

December 12, 1997

Mr. Richard L. Johnson  
President  
Plainview Ice & Cold Storage, Inc.  
Dba Host Ice  
130 East 42nd Street  
Lubbock, Texas 79404

Re: Refrigeration Unit  
Lubbock, Lubbock County

Dear Mr. Johnson:

This is in response to your letter dated November 14, 1997 concerning the proposed ammonia refrigeration system at 130 East 42nd Street, Lubbock, Lubbock County. After evaluation of the information which you have furnished, we have determined that your project is exempt from the permit procedures under 30 Texas Administrative Code (TAC) Section 106.373 if constructed and operated as described in your letter. We understand that the refrigeration system is used to produce ice at your operation.

This exemption was authorized by the Executive Director of the Texas Natural Resource Conservation Commission (TNRCC) pursuant to 30 TAC Chapter 106. A copy of the exemption in effect at the time of this determination is enclosed. You must operate in accordance with all requirements of the enclosed exemption.

You are reminded that regardless of whether a permit is required, these facilities must be in compliance with all rules and regulations of the TNRCC and of the U.S. Environmental Protection Agency at all times.

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In your letter, you requested clarification of the type of facilities that are authorized under §106.477 (Anhydrous Ammonia Storage). Unlike your operation, §106.477 addresses those types of facilities that receive, store, and transfer ammonia for shipment and eventual sale. Depending on size, these facilities have routine turnovers of ammonia and also handle their product a great deal more than an ammonia system used for refrigeration. With this in mind, you can see why the level of control, safety requirements, and distance from off-property structures are addressed in §106.477.

If you have any questions concerning this exemption, please contact Mr. Richard Hyde of our New Source Review Permits Division at (512) 239-1317.

Sincerely,

Gary I. Wallin, P.E.  
Manager, Mechanical Section  
New Source Review Permits Division  
Texas Natural Resource Conservation Commission

GW/RH/ms

Enclosure

cc: Mr. Joe Bragg, P.E., Air Program Manager, Lubbock

Record No. 55628

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NEW SOURCE REVIEW, OFFICE OF AIR QUALITY - 7200/MC-162

MR RICHARD L JOHNSON  
PRESIDENT  
PLAINVIEW ICE & COLD STORAGE INC  
DBA HOST ICE  
130 EAST 42ND ST  
LUBBOCK TX 79404