

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 3, 2022

MR ED MCGOUGH  
VICE PRESIDENT  
NELSON EQUIPMENT LTD  
9400 N HIGHWAY 146  
BAYTOWN TX 77523-9637

Re: General Operating Permit Authorization to Operate Renewal  
Permit Number: 4016  
Company Name: Nelson Equipment, Ltd.  
Customer Reference Number: CN604782193  
Regulated Entity Number: RN110113453

Dear Mr. Mcgough:

The renewal of your authorization to operate (ATO) under the above-referenced general operating permit (GOP) is required every five years, as indicated in Title 30 Texas Administrative Code § 122.505(a) [30 TAC § 122.505(a)]. Accordingly, permit holders are required to submit *timely and complete* ATO renewal applications as specified in 30 TAC § 122.505(c). For an application to be *timely*, 30 TAC § 122.133(4) indicates that its submittal must occur between 6 and 18 months before the existing ATO's expiration date. Title 30 TAC § 122.134(a) indicates that an application is *complete* on the 61st day after receipt by the executive director, unless the executive director has requested additional information or otherwise notified the applicant of incompleteness. Our receipt of a timely and complete application allows you to operate under the current terms and conditions of your existing ATO and the corresponding GOP until final action is taken on your renewal application. Please disregard this notification letter if a renewal application has been submitted and is currently being processed.

Your current ATO expires on June 28, 2023; any *complete* application received before December 28, 2022, will be considered timely. If your current ATO expires without submitting a timely and complete renewal application, your right to operate the above-referenced facility is terminated. The reinstatement of your right to operate will require your submittal, and our final approval, of a new and separate GOP application.

A complete and timely renewal application must include an update of the information held by the executive director and any information required by Title 30 TAC Chapter 122 that has not been previously submitted [see 30 TAC § 122.134(b)(4)]. To comply with these requirements for GOP 511-514, please provide new versions of the following forms: OP-1, OP-2, OP-ACPS, and OP-REQ1. For GOP 517, please provide the required information that can be found at [http://www.tceq.texas.gov/permitting/air/titlev/generalpermits/gop\\_no\\_517.html](http://www.tceq.texas.gov/permitting/air/titlev/generalpermits/gop_no_517.html). For GOP 518, please provide TCEQ Form-20410 (ACI GOP Application). In addition, please submit all applicable information and any supporting information, addressing all modifications at the site that occurred and new regulatory requirements that have been finalized, since the last ATO revision. This information is necessary for the Texas Commission on Environmental Quality (TCEQ) to process and review your application for the ATO renewal.

Mr. Ed McGough

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Please note that even though nothing may have changed at the site, updated Unit Attribute Forms are required to be submitted if the most recent version of the TCEQ Unit Attribute form includes additional applicable questions or revised applicable option codes for any answer. If any of these or any other forms are required to be submitted (i.e. appropriate Unit Attribute forms, OP-REQ3, OP-MON, etc.), the renewal application will not be considered complete until all required forms are submitted.

Additionally, your submittal of an ATO renewal application does not preclude incorporation of revisions into the ATO during the review of your renewal application. For this purpose, you may again use Form OP-2 to submit information required for revisions. Please note that depending upon the extent to which review of the renewal has progressed, it may not be possible to incorporate the revisions into the renewal process, and that a new application submittal for permit revision may be required. Please provide additional current forms as needed to support the revisions [i.e., appropriate Unit Attribute forms or appropriate portions of the Form OP-REQ1 (Application Area-Wide Applicability Determinations and General Information)]. If any of your company's core data (i.e., name, address, phone number, etc.) has changed, a TCEQ Core Data form will be required with these submittals.

As a reminder you may void your GOP ATO if you demonstrate that the permitted site is no longer subject to the operating permits program. If you wish to pursue avoidance of your ATO, please notify us in writing to this effect, and provide the supporting documentation required by 30 TAC § 122.161(e)(1). Any application submitted by a person/entity who is delinquent on a fee and/or penalty will not be declared administratively complete until the fees/penalties are paid and/or current. Similarly, final action will be withheld by the agency on an application if it is discovered after the application is considered administratively complete that the owner/entity who submitted the application is delinquent on fees and/or penalties until such time as the fees/penalties are paid and/or current. You may visit the agency Web site for additional information at [www.tceq.texas.gov/agency/delin/index.html](http://www.tceq.texas.gov/agency/delin/index.html).

Sincerely,

A handwritten signature in black ink, appearing to read "Johnny D. Bowers", with a long horizontal flourish extending to the right.

Johnny D. Bowers, Team Leader  
Air Permits Initial Review Team  
Air Permits Division  
Texas Commission on Environmental Quality

cc: Air Section Manager, Region 12 - Houston

**To:** emcgough@nelsonetq.com  
**Cc:** jboudreax@nelsonetq.com; R12APDmail@tceq.texas.gov  
**Subject:** Renewal Notification for Permit O4016  
**Attachments:** 1-GOP12(4016)-706R.pdf

Mr. McGough,

The attached renewal notification letter contains information of the upcoming deadline to apply for renewal. **Please reply to this email to confirm receipt of the renewal notification letter. A reply confirmation will improve efficiency and prevent a hard copy of the letter from having to be sent by certified mail.**

Should you have any questions, please call 512-239-1250 and ask for a member of the Air Permits Initial Review Team (APIRT) or via email at [apirt@tceq.texas.gov](mailto:apirt@tceq.texas.gov).

Thank you!

TCEQ ID: 706R

**From:** Ed McGough <emcgough@nelsoneq.com>  
**Sent:** Tuesday, May 3, 2022 3:18 PM  
**To:** Steven Piper  
**Cc:** jboudreax@nelsoneq.com; R12APDMail  
**Subject:** RE: Renewal Notification for Permit O4016

Received, thank you.

**Ed McGough**

**Nelson Equipment, Ltd.**

9400 N Hwy 146  
Baytown, Texas 77523  
281-385-7200 Office  
832-256-9151 Cell  
281-385-6238 Fax

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**From:** Steven Piper <Steven.Piper@tceq.texas.gov>  
**Sent:** Tuesday, May 3, 2022 2:57 PM  
**To:** Ed McGough <emcgough@nelsoneq.com>  
**Cc:** jboudreax@nelsoneq.com; R12APDMail <R12APDMail@tceq.texas.gov>  
**Subject:** Renewal Notification for Permit O4016

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Thank you!

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