

**Air Curtain Incinerators  
Air Permits by Rule (PBR) Checklist  
Title 30 Texas Administrative Code § 106.496  
Texas Commission of Environmental Quality**

Rule	Applicability
(a)	Will the ACI be used only for the burning of trees, clean lumber, and brush from land clearing? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(a)	Will the material burned come from land-clearing, right-of-way maintenance, emergency clean-up operations, noncommercial industrial sites, and municipal solid waste sites? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
Rule	Scope
(b)	The ACI will be located at/for (pick one.)
	<input type="checkbox"/> Land Clearing Site <input type="checkbox"/> Non-commercial Industrial Site <input type="checkbox"/> Emergency Clean-up
	<input type="checkbox"/> Municipal Solid Waste Site <input type="checkbox"/> Land Clearing Public Right-of-Way
Rule	Operational Limits
(c)(1)	Will the ACI be located at least 300 feet from the closest property line and any other facility with an air permit, or any ACI operating under PBR? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(c)(2)(A)	Will the ACI be located at the site operate no more than 600 hours in any rolling 12-month period? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(c)(2)(B)	Will the portable ACI be temporarily located at a site and operate up to 180 consecutive calendar days or 600 hours, whichever occurs first, and removed from the site after ceasing operation? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
Rule	Daily Operation
(c)(3)(A)	Will the daily burning commence no earlier than one hour after sunrise? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(c)(3)(B)	Will the daily burning be completed on the same day, not later than one hour before sunset? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
	<i>Note: At the end of the burn, embers shall not be flaming or smoking, and no additional fuel shall be added to the ACI.</i>
(c)(3)(C)	Will material added to the ACI be below the air curtain? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(c)(3)(D)	Will an operator remain with the ACI at all times it is operating? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(c)(3)(E)	Will the ACI blower remain on until the end of daily burning or until enough material is consumed so that any remaining material in the trench does not flame or cause smoke that exceeds the requirements of this section when the blower is turned off? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(c)(3)(F)	Will material not being worked and material being stockpiled to be burned at a later date be kept at least 75 feet from the trench or fire box? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>

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Rule	Daily Operation ( <i>continued</i> )	
(c)(4)(A)	Will visible emissions from the ACI, stockpiles, work areas, and any in-plant roads associated with the facility leave the property for a period exceeding 30 seconds in any six-minute period as determined by United States Environmental Protection Agency <a href="#">Test Method 22</a> ?	<input type="checkbox"/> YES <input type="checkbox"/> NO
(c)(4)(B)	Will best management practices be used to ensure that the ACI blower is operated in a manner to minimize smoke and ash becoming airborne?	<input type="checkbox"/> YES <input type="checkbox"/> NO
(c)(5)	Will the facility be operated in compliance with all requirements of this section?	<input type="checkbox"/> YES <input type="checkbox"/> NO
(c)(6)	Upon notification by a representative of the commission or any local air pollution control program having jurisdiction that the ACI is not complying with the conditions of this section, will any additional material be added to the ACI until the facility returns to compliance?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Rule	Trench Burning	
(d)	Does this facility use a trench and air manifold fan system?	<input type="checkbox"/> YES <input type="checkbox"/> NO
(d)(1)	At all times, will the trench be less than 12 feet wide, 35 feet long, and no less than 10 feet deep?	<input type="checkbox"/> YES <input type="checkbox"/> NO
(d)(2)	Does the length of the trench exceed the length of the air manifold fan system?	<input type="checkbox"/> YES <input type="checkbox"/> NO
(d)(3)	Will the walls of the trench be maintained such that they remain sufficiently vertical to maintain the air curtain?	<input type="checkbox"/> YES <input type="checkbox"/> NO
(d)(4)	Will any ash left in the trench be completely covered with incombustible material and soil?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Rule	Firebox Burning	
(e)	Does the facility use an above-ground firebox and air manifold fan system?	<input type="checkbox"/> YES <input type="checkbox"/> NO
(e)(1)	Are the interior dimensions of the firebox not greater than 8 feet wide, 35 feet long, and at least 6 feet deep?	<input type="checkbox"/> YES <input type="checkbox"/> NO

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Rule	Firebox Burning
(e)(2)	Will the walls of the firebox be maintained such that they remain sufficiently vertical to maintain the air curtain? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(e)(3)	Is the length of the air blower manifold equal to the length of the firebox burning area? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(e)(4)	Will the firebox be equipped with refractory walls and above-fire air supply, and will it operate no more than 750 hours in any rolling 12-month period? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
Rule	Ash Processing
(f)(1)(A)	Will all ash be removed from the ACI burning as necessary to maintain efficient combustion? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(f)(1)(B)	Will the ash be removed in such a way that ash dust is minimized during handling? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(f)(1)(C)	Will ash be completely extinguished (not smouldering) before being disposed of or placed in contact with combustible material, and stored so no fire hazard is created? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(f)(2)	Which one of the following methods will be used to dispose of the ash?
	Will ash be disposed of by being buried on-site in the ACI trench, be deed recorded, and will a copy of the document be provided to the executive director as required by <a href="#">30 TAC § 330</a> (relating to Deed Recordation)? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
	Will ash be disposed of by sending it to a Type I landfill and be containerized with no hot coals? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
	If ash is being disposed of by beneficial use, has it been determined to be acceptable by the executive director in accordance with <a href="#">30 TAC § 330</a> ? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(f)(2)	Indicate the acceptable beneficial use:
	<i>Note: If you have not determined if ash is being disposed of by an acceptable beneficial use, please call the TCEQ Air Permits Division at 512-239-1250.</i>
Rule	Other Applicable Rules and Regulations
(g)(1)-(2)	Do you understand that authorization under this section does not exempt the ACI from any local government regulations or other local government requirements, permits, registrations, or other authorizations required by local authorities, or compliance with any additional state air regulations, state waste regulations, or state water regulations? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>

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Rule	Other Applicable Rules and Regulations
	Note: <i>It is recommended that the owner or operator of the incinerator contact the city, county, or other local government and/or the local fire marshal to determine if there are any additional requirements or burn bans in effect that may apply to the facility.</i>
(g)(3)	For a permanent ACI, is the unit used for Commercial and Industrial Solid Waste Incineration? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A</span>
	<i>If "YES," commercial and industrial solid waste incinerators must address the applicability of <a href="#">40 CFR Part 60, NSPS Subpart CCCC</a>, Standards of Performance for Commercial and Industrial Solid Waste Incineration Units for Which Construction is Commenced after November 30, 1999, or for Which Modification or Reconstruction is Commenced on or After June 1, 2001 (as published in the December 1, 2000, issue of the Federal Register).</i>
	<i>If "YES," proceed to the next section.</i>
	Note: <i>Commercial and Industrial Solid Waste Incinerators must demonstrate compliance with this federal regulation, including initial stack sampling, opacity reading, reporting, and record keeping</i>
(g)(4)(A)	For an ACI located at a landfill site, is a separate waste authorization under <a href="#">30 TAC § 330</a> (relating to Permit Required) being obtained? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(g)(4)(A)	Will the below-ground ACI at a landfill site be located in undisturbed soil not previously excavated, built up, compacted, or used in any type of active landfill operation? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(g)(4)(B)	Do you understand that compliance with all the requirements of this PBR will serve as authorization to store, process, remove, and/or dispose of the ash resulting from the operation of an ACI? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
Rule	Administrative Requirements
(h)(1)	Will multiple ACIs, or multiple locations of a single ACI, at a given site meet all design requirements, operating restrictions, and the cumulative annual hourly limitation? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(h)(2)(A)	Is this an initial registration including checklist, Core Data Form, and PI-7 Form? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>

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Rule	Administrative Requirements <i>(continued)</i>
(h)(2)(B)	Is this a re-registration due to a Notice of Enforcement including checklist, Core Data Form, and PI-7 Form? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
	Is this a re-registration due to the five year expiration date Including checklist, Core Data Form, and PI-7 Form? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(h)(2)(C)	For an emergency clean-up operation only, was the APD Relocation/Notification Form submitted to the Air Permits Division? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A</span>
(h)(3)(B)	For relocation notification, was the APD Relocation/Notification Form submitted to the Air Permits Division at least 14 days prior to proposed operation? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A</span>
	<i>If "YES," the APD Relocation/Notification Form must be sent to the Air Permits Division with this checklist attached to a Core Data Form.</i>
(h)(4)(A)	Is the ACI equipped with a run time meter and a written record or log of the hours of operation of the ACI maintained at this site and made available at the request of personnel from the commission or any air pollution control program having jurisdiction? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(h)(4)(B)	Will records be kept to demonstrate compliance with all operational or location requirements? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
	<i>Note: These records must include a copy of the return receipt demonstrating notification to the Air Permits Division plot plans showing distance limits are met. For portable facilities once relocated to a new site, records will be maintained at a central location for a two-year rolling period.</i>
(h)(4)(C)	Will a copy of the PBR rule and any operating instructions be kept at the burn site, followed by owners or operators and be made available at the request of personnel from the commission or any local air pollution control program having jurisdiction? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
(h)(4)(D)	Will the ACI unit be clearly and permanently marked with the regulated entity (preferred) or account identification number on the fan manifold or aboveground unit? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>