Common Air Compliance Issues

A&WMA – North Texas Chapter
September 2014 Chapter Meeting
September 23, 2014
TCEQ’s Mission Statement

The Texas Commission on Environmental Quality strives to protect our state’s public health and natural resources consistent with sustainable economic development. Our goal is clean air, clean water, and the safe management of waste.
The Office of Compliance and Enforcement is dedicated to protecting human health and the environment by ensuring compliance with state and federal regulations. The office seeks to promote voluntary compliance through a comprehensive program of regional investigations, technical assistance and outreach, environmental monitoring and appropriate enforcement. Through our homeland security efforts, we are dedicated to prevent, protect, respond to and recover from natural and manmade disasters. Programs within OCE take swift action that is fair, sensible and responsive to the needs of the citizens of Texas.
Investigations

- Site Assessments
  - Site Evaluations
  - Commonly triggered by authorization request
- Compliance Investigations
  - Complaints
  - Title V
  - Other Compliance Investigations
  - Referrals
Common Issues

- Authorization
- Changes to Facility
- Recordkeeping
- Reporting
- Monitoring
30 TAC §116.110. Applicability

* (a) Permit to construct. Before any actual work is begun on the facility, any person who plans to construct any new facility or to engage in the modification of any existing facility which may emit air contaminants into the air of this state shall either:

(1) obtain a permit under §116.111;
(2) satisfy the conditions for a standard permit
(3) satisfy the conditions for a flexible permit;
(4) satisfy the conditions for facilities permitted by rule; or
(5) satisfy the criteria for a de minimis facility.
§116.116. Changes to Facilities

* (a) Representations and conditions
* (b) Permit amendments
* (c) Permit alteration
* (d) PBR in lieu of permit amendment or alteration.
* (e) Changes to qualified facilities
§116.115. General and Special Conditions

- (b)(2)(E) Recordkeeping
- (c) Special Conditions

§106.8. Recordkeeping

- (b) For “one-liners”
- (c) All others under PBR
Reporting

- Emission events
- Emissions testing
- NSPS or NESHAP driven
- Permit requirement driven
- Title V driven
Title V Reporting

- Deviation Reports
- Permit Compliance Certifications
- Certification by Responsible Official
- Change of Ownership
Monitoring

- Title V monitoring requirements
- Permit required monitoring
Exit Interview Forms

- The investigator may request records or additional documentation during the investigation or after an on-site visit.
- If violations are noted, an Exit Interview Form will be provided.
- Exit Interview Forms are an acknowledgement of receipt of the information.
* The TCEQ Has Inspected Your Business. What Does This Mean to You? (RG-344)

* Notice of Violation
  * formal statement of the specific violations found during investigation
  * Request action be taken to achieve compliance
  * Correct or provide response by compliance due date

* Notice of Enforcement
  * Issued by the Region and referred to Enforcement Section
  * TCEQ seeks an order and fines
What you can do

* Do an Audit utilizing the provisions of the Texas Environmental, Health, and Safety Audit Privilege Act (Audit Act)
* Read your permit
* Call TCEQ
  * Small Business and Local Government Assistance Program
  * Seek assistance before starting
Helpful Numbers for TCEQ

* Air Permits Division
  * 512-239-1250
* Small Business and Local Government Assistance
  * 800-477-2827
* Toxicology
  * 877-992-8370
* DFW Region Office
  * 817-588-5800
* Your compliance helps Take Care of Texas!
Questions
Thank you!

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