



**Permits by Rule 30 TAC Chapter 106, Section 106.4**  
**“Quick-Check” Applicability Checklist**  
**Instructions and Guidance for Using the “Quick-Check” Checklist**

This checklist is designed to help owners/operators of very insignificant sources confirm that their proposed project meets the rules for using permits by rule. **This checklist should only be used if the total maximum emissions from all facilities at the site will be less than 25 tons per year of any contaminant.** If the site's emissions are greater than this amount, the standard Title 30 Texas Administrative Code § 106.4 (30 TAC § 106.4) Checklist should be used.

In addition to this checklist, it is the responsibility of the owner/operator to document and submit information on how the facility equipment and operations will meet all of the requirements of each specific permit by rule being claimed. Please forward this completed form and all documentation to for the verification of your permit by rule claim. Before starting the checklist, please calculate all new emissions associated with this project, including fugitives, as well as upstream and downstream increases in emissions caused by the facilities added or modified by the permit by rule claim. Attach this information to the completed permit by rule claim.

For additional assistance with your application, including resources to help calculate your emissions, please visit the Small Business and Local Government Assistance (SBLGA) webpage at the following link: [www.TexasEnviroHelp.org](http://www.TexasEnviroHelp.org)

Page	Title	Details
1	General Instructions and Guidance	Do not return
2	General Requirements of 30 TAC § 106.4(short form)	Complete for all permit by rule claims

Easy Reference:	
Contaminant	Includes all criteria pollutant categories
VOC	Volatile organic compounds
NO <sub>x</sub>	Nitrogen oxides
TPY	Tons per year
SO <sub>2</sub>	Sulfur dioxide
NAAQS	National Ambient Air Quality Standards
CO	Carbon monoxide
PSD	Prevention of Significant Deterioration
PM	Suspendable particulate matter, including PM <sub>10</sub>
Nonattainment	Areas designated by EPA as not meeting the NAAQS for a particular contaminant
PM <sub>10</sub>	PM less than 10 microns in size
Attainment	Areas designated as meeting the NAAQS for a particular contaminant
<b>After completing this checklist, attach all documentation needed to verify your claim and forward to all of the following:</b>	
Air Permits Division, MC 162 P.O. Box 13087 Austin, Texas 78711 Fax (512) 239-1300	Any appropriate Local Air Pollution Control Programs at: <a href="http://www.tceq.state.tx.us/cgi-bin/permitting/air/tps-ost/localprograms/localprograms.pl">www.tceq.state.tx.us/cgi-bin/permitting/air/tps-ost/localprograms/localprograms.pl</a>
If you have any questions regarding this checklist, applicable requirements, or the permit by rule registration process, please feel free to call the Air Permits Division at (512) 239-1250.	



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List the maximum annual emission rates, in **TONS PER YEAR (TPY)**, for this project:

CO 51.5	NO <sub>x</sub> 21.5	VOC 8.3
PM	SO <sub>2</sub>	Other

**The following questions require a “Yes,” or “No,” answer to be indicated for this permit by rule claim:**

**A. Title 30 TAC § 106.4(a)(5): Current Permit by Rule Requirements**

Have you checked to determine if this exempt project is being claimed under the current version of 30 TAC 106? \*YES \*NO

*If “Yes,” continue to next question*

*If “No,” please contact the Air Permits Division for a copy of the current permit by rule to be claimed.*

**B. Title 30 TAC § 106.4(a)(7): Permit by rule prohibition check**

Are there any air permits under the same account containing permit conditions which prohibit or restrict the use of permits by rule? \*YES \*NO

*If “No,” continue to next question*

*If “Yes,” permits by rule may not be used or their use must meet the restrictions of the permit.*

*A new permit or permit amendment may be required.*

List permits number(s):

**C. Title 30 TAC § 106.4(b): Circumvention check**

*Title 30 TAC § 106.4(b) states “No person shall circumvent by artificial limitations the requirements of § 116.110 of this title (covering permitting).” Circumvention by artificial limitations may include but is not limited to:*

- (1.) A. *dividing a complete project into separate segments to circumvent §106.4(a)(1) limits;*
- (2.) *claiming feed or production rates below the physical capacity of the project's equipment in order to begin constructing facilities before a permit or permit amendment is approved for full scale operations, particularly when the unit will not be economically viable at less than permitted capacity;*
- (3.) *claiming a limited chemical list in order to begin constructing facilities before a permit or permit amendment is approved for additional chemicals, particularly when the unit will not be economically viable until the additional chemicals are authorized.*

Does your project meet any of the criteria listed above? \*YES \*NO

*If “No,” continue to next rule question.*

*If “Yes,” a permit by rule may not be claimed.*

**D. Title 30 TAC § 106.4(c) and (d): Compliance with all Rules**

Will the facility comply with all rules and regulations of the, the intent of the Texas Clean Air Act, and any local permitting or registration requirements? \*YES \*NO

*If “Yes,” continue to next rule question*

*If “No,” a permit by rule may not be claimed*



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**E. Title 30 TAC § 106.4(a)(1): Emission limits check**

The maximum emissions from all facilities at the site, including this permit by rule claim, are less than 25 tpy of any contaminant \* YES \* NO

*If the answer to these questions is “Yes,” no further review is needed to complete this checklist.*

*Forward all information needed to verify your permit by rule claim.*

*If “No,” this checklist cannot be used. Please complete the standard 30 TAC § 106.4 Applicability Checklist.*

Name: Johnny D Combs

Company: Trinity Oaks Tyler, LLC

Title: Manager

Facility Name: Trinity Oaks Tyler, LLC

Phone No.: 903-345-6063

Fax No.:

Email Address: jcombs@newhopeenergy.com

Account ID No.:

Location: 1775 E Duncan Street, Tyler, TX 75702

Signature of Company Officer: 

Date: 05/10/19