruction" have the meanings defined in §116.10 of this title and 40 CFR §60.15 (December 16, 1975), respectively, and the term "relocated" means to newly install at an account, as defined in §101.1 of this title, a used engine from anywhere outside that account; and**
  - (I) new, modified, reconstructed, or relocated stationary diesel engines placed into service on or after October 1, 2001, that:
 
    - (i) operate less than 100 hours per year, based on a rolling 12-month average, in other than emergency situations; and*
    - (ii) meet the corresponding emission standard for non-road engines listed in 40 CFR §89.112(a), Table 1 (October 23, 1998) and in effect at the time of installation, modification, reconstruction, or relocation. For the purposes of this subparagraph, the terms "modification" and "reconstruction" have the meanings defined in §116.10 of this title and 40 CFR §60.15 (December 16, 1975), respectively, and the term "relocated" means to newly install at an account, as defined in §101.1 of this title, a used engine from anywhere outside that account; and**
- (3) stationary gas turbines rated at less than 1.0 megawatt with initial start of operation on or before October 1, 2001.*

- (b) At any stationary source of nitrogen oxides that is not subject to Chapter 101, Subchapter H, Division 3 of this title (relating to Mass Emissions Cap and Trade Program), the following are exempt from the requirements of this division, except for the totalizing fuel flow requirements of §117.2035(a) and (d) and §117.2045(a)(1) of this title:
 
  - (1) any boiler or process heater with a maximum rated capacity greater than 2.0 MMBtu/hr and less than 5.0 MMBtu/hr that has an annual heat**

*input less than or equal to 1.8 (109) British thermal units (Btu) per calendar year; and*

- (2) *any boiler or process heater with a maximum rated capacity equal to or greater than 5.0 MMBtu/hr that has an annual heat input less than or equal to 9.0 (109) Btu per calendar year.*

**None of these exemptions apply to this site.**

### **30 TAC 117.2010 – Emissions Specifications**

- (a) *For sources that are subject to Chapter 101, Subchapter H, Division 3 of this title (relating to Mass Emissions Cap and Trade Program), the nitrogen oxides (NO<sub>x</sub>) emission rate values used to determine allocations for Chapter 101, Subchapter H, Division 3 of this title must be the lower of any applicable permit limit in a permit issued before January 2, 2001; any permit issued on or after January 2, 2001, that the owner or operator submitted an application determined to be administratively complete by the executive director before January 2, 2001; any limit in a permit by rule under which construction commenced by January 2, 2001; or the emission specifications in subsection (c) of this section. The averaging time must be as specified in Chapter 101, Subchapter H, Division 3 of this title.*

**Enchanted Rock is not subject to the Mass Emissions Cap and Trade Program.**

- (b) *For sources that are not subject to Chapter 101, Subchapter H, Division 3 of this title, NO<sub>x</sub> emissions are limited to the lower of any applicable permit limit in a permit issued before January 2, 2001; any permit issued on or after January 2, 2001, that the owner or operator submitted an application determined to be administratively complete by the executive director before January 2, 2001; any limit in a permit by rule under which construction commenced by January 2, 2001; or the emission specifications in subsection (c) of this section. The averaging time must be as follows:*
- (1) *If the unit is operated with a NO<sub>x</sub> continuous emissions monitoring system (CEMS) or predictive emissions monitoring system (PEMS) under §117.2035(c) of this title (relating to Monitoring and Testing Requirements), either as:*
- (A) *a rolling 30-day average period, in the units of the applicable standard;*
- (B) *a block one-hour average, in the units of the applicable standard;*  
*or*
- (C) *a block one-hour average, in pounds per hour, for boilers and process heaters, calculated as the product of the boiler's or process heater's maximum rated capacity and its applicable limit in pounds per million British thermal units (lb/MMBtu); or if the unit is not operated with a NO<sub>x</sub> CEMS or PEMS under §117.2035(c) of this title, a block one-hour average, in the units of the applicable standard.*

**This subsection does not apply.**

- (c) *The following NO<sub>x</sub> emission specifications must be used in conjunction with subsection (a) of this section to determine allocations for Chapter 101, Subchapter H, Division 3 of this title, or in conjunction with subsection (b) of this section to establish unit-by-unit emission specifications, as appropriate:*
- (1) *from boilers and process heaters:*
    - (A) *gas-fired, 0.036 lb/MMBtu heat input (or alternatively, 30 parts per million by volume (ppmv) at 3.0% oxygen (O<sub>2</sub>), dry basis); and*
    - (B) *liquid-fired, 0.072 lb/MMBtu heat input (or alternatively, 60 ppmv at 3.0% O<sub>2</sub>, dry basis);*
  - (2) *from stationary, gas-fired, reciprocating internal combustion engines:*
    - (A) *fired on landfill gas, 0.60 gram per horsepower-hour (g/hp-hr); and*
    - (B) *all others, 0.50 g/hp-hr;*
  - (3) *from stationary, dual-fuel, reciprocating internal combustion engines, 5.83 g/hp-hr;*
  - (4) *from stationary, diesel, reciprocating internal combustion engines:*
    - (A) *placed into service before October 1, 2001, that have not been modified, reconstructed, or relocated on or after October 1, 2001, the lower of 11.0 g/hp-hr or the emission rate established by testing, monitoring, manufacturer's guarantee, or manufacturer's other data. For the purposes of this paragraph, the terms "modification" and "reconstruction" have the meanings defined in §116.10 of this title (relating to General Definitions) and 40 Code of Federal Regulations §60.15 (December 16, 1975), respectively, and the term "relocated" means to newly install at an account, as defined in §101.1 of this title (relating to Definitions), a used engine from anywhere outside that account; and*
    - (B) *for engines not subject to subparagraph (A) of this paragraph:*
      - (i) *with a horsepower (hp) rating of 50 hp or greater, but less than 100 hp, that are installed, modified, reconstructed, or relocated:*
        - (I) *on or after October 1, 2001, but before October 1, 2003, 6.9 g/hp-hr;*
        - (II) *on or after October 1, 2003, but before October 1, 2007, 5.0 g/hp-hr; and*
        - (III) *on or after October 1, 2007, 3.3 g/hp-hr;*
      - (ii) *with a horsepower rating of 100 hp or greater, but less than 175 hp, that are installed, modified, reconstructed, or relocated:*
        - (I) *on or after October 1, 2001, but before October 1, 2002, 6.9 g/hp-hr;*
        - (II) *on or after October 1, 2002, but before October 1, 2006, 4.5 g/hp-hr; and*

- (III) on or after October 1, 2006, 2.8 g/hp-hr;
      - (iii) with a horsepower rating of 175 hp or greater, but less than 300 hp, that are installed, modified, reconstructed, or relocated:
        - (I) on or after October 1, 2001, but before October 1, 2002, 6.9 g/hp-hr;
        - (II) on or after October 1, 2002, but before October 1, 2005, 4.5 g/hp-hr; and
        - (III) on or after October 1, 2005, 2.8 g/hp-hr;
      - (iv) with a horsepower rating of 300 hp or greater, but less than 600 hp, that are installed, modified, reconstructed, or relocated:
        - (I) on or after October 1, 2001, but before October 1, 2005, 4.5 g/hp-hr; and
        - (II) on or after October 1, 2005, 2.8 g/hp-hr;
      - (v) with a horsepower rating of 600 hp or greater, but less than or equal to 750 hp, that are installed, modified, reconstructed, or relocated:
        - (I) on or after October 1, 2001, but before October 1, 2005, 4.5 g/hp-hr; and
        - (II) on or after October 1, 2005, 2.8 g/hp-hr; and
      - (vi) with a horsepower rating of 750 hp or greater that are installed, modified, reconstructed, or relocated:
        - (I) on or after October 1, 2001, but before October 1, 2005, 6.9 g/hp-hr; and
        - (II) on or after October 1, 2005, 4.5 g/hp-hr;
- (5) from stationary gas turbines (including duct burners), 0.15 lb/MMBtu; and
- (6) as an alternative to the emission specifications in paragraphs (1) - (5) of this subsection for units with an annual capacity factor of 0.0383 or less, 0.060 lb/MMBtu heat input. For units placed into service on or before January 1, 1997, the 1997 - 1999 average annual capacity factor must be used to determine whether the unit is eligible for the emission specification of this paragraph. For units placed into service after January 1, 1997, the annual capacity factor must be calculated from two consecutive years in the first five years of operation to determine whether the unit is eligible for the emission specification of this paragraph, using the same two consecutive years chosen for the activity level baseline. The five-year period begins at the end of the adjustment period as defined in §101.350 of this title (relating to Definitions).

**This subsection does not apply.**

- (d) *The maximum rated capacity used to determine the applicability of the emission specifications in subsection (c) of this section must be:*
- (1) *the greater of the following:*
    - (A) *the maximum rated capacity as of December 31, 2000; or*
    - (B) *the maximum rated capacity after December 31, 2000; or*
  - (2) *alternatively, the maximum rated capacity authorized by a permit issued under Chapter 116 of this title (relating to Control of Air Pollution by Permits for New Construction or Modification) on or after January 2, 2001, for which the owner or operator submitted an application determined to be administratively complete by the executive director before January 2, 2001, provided that the maximum rated capacity authorized by the permit issued on or after January 2, 2001, is no less than the maximum rated capacity represented in the permit application as of January 2, 2001.*

**This subsection does not apply.**

- (e) *A unit's classification is determined by the most specific classification applicable to the unit as of December 31, 2000. For example, a unit that is classified as a stationary gas-fired engine as of December 31, 2000, but subsequently is authorized to operate as a dual-fuel engine, is classified as a stationary gas-fired engine for the purposes of this chapter.*

**This subsection does not apply.**

- (f) *Changes after December 31, 2000, to a unit subject to an emission specification in subsection (c) of this section (ESAD unit) that result in increased NO<sub>x</sub> emissions from a unit not subject to an emission specification in subsection (c) of this section (non-ESAD unit), such as redirecting one or more fuel or waste streams containing chemical-bound nitrogen to an incinerator or a flare, is only allowed if:*
- (1) *the increase in NO<sub>x</sub> emissions at the non-ESAD unit is determined using a CEMS or PEMS that meets the requirements of §117.2035(c) of this title, or through stack testing that meets the requirements of §117.2035(e) of this title; and*
  - (2) *either of the following conditions is met:*
    - (A) *for sources that are subject to Chapter 101, Subchapter H, Division 3 of this title, a deduction in allowances equal to the increase in NO<sub>x</sub> emissions at the non-ESAD unit is made as specified in §101.354 of this title (relating to Allowance Deductions); or*
    - (B) *for sources that are not subject to Chapter 101, Subchapter H, Division 3 of this title, emission credits equal to the increase in NO<sub>x</sub> emissions at the non-ESAD unit are obtained and used in accordance with §117.9800 of this title (relating to Use of Emission Credits for Compliance).*

**This subsection does not apply.**

- (g) *A source that met the definition of major source on December 31, 2000, is always classified as a major source for purposes of this chapter. A source that did not meet the definition of major source (i.e., was a minor source, or did not yet exist) on December 31, 2000, but at any time after December 31, 2000, becomes a major source, is from that time forward always classified as a major source for purposes of this chapter.*

**This subsection does not apply.**

- (h) *The availability under subsection (c)(6) of this section of an emission specification for units with an annual capacity factor of 0.0383 or less is based on the unit's status on December 31, 2000. Reduced operation after December 31, 2000, cannot be used to qualify for a more lenient emission specification under subsection (c)(6) of this section than would otherwise apply to the unit.*

**This subsection does not apply.**

- (i) *No person shall allow the discharge into the atmosphere from any unit subject to NO<sub>x</sub> emission specifications in subsection (c) of this section, emissions in excess of the following, except as provided in §117.2025 of this title (relating to Alternative Case Specific Specifications):*
- (1) *carbon monoxide (CO), 400 ppmv at 3.0% O<sub>2</sub>, dry basis (or alternatively, 3.0 g/hp-hr for stationary internal combustion engines):*
    - (A) *on a rolling 24-hour averaging period, for units equipped with CEMS or PEMS for CO; and*
    - (B) *on a one-hour average, for units not equipped with CEMS or PEMS for CO; and*
  - (2) *for units that inject urea or ammonia into the exhaust stream for NO<sub>x</sub> control, ammonia emissions of 10 ppmv at 3.0% O<sub>2</sub>, dry, for boilers and process heaters; 15% O<sub>2</sub>, dry, for stationary gas turbines (including duct burners used in turbine exhaust ducts) and gas-fired lean-burn engines; and 3.0% O<sub>2</sub>, dry, for all other units, based on:*
    - (A) *a block one-hour averaging period for units not equipped with a CEMS or PEMS for ammonia; or*
    - (B) *a rolling 24-hour averaging period for units equipped with CEMS or PEMS for ammonia.*

**This subsection does not apply.**

### **30 TAC 117.2025 – Alternative Case Specifications**

- (a) *Where a person can demonstrate that an affected unit cannot attain the carbon monoxide (CO) or ammonia specifications of §117.2010(i) of this title (relating to Emission Specifications), the executive director may approve emission specifications different from the CO or ammonia specifications in §117.2010(i) of this title for that unit. The executive director:*

- (1) shall consider on a case-by-case basis the technological and economic circumstances of the individual unit;
  - (2) shall determine that such specifications are the result of the lowest emission limitation the unit is capable of meeting after the application of controls to meet the nitrogen oxides emission specifications of §117.2010 of this title; and
  - (3) in determining whether to approve alternative emission specifications, may take into consideration the ability of the plant where the unit is located to meet emission specifications through system-wide averaging at maximum capacity.
- (b) Any owner or operator affected by the executive director's decision to deny an alternative case specific emission specification may file a motion to overturn the executive director's decision. The requirements of §50.139 of this title (relating to Motion to Overturn Executive Director's Decision) apply.

**This section is not applicable.**

**30 TAC 117.2030 – Operating Requirements**

- (a) The owner or operator shall operate any unit subject to §117.2010 of this title (relating to Emission Specifications) in compliance with those requirements.

**This subsection does not apply.**

- (b) All units subject to §117.2010 of this title must be operated so as to minimize nitrogen oxides (NO<sub>x</sub>) emissions, consistent with the emission control techniques selected, over the unit's operating or load range during normal operations. Such operational requirements include the following.
- (1) Each boiler must be operated with oxygen (O<sub>2</sub>), carbon monoxide (CO), or fuel trim.
  - (2) Each boiler and process heater controlled with forced flue gas recirculation (FGR) to reduce NO<sub>x</sub> emissions must be operated such that the proportional design rate of FGR is maintained, consistent with combustion stability, over the operating range.
  - (3) Each unit controlled with post-combustion control techniques must be operated such that the reducing agent injection rate is maintained to limit NO<sub>x</sub> concentrations to less than or equal to the NO<sub>x</sub> concentrations achieved at maximum rated capacity.
  - (4) Each stationary internal combustion engine controlled with nonselective catalytic reduction must be equipped with an automatic air-fuel ratio (AFR) controller that operates on exhaust O<sub>2</sub> or CO control and maintains AFR in the range required to meet the engine's applicable emission limits.
  - (5) Each stationary internal combustion engine must be checked for proper operation according to §117.8140(b) of this title (relating to Emission Monitoring for Engines).

**This subsection does not apply.**

- (c) No person shall start or operate any stationary diesel or dual-fuel engine for testing or maintenance between the hours of 6:00 a.m. and noon, except:
  - (1) for specific manufacturer's recommended testing requiring a run of over 18 consecutive hours;
  - (2) to verify reliability of emergency equipment (e.g., emergency generators or pumps) immediately after unforeseen repairs. Routine maintenance such as an oil change is not considered to be an unforeseen repair; or
  - (3) firewater pumps for emergency response training conducted in the months of April through October.

**This subsection does not apply.**

### **30 TAC 117.2035 – Monitoring and Testing Requirements**

- (a) Totalizing fuel flow meters.
  - (1) The owner or operator of each unit subject to §117.2010 of this title (relating to Emission Specifications) and subject to Chapter 101, Subchapter H, Division 3 of this title (relating to Mass Emissions Cap and Trade Program), or of each unit claimed exempt under §117.2003(b) of this title (relating to Exemptions) shall install, calibrate, maintain, and operate totalizing fuel flow meters with an accuracy of  $\pm 5\%$ , to individually and continuously measure the gas and liquid fuel usage. A computer that collects, sums, and stores electronic data from continuous fuel flow meters is an acceptable totalizer. The owner or operator of units with totalizing fuel flow meters installed prior to March 31, 2005, that do not meet the accuracy requirements of this subsection shall either recertify or replace existing meters to meet the  $\pm 5\%$  accuracy required as soon as practicable, but no later than March 31, 2007. For the purpose of compliance with this subsection for units having pilot fuel supplied by a separate fuel system or from an unmonitored portion of the same fuel system, the fuel flow to pilots may be calculated using the manufacturer's design flow rates rather than measured with a fuel flow meter. The calculated pilot fuel flow rate must be added to the monitored fuel flow when fuel flow is totaled.
  - (2) The following are alternatives to the fuel flow monitoring requirements of this subsection.
    - (A) Units operating with a nitrogen oxides ( $\text{NO}_x$ ) and diluent continuous emissions monitoring system (CEMS) under subsection (c) of this section may monitor stack exhaust flow using the flow monitoring specifications of 40 Code of Federal Regulations (CFR) Part 60, Appendix B, Performance Specification 6 or 40 CFR Part 75, Appendix A.

- (B) Units that vent to a common stack with a NO<sub>x</sub> and diluent CEMS under subsection (c) of this section may use a single totalizing fuel flow meter.
- (C) Diesel engines operating with run time meters may meet the fuel flow monitoring requirements of this subsection through monthly fuel use records.
- (D) Units of the same category of equipment subject to Chapter 101, Subchapter H, Division 3 of this title may share a single totalizing fuel flow meter provided:
  - (i) the owner or operator performs a stack test in accordance with subsection (e) of this section for each unit sharing the totalizing fuel flow meter; and
  - (ii) the testing results from the unit with the highest emission rate (in pounds per million British thermal units or grams per horsepower-hour) are used for reporting purposes in §101.359 of this title (relating to Reporting) for all units sharing the totalizing fuel flow meter.
- (E) The owner or operator of a unit or units claimed exempt under §117.2003(b) of this title, located at an independent school district may demonstrate compliance with the exemption by the following:
  - (i) in addition to the records required by §117.2045(a)(1) of this title (relating to Recordkeeping and Reporting Requirements), maintain the following monthly records in either electronic or written format. These records must be kept for a period of at least five years and must be made available upon request by authorized representatives of the executive director, the United States Environmental Protection Agency, or local air pollution control agencies having jurisdiction;
    - (I) total fuel usage for the entire site;
    - (II) the estimated hours of operation for each unit;
    - (III) the estimated average operating rate (e.g., a percentage of maximum rated capacity) for each unit; and
    - (IV) the estimated fuel usage for each unit; and
  - (ii) within 60 days of written request by the executive director, submit for review and approval all methods, engineering calculations, and process information used to estimate the hours of operation, operating rates, and fuel usage for each unit.
- (F) The owner or operator of units claimed exempt under §117.2003(b) of this title may share a single totalizing fuel flow meter to demonstrate compliance with the exemption, provided that:
  - (i) all affected units at the site qualify for the exemption under §117.2003(b) of this title; and
  - (ii) the total fuel usage for all units at the site is less than:

- (I) the annual fuel usage limitation in §117.2003(b)(1) of this title; or
  - (II) the annual fuel usage limitation in §117.2003(b)(2) of this title when all affected units at the site are equal to or greater than 5.0 million British thermal units per hour.
- (G) Stationary reciprocating internal combustion engines and stationary gas turbines equipped with a continuous monitoring system that continuously monitors horsepower and hours of operation are not required to install totalizing fuel flow meters. The continuous monitoring system must be installed, calibrated, maintained, and operated according to manufacturer's procedures.

**This subsection does not apply.**

- (b) Oxygen (O<sub>2</sub>) monitors. If the owner or operator installs an O<sub>2</sub> monitor, the criteria in §117.8100(a) of this title (relating to Emission Monitoring System Requirements for Industrial, Commercial, and Institutional Sources) should be considered the appropriate guidance for the location and calibration of the monitor.

**This subsection does not apply.**

- (c) NO<sub>x</sub> monitors. If the owner or operator installs a CEMS or predictive emissions monitoring system (PEMS), it must meet the requirements of §117.8100(a) or (b) of this title. If a PEMS is used, the PEMS must predict the pollutant emissions in the units of the applicable emission specifications of this division (relating to Houston-Galveston-Brazoria Ozone Nonattainment Area Minor Sources).

**This subsection does not apply.**

- (d) Monitor installation schedule. Installation of monitors must be performed in accordance with the schedule specified in §117.9200 of this title (relating to Compliance Schedule for Houston-Galveston-Brazoria Ozone Nonattainment Area Minor Sources).

**This subsection does not apply.**

- (e) Testing requirements. The owner or operator of any unit subject to §117.2010 of this title shall comply with the following testing requirements.
- (1) Each unit must be tested for NO<sub>x</sub>, carbon monoxide (CO), and O<sub>2</sub> emissions.
  - (2) One of the ammonia monitoring procedures specified in §117.8130 of this title (relating to Ammonia Monitoring) must be used to demonstrate compliance with the ammonia emission specification of

- §117.2010(i)(2) of this title for units that inject urea or ammonia into the exhaust stream for NO<sub>x</sub> control.
- (3) For units not equipped with CEMS or PEMS, all testing must be conducted according to §117.8000 of this title (relating to Stack Testing Requirements). In lieu of the test methods specified in §117.8000 of this title, the owner or operator may use American Society for Testing and Materials (ASTM) D6522-00 to perform the NO<sub>x</sub>, CO, and O<sub>2</sub> testing required by this subsection on natural gas-fired reciprocating engines, combustion turbines, boilers, and process heaters. If the owner or operator elects to use ASTM D6522-00 for the testing requirements, the report must contain the information specified in §117.8010 of this title (relating to Compliance Stack Test Reports).
  - (4) Test results must be reported in the units of the applicable emission specifications and averaging periods. If compliance testing is based on 40 CFR Part 60, Appendix A reference methods, the report must contain the information specified in §117.8010 of this title.
  - (5) For units equipped with CEMS or PEMS, the CEMS or PEMS must be installed and operational before testing under this subsection. Verification of operational status must, at a minimum, include completion of the initial monitor certification and the manufacturer's written requirements or recommendations for installation, operation, and calibration of the device.
  - (6) Initial compliance with §117.2010 of this title for units operating with CEMS or PEMS must be demonstrated after monitor certification testing using the NO<sub>x</sub> CEMS or PEMS.
  - (7) For units not operating with CEMS or PEMS, the following apply.
    - (A) Retesting as specified in paragraphs (1) - (4) of this subsection is required within 60 days after any modification that could reasonably be expected to increase the NO<sub>x</sub> emission rate.
    - (B) Retesting as specified in paragraphs (1) - (4) of this subsection may be conducted at the discretion of the owner or operator after any modification that could reasonably be expected to decrease the NO<sub>x</sub> emission rate, including, but not limited to, installation of post-combustion controls, low-NO<sub>x</sub> burners, low excess air operation, staged combustion (for example, overfire air), flue gas recirculation, and fuel-lean and conventional (fuel-rich) reburn.
    - (C) The NO<sub>x</sub> emission rate determined by the retesting must establish a new emission factor to be used to calculate actual emissions from the date of the retesting forward. Until the date of the retesting, the previously determined emission factor must be used to calculate actual emissions for compliance with Chapter 101, Subchapter H, Division 3 of this title.
  - (8) Testing must be performed in accordance with the schedule specified in §117.9200 of this title.
  - (9) All test reports must be submitted to the executive director for review and approval within 60 days after completion of the testing.
- (f) Emission allowances.

- (1) For sources that are subject to Chapter 101, Subchapter H, Division 3 of this title, the NO<sub>x</sub> testing and monitoring data of subsections (a) - (e) of this section, together with the level of activity, as defined in §101.350 of this title (relating to Definitions), must be used to establish the emission factor calculating actual emissions for compliance with Chapter 101, Subchapter H, Division 3 of this title.
  - (2) The emission factor in subsection (e)(7) of this section or paragraph (1) of this subsection is multiplied by the unit's level of activity to determine the unit's actual emissions for compliance with Chapter 101, Subchapter H, Division 3 of this title.
- (g) Run time meters. The owner or operator of any stationary diesel engine claimed exempt using the exemption of §117.2003(a)(2)(E), (H), or (I) of this title shall record the operating time with an elapsed run time meter. Any run time meter installed on or after October 1, 2001, must be non-resettable.

**This section does not apply.**

**30 TAC 117.8010 – Recordkeeping and Reporting Requirements**

- (a) Recordkeeping. The owner or operator of a unit subject to §117.2010 of this title (relating to Emission Specifications) or claimed exempt under §117.2003(b) of this title (relating to Exemptions) shall maintain written or electronic records of the data specified in this subsection. Such records must be kept for a period of at least five years and must be made available upon request by authorized representatives of the executive director, the United States Environmental Protection Agency, or local air pollution control agencies having jurisdiction. The records must include:
  - (1) records of annual fuel usage;
  - (2) for each unit using a continuous emission monitoring system (CEMS) or predictive emission monitoring system (PEMS) in accordance with §117.2035(c) of this title (relating to Monitoring and Testing Requirements), monitoring records of:
    - (A) hourly emissions and fuel usage (or stack exhaust flow) for units complying with an emission specification enforced on a block one-hour average; and
    - (B) daily emissions and fuel usage (or stack exhaust flow) for units complying with an emission specification enforced on a rolling 30-day average. Emissions must be recorded in units of:
      - (i) pounds per million British thermal units heat input; and
      - (ii) pounds or tons per day;
  - (3) for each stationary internal combustion engine subject to §117.2010 of this title, records of:
    - (A) emissions measurements required by §117.2030(b)(5) of this title (relating to Operating Requirements); and
    - (B) catalytic converter, air-fuel ratio controller, or other emissions-related control system maintenance, including the date and nature of corrective actions taken;

- (4) records of carbon monoxide measurements specified in §117.2030(b)(5) of this title;
  - (5) records of the results of initial certification testing, evaluations, calibrations, checks, adjustments, and maintenance of CEMS, PEMS, or steam-to-fuel or water-to-fuel ratio monitoring systems;
  - (6) records of the results of performance testing, including the testing conducted in accordance with §117.2035(e) of this title; and
  - (7) records of daily average horsepower and total daily hours of operation for each stationary reciprocating internal combustion engine or stationary gas turbine that the owner or operator elects to use the alternative monitoring system allowed under §117.2035(a)(2)(G) of this title. Units that are monitored according to §117.2035(a)(2)(G) of this title are not required to keep records of annual fuel usage as required by paragraph (1) of this subsection.
- (b) Records for exempt engines. Written records of the number of hours of operation for each day's operation must be made for each engine claimed exempt under §117.2003(a)(2)(E), (H), or (I) of this title or §117.2030(b)(5) of this title. In addition, for each engine claimed exempt under §117.2003(a)(2)(E) of this title, written records must be maintained of the purpose of engine operation and, if operation was for an emergency situation, identification of the type of emergency situation and the start and end times and date(s) of the emergency situation. The records must be maintained for at least five years and must be made available upon request to representatives of the executive director, the United States Environmental Protection Agency, or any local air pollution control agency having jurisdiction.
- (c) Records of operation for testing and maintenance. The owner or operator of each stationary diesel or dual-fuel engine shall maintain the following records for at least five years and make them available upon request by authorized representatives of the executive director, the United States Environmental Protection Agency, or local air pollution control agencies having jurisdiction:
- (1) date(s) of operation;
  - (2) start and end times of operation;
  - (3) identification of the engine; and
  - (4) total hours of operation for each month and for the most recent 12 consecutive months.

**This section does not apply.**

### **6.1.2 Air Quality Standard Permit for Electric Generating Units**

**(1) Applicability**

- (A) *This standard permit may be used to authorize electric generating units installed or modified after the effective date of*

*this standard permit and that meet the requirements of this standard permit.*

- (B) *This standard permit may not be used to authorize boilers. Boilers may be authorized under the Air Quality Standard Permit for Boilers; 30 TAC § 106.183, Boilers, Heaters, and Other Combustion Devices; or a permit issued under the requirements of 30 TAC Chapter 116.*

**This registration is authorizing electric generating units.**

**(2) Administrative Requirements**

- (A) *Electric generating units shall be registered in accordance with 30 TAC §116.611, Registration to Use a Standard Permit, using a current Form PI-1S. Units that meet the conditions of this standard permit do not have to meet 30 TAC § 116.610(a)(1), Applicability.*
- (B) *Registration applications shall comply with 30 TAC § 116.614, Standard Permit Fees, for any single unit or multiple units at a site with a total generating capacity of 1 megawatt (MW) or greater. The fee for units or multiple units with a total generating capacity of less than 1 MW at a site shall be \$100.00. The fee shall be waived for units or multiple units with a total generating capacity of less than 1 MW at a site that have certified nitrogen oxides (NOx) emissions that are less than 10 percent of the standards required by this standard permit. Renewable fuel - fuel produced or derived from animal or plant products, byproducts or wastes, or other renewable biomass sources, excluding fossil fuels. Renewable fuels may include, but are not limited to, ethanol, biodiesel, and biogas fuels.*
- (C) *No owner or operator of an electric generating unit shall begin construction and/or operation without first obtaining written approval from the executive director.*
- (D) *Records shall be maintained and provided upon request to the Texas Commission on Environmental Quality (TCEQ) for the following:*
- (i) Hours of operation of the unit;*
  - (ii) Maintenance records, maintenance schedules, and/or testing reports for the unit to document re-certification of emission rates as required by subsection (4)(G) below; and*
  - (iii) Records to document compliance with the fuel sulfur limits in subsection (4)(C).*
- (E) *Electric generators powered by gas turbines must meet the applicable conditions, including testing and performance standards, of Title 40 Code of Federal Regulations (CFR) Part 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, and applicable requirements of 40 CFR Part 60*

*Subpart KKKK, Standards of Performance for Stationary Combustion Turbines.*

- (F) *Compliance with this standard permit does not exempt the owner or operator from complying with any applicable requirements of 30 TAC Chapter 117, Control of Air Pollution from Nitrogen Compounds, or 30 TAC Chapter 114, Control of Air Pollution from Motor Vehicles.*

*Operator shall comply against above mentioned regulations.*

**Units are being registered in accordance with section 116.611 with a PI-1S Form. A fee of \$900 accompanies this registration. Written approval will be obtained before construction of the units. Applicable records shall be maintained and provided upon request. Gas Turbines do not power the units.**

**(3) General Requirements**

- (A) *Emissions of NO<sub>x</sub> from the electric generating unit shall be certified by the manufacturer or by the owner or operator in pounds of pollutant per megawatt hour (lb/MWh). This certification must be displayed on the name plate of the unit or on a label attached to the unit. Test results from U.S. Environmental Protection Agency (EPA) reference methods, California Air Resources Board methods, or equivalent alternative testing methods approved by the executive director used to verify this certification shall be provided upon request to the TCEQ. The unit must operate on the same fuel(s) for which the unit was certified.*

**The units being placed will be certified by the manufacturer.**

- (B) *Electric generating units that use combined heat and power (CHP) may take credit for the heat recovered from the exhaust of the combustion unit to meet the emission standards in subsections (4)(D), (4)(E), and (4)(F). Credit shall be at the rate of one MWh for each 3.4 million British Thermal Units of heat recovered. The following requirements must be met to take credit for CHP for units not sold and certified as an integrated package by the manufacturer....*

**This does not apply, as heat is not recovered for other processes.**

- (C) *Fuels combusted in these electric generating units are limited to:*  
(i) *Natural gas containing no more than ten grains total sulfur per 100 dry standard cubic feet.*

**Fuel will be sweet natural gas.**

- (D) *Except as provided in subsections (4)(F) and (4)(H), NOx emissions for units 10 MW or less shall meet the following limitations based upon the date the unit is installed and the region in which it operates:*

*East Texas Region:*

- (ii) Units installed on or after January 1, 2005 and*
- (iii) operating more than 300 hours per year, with a capacity greater than 250 kilowatts (kW) - 0.14 lb/MWh;*

**NOx emissions are certified to be equal to or less than 0.1388 lb/MWh.**

- (E) *Except as provided in subsections (4)(F) and (4)(H), NOx emissions for units greater than 10 MW shall meet the following limitations:*

**HEB00334 units are less than 10 MW. This does not apply.**

- (D) *Electric generating units firing any gaseous or liquid fuel that is at least 75 percent landfill gas, digester gas, stranded oil field gas, or renewable fuel content by volume, shall meet a NOx emission limit of 1.90 lb/MWh. Units in West Texas with a capacity of 10 MW or less that fire at least 75 percent landfill gas, digester gas, stranded oilfield gases, or gaseous or liquid renewable fuel by volume, must comply with the applicable West Texas NOx limit in subsection (4)(D).*

**HEB00334 units will not use the fuel described. This does not apply.**

- (E) *To ensure continuing compliance with the emissions limitations, the owner or operator shall re-certify a unit every 16,000 hours of operation, but no less frequently than every three years. Re-certification may be accomplished by following a maintenance schedule that the manufacturer certifies will ensure continued compliance with the required NOx standard or by third party testing of the unit using appropriate EPA reference methods, California Air Resources Board methods, or equivalent alternative testing methods approved by the executive director to demonstrate that the unit still meets the required emission standards. After re-certification, the unit must operate on the same fuel(s) for which the unit was re-certified.*

**Engine will be recertified as applicable.**

- (F) *To The NOx emission limits in subsections (4)(D)-(4)(F) are subject to the following exceptions:*
- (i) *The hourly NOx emission limits do not apply at times when the ambient air temperature at the location of the unit is less than 0 degrees Fahrenheit.*
  - (ii) *At times when a unit is operating at less than 80% of rated load, an alternative NOx emission standard for that unit may be determined by multiplying the applicable emission standard in subsections (4)(D)-(4)(F) by the rated load of the EGU (in MW), to produce an allowable hourly mass NOx emission rate. In order to use this alternative standard, an owner or operator must maintain records that demonstrate compliance with the alternative emission standard, and make such records available to the TCEQ or any local air pollution control agency with jurisdiction upon request.*

**Applicable records will be maintained.**

## 6.1 FEDERAL REGULATORY APPLICABILITY

A regulatory applicability analysis has been performed for Federal Regulations, namely 40 Code of Federal Regulations (CFR) parts 60, 61, and 63. The following sections contain potentially applicable regulations to the HEB00334 Plant, along with how each will be met.

### 6.1.1 40 CFR 60 – Standards of Performance for New Stationary Sources

HEB00334 is subject to the requirements of 40 CFR 60. The following section discusses how potentially applicable Subparts, under 40 CFR 60, do or do not apply.

#### **Subpart A – General Provisions**

**HEB00334 is subject to the requirements in §60.1 for obtaining a permit for affected facilities, §60.7 for notifications and recordkeeping of affected facilities, §60.11 for compliance with standards and maintenance requirements, and §60.19 for general notification and reporting requirements.**

#### **Subpart JJJJ – Standards of Performance for Stationary Spark Ignition Internal Combustion Engines**

**HEB00334 is subject to this subpart because the engines on site are certified natural gas burn, non-emergency stationary spark-ignited internal combustion engines with rated hp greater than 500, and manufactured after July 1, 2010. Enchanted Rock will comply with the below specified emission standards and all applicable requirements under this subpart.**

<b>Pollutant</b>	<b>Emission Standards (g/Hp-hr)</b>
NOx	1
CO	2
VOC	0.7

### 6.1.2 40 CFR 61 – National Emission Standards for Hazardous Air Pollutants

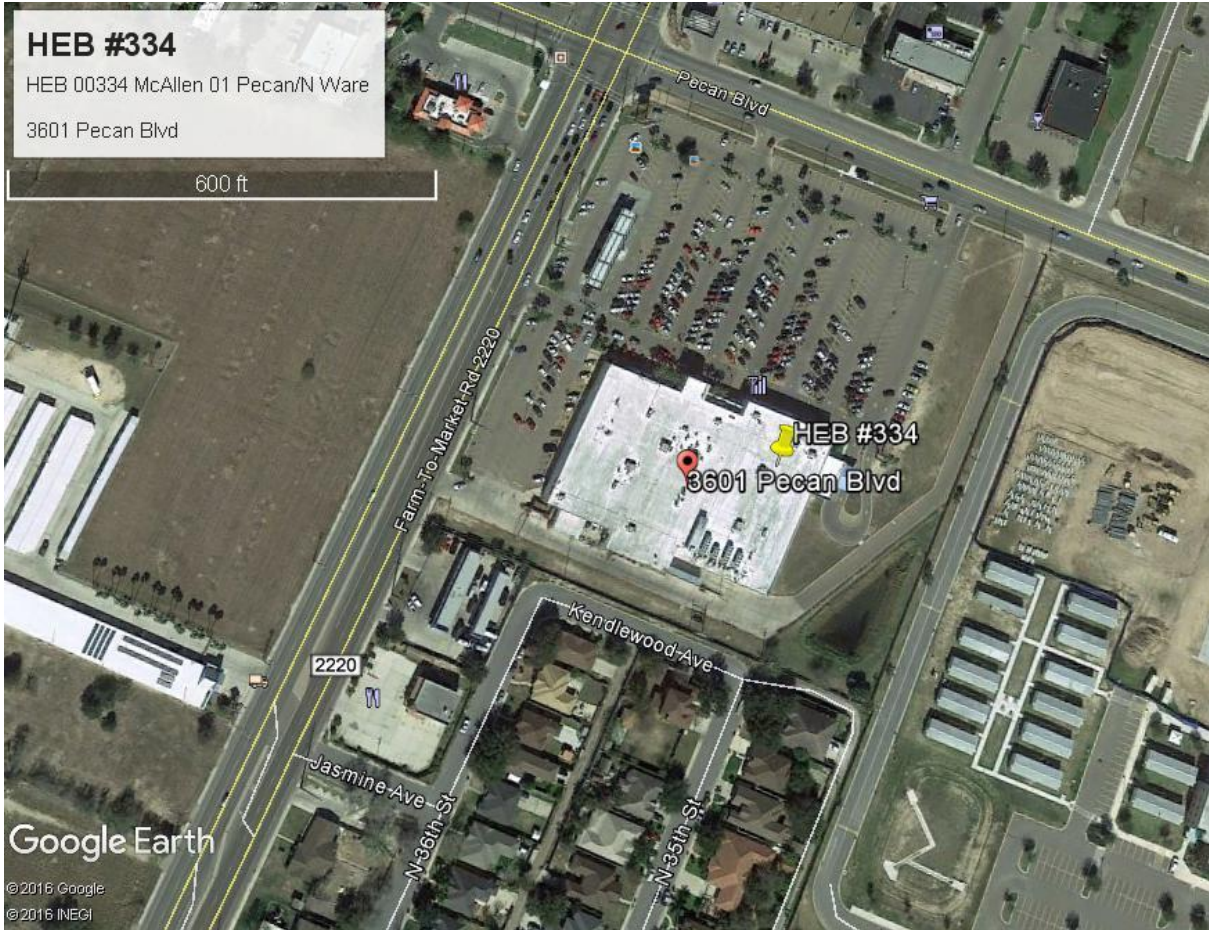
HEB00334 is not subject to the requirements of 40 CFR 61.

**6.1.1 40 CFR 63 – National Emission Standards for Hazardous Air Pollutants for Source Categories**

**Subpart ZZZZ** – *National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*

**HEB00334 does have a Stationary Reciprocating Internal Combustion Engine on site. HEB00334 will adhere to the requirements in §63.6590(c), which states that compliance is achieved by complying with all applicable requirements of 40 CFR 60 Subpart JJJJ.**

## **7.0 MAPS**





**HEB #334**  
 HEB 00334 McAllen 01 Pecan/N Ware  
 3601 Pecan Blvd


600 ft

Google Earth

© 2016 Google  
 © 2016 INEGI

**Legend**

-  3601 Pecan Blvd
-  HEB #334

 3601 Pecan Boulevard, McAllen, TX 78501

**Reference**

Base map comprised of Google Earth aerial imagery from 6/8/2017

**Area Map**

Air Quality Permit Registration  
 Hidalgo County, Texas

**Enchanted Rock Solutions, LLC**  
**HEB 00334 McAllen 01 Pecan/N Ware**



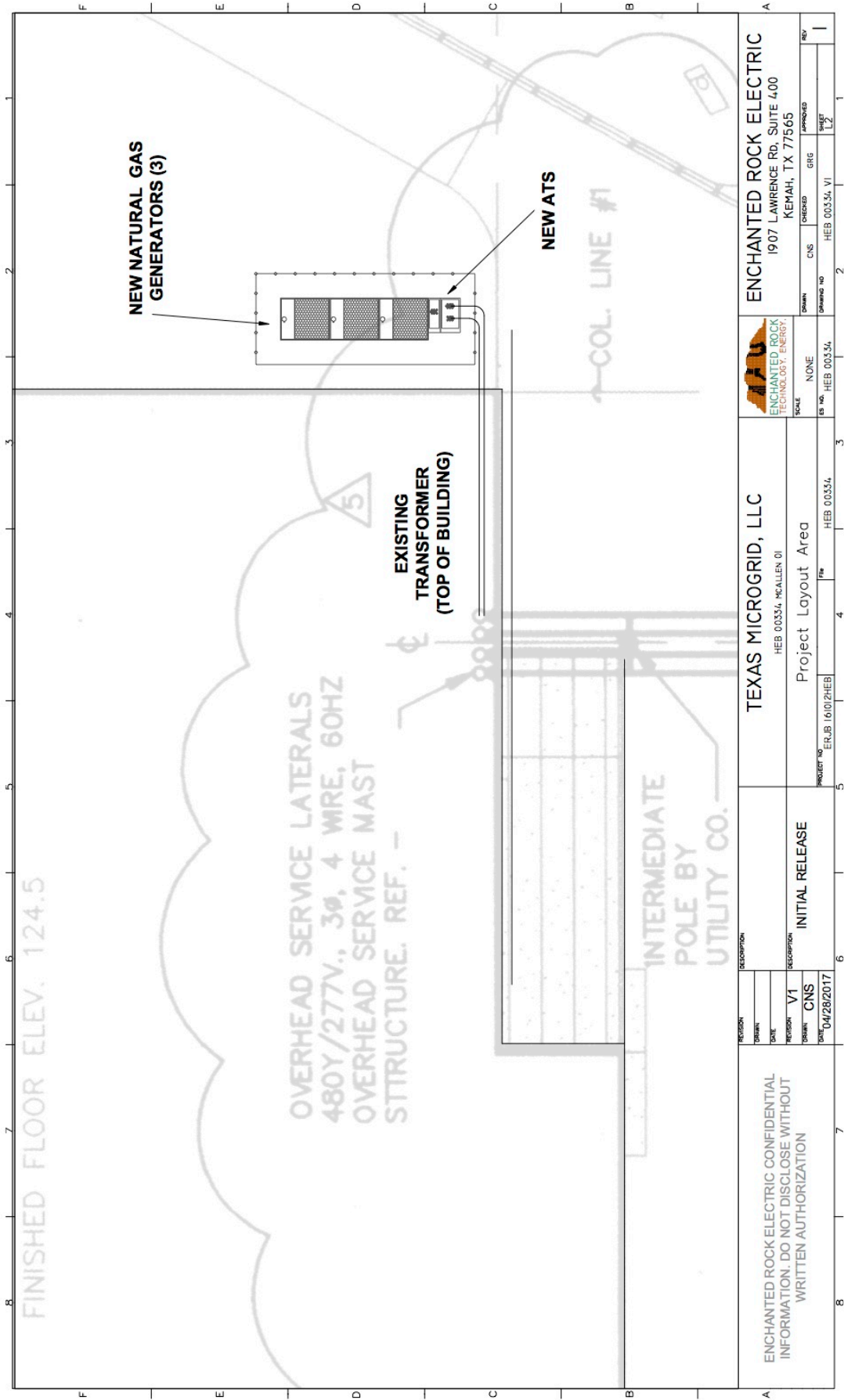
**Drawn by K.S.**

Project Number  
 EREJB161012  
 HEB 334

**2**

**Figure**





ENCHANTED ROCK ELECTRIC 1907 LAWRENCE RD, SUITE 400 KEMAH, TX 77565		ENCHANTED ROCK TECHNICAL ENGINEERING		TEXAS MICROGRID, LLC HEB 00334, McALLEN 01 Project Layout Area		ENCHANTED ROCK ELECTRIC HEB 00334, VI	
DATE	DESCRIPTION	DATE	DESCRIPTION	DATE	DESCRIPTION	DATE	DESCRIPTION
04/28/2017	V1		INITIAL RELEASE				
DRWN	CNS	DRWN	CNS	DRWN	CNS	DRWN	CNS
CHKD	HEB 00334, VI	CHKD	HEB 00334, VI	CHKD	HEB 00334, VI	CHKD	HEB 00334, VI
APPV	HEB 00334, VI	APPV	HEB 00334, VI	APPV	HEB 00334, VI	APPV	HEB 00334, VI
REV		REV		REV		REV	
1		1		1		1	

**APPENDIX A – MANUFACTURER’S DATA SHEETS  
(CONFIDENTIAL INFORMATION SUBMITTED UNDER  
SEPARATE COVER)**

**APPENDIX B – TABLE 29 (CONFIDENTIAL INFORMATION  
SUBMITTED UNDER SEPARATE COVER)**