



FAX TRANSMITTAL

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5

TO: Name **Ms. Lanette Holden**
 Organization **Holden Lanette**
 FAX Number **(281) 592-3603**

FROM: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

 Name Anne M. Inman, Manager
 Division/Region Rule Registrations Section, Air Permits Division
 Telephone 512-239-1264
 FAX Number 512-239-5698

Attached you will find a copy of your 30 TAC § 106.496 air curtain incinerator registration.

A copy is also being faxed to the following as marked:

X Name indicates a fax copy was sent to the appropriate program

TCEQ Regional Offices

***Region 1 – Amarillo	806-358-9545	***Region 9 - Waco	254-772-9241
***Region 2 - Lubbock	806-796-7107	X **Region 10 - Beaumont	409-892-2119
***Region 3 - Abilene	915-692-5869	***Region 11 - Austin	512-339-3795
***Region 4 - Dallas/Ft. Worth	817-588-5702	***Region 12 - Houston	713-767-3799
***Region 5 - Tyler	903-595-1562	***Region 13 - San Antonio	210-545-4329
***Region 6 - El Paso	915-834-4940	***Region 14 - Corpus Christi	361-825-3101
***Region 7 - Midland	432-570-4795	***Region 15 - Harlingen	956-412-5059
***Region 8 - San Angelo	325-658-5431	***Region 16 - Laredo	956-791-6716

Local Air Pollution Control Programs

***City of Austin	512-974-6385	***City of Irving	972-721-3634
***Brazoria County	879-489-0324	***City of Lewisville	972-219-3412
***City of Carrollton	972-466-3175	***City of Nacogdoches	409-560-5137
***City of Dallas	214-948-4412	***City of Richardson	972-644-2618
***El Paso, City/Co	915-543-3655	***Travis County	512-976-2030
***City of Farmers Branch	972-241-6305	***City of San Antonio	210-207-8039
***City of Ft Worth	817-871-5464	***City of Sugar Land	281-275-2771
***Galveston County	409-938-2321	***City of Webster	281-332-5834
***Harris County	713-475-8906	***Wichita Falls City/Co	no fax listed
***City of Houston	713-640-4343	***City of Longview	903-234-8919

TECHNICAL REVIEW: AIR CURTAIN INCINERATOR

Permit Nos:	PBR: 78447L003 TV: O3266	Company Name:	Holden, Lanette	APD Reviewer:	Ms. Bonnie Barrera
Project Nos:	PBR: 146132 TV: 13318	Unit Name:	Lanette Holden Trench Burner / Lanette Holden Trench Burner	Rule Nos.:	106.496 GOP 518

GENERAL INFORMATION					
Regulated Entity No.:	RN104916465	Project Type:	* Initial PBR * Renew PBR * Initial GOP		
Customer Reference No.:	CN603433426	Date Received by TCEQ:	PBR: April 13, 2009 GOP: December 18, 2008		
Account No.:	N/A	Date Received by Reviewer:	PBR: April 22, 2009 GOP: February 24, 2009		
City/County:	Cleveland, San Jacinto	Physical Location:	400 Tyler Road		
CONTACT INFORMATION					
Responsible Official/ Primary Contact Name and Title:	Ms. Lanette Holden President	Phone No.:	(281) 703-7096	Email:	--
		Fax No.:	(281) 592-3603		
Technical Contact/ Consultant Name and Title:	--	Phone No.:	--	Email:	--
		Fax No.:			
REGISTRATION INFORMATION AND CHECK			YES	NO	COMMENTS
Do NSPS/NESHAPS/MACT Standards apply?				X	
Is the facility in compliance with all other applicable rules and regulations?			X		
Does the ACI meet all requirements of the GOP?			X		
Does the ACI meet the general and specific PBR requirements?			X		This project concurrently authorizes the unit under PBR 106.496 and GOP 518. The unit has been previously authorized under 496 under Jeff Pitts Logging Co, the previous owner.
Legislative Notification Letters Sent?			X		Mailed February 24, 2009
Application(s) determined Technically Complete?			X		Complete information was received for both 106.496 and the GOP 518.
Has RN been reviewed to void any unnecessary registrations?			X		

DESCRIBE PROJECT AND INVOLVED PROCESS				
Lanette Holden owns and operates the above referenced Air Curtain Incinerator (ACI). This project authorizes the unit under PBR 106.496 and GOP 518. Both the PBR and GOP will be issued on the same day.				
TECHNICAL SUMMARY - DESCRIBE HOW THE PROJECT MEETS THE RULES				
Lanette Holden submitted applications for PBR 106.496 and for an Authorization to Operate letter under GOP 518.				
<p><u>PBR</u></p> <p>The applicant represents all requirements of 106.496 are met. The ACI will be located at a land clearing site and uses a trench and air manifold fan system. Ash will be disposed of by mixing it with topsoil.</p> <p><u>GOP</u></p> <p>For applications under GOP 518, unit-specific applicable requirements and area-wide applicable requirements are not addressed or added to the Title V IMS. Therefore, no changes were made to the Title V IMS.</p> <p>Date IS-3 (legislative notifications) letters were sent: February 24, 2009 Date application determined complete (no deficiencies): April 22, 2009</p>				
SITE REVIEW / DISTANCE LIMIT	Yes	No	Description/Outcome	Reviewed by
Site Review Required?	X		A site review was requested on April 21, 2009. The regional office made numerous attempts to contact the applicant to schedule a site visit and left several phone messages, but the company was unresponsive. A phone record from the regional office is included in the file.	05/08/2009 Mr. Carl Ortmann, TCEQ Region 10
PBR Distance Limits Met?	X		The applicant represents the distance to the nearest property line will be at least 300 feet.	04/22/2009 B. Barrera
COMPLIANCE HISTORY				
In accordance with 30 TAC Chapter 60, a compliance history report was reviewed on: March 4, 2009				
The compliance period was from 12/18/2008 to 12/18/2003				
Site rating & classification? 3.01 (average by default)			Company rating & classification? 3.01 (average by default)	
If Poor, what action(s) occurred as a result? (i.e. changes to permit, reduced renewal period, recommend denial, etc.) NA				

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COMMUNICATION LOG				
Date	Time	Name/Company	Subject of Communication	
02/23-02/24/2009	--	Ms. Jennifer Beatty, TCEQ/OPR/APD	Emails regarding the associated PBR application. An application for 106.496 was submitted at the same time as the GOP (NSR permit #78447L002), but the PBR application was withdrawn. Ms. Beatty attempted to contact the applicant twice but never received a response. The unit is currently authorized by NSR permit #78447L001, but under the company name Jeff Pitts Logging Inc. The PBR registration expires 04/06/2011.	
02/26/2009	10:20 am	Ms. Lanette Holden	Phone message from reviewer to ask if she still wants the GOP application processed because the PBR application was withdrawn. Reviewer asks that Ms. Holden please return the call to explain why the PBR was withdrawn.	
03/04/2009	1:00 pm	Ms. Lanette Holden	Phone message to inform Ms. Holden the GOP application will need an original signature.	
03/06/2009	pm	Ms. Molly Wentworth, TCEQ/OPR/APD/RR	Discussion with Ms. Wentworth to inquire if the application can proceed with a preconstruction authorization in another company's name. The reviewer also informs Ms. Wentworth that multiple attempts have been made to contact the applicant. She responds that no, the current owner must have a PBR or case-by-case permit in their own name and that if the reviewer does not receive a response by Monday, March 9 then the reviewer should proceed with a deficiency 2 letter.	
03/06/2009	pm	Ms. Lanette Holden	Phone message to inform Ms. Holden that unless she responds to previous messages and explains why she is not applying for a PBR and provides an original signature on the GOP 518 application, her unit will be without a permit and will be unable to legally operate.	
03/09/2009	12:00	Review note	DEF-1 letter prepared, which states the applicant has 30 additional days to respond to requests for information, after which the application will be voided. Letter mailed on March 10, 2009.	
03/24/2009	am	Ms. Lanette Holden	Phone message from Ms. Holden that she received the letter and to please return her call.	
03/26/2009	1:50 pm	Ms. Lanette Holden	Phone call to Ms. Holden. The reviewer explains that an original signature is needed on the GOP application and that she will also need to apply for a PBR for the unit, as well as pay a \$100 fee. Ms. Holden requests the reviewer to fax her all the necessary forms. Forms faxed to the applicant on 03/26/2009.	
04/07/2009	11:27 am	Ms. Lanette Holden	Phone message to inquire status of paperwork, as nothing has been received yet by the reviewer.	
04/09/2009	am	Ms. Lanette Holden	Response from Ms. Holden. She says she will mail the GOP and PBR paperwork this week. Mail package received on 04/13/2009 which includes an original GOP application and signature and forms PI-7 and 106.494 checklist for the incinerator, but no payment is received. The reviewer will keep the PBR information until payment is received.	
04/14-15/2009	am	Ms. Brenda O'Brien and Ms. Patricia Martin/ TCEQ/OPR/APR/Business	Various discussions with members of the Business Section that the applicant needs to either submit the \$100 fee to reregister the PBR or submit a change of ownership form to change the unit to Ms. Holden's name. Ms. O'Brien left a message with Ms. Holden on 04/14/2009 informing Ms. Holden of her options.	
04/16/2009	9:40 am	Ms. Lanette Holden	Phone message from reviewer repeating that Ms. Holden needs to respond with the \$100 PBR fee or submit a change of ownership form or the GOP application may be voided. The reviewer also faxes a change of ownership form and instructions to the applicant.	
04/16/2009	--	Reviewer note	DEF-2 letter is prepared for mailout, which states the applicant has 15 days to respond before the GOP application is voided.	
04/17/2009, 04/20/2009	--	Ms. Lanette Holden	Phone call on 04/17 to tell Ms. Holden that payment has not yet been received for the PBR. She responds that a check was mailed the previous day and should arrive at TCEQ soon. On 04/20 the check arrived in the reviewer's inbox and was taken to APIRT for processing. The reviewer notified Ms. Holden to tell her her project files were complete and she should receive her registration letter soon.	

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04/21/2009- 05/05/2009	--	Reviewer note	Conversation, email with Ms. Cindy Swor of RR Section regarding site review. Region 12 has made multiple attempts to contact the applicant to schedule a visit but has received no response. A copy of the site review request is included in the file.
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		TECHNICAL REVIEWER	PEER REVIEWER	FINAL REVIEWER
SIGNATURE:				See hard copy
PRINTED NAME:		Ms. Bonnie Barrera	Ms. Patricia Moden	Ms. Anne M. Inman, P.E., Manager
DATE:		May 11, 2009	May 11, 2009	May 11, 2009

PROJECT POINTS	PBR	GOP	COMM	OTHER:	TTL	APPROVED
	0.5	2.0	2.0	Extensive communication log	4.5	