

## Rule History

### Title 30 Texas Administrative Code Chapter 111 Particulate Matter and Visible Emissions

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#### Introduction

The official version of the rules in [30 TAC Chapter 111, Subchapter A](#) is available on the Secretary of State's website.

Each revision is identified by the date the commission adopted the changes. When available, the rule project number, which is the unique identification number from the rules tracking database for the specific rule project, is also provided for reference.

The *Texas Register* publications of the rule proposal and adoption are given for each revision. The proposed rules are approved by the commissioners to be published in the *Texas Register* for public comment. Once adopted by the commissioners, the rules are republished as final in the *Texas Register*.

These rules are submitted for United States Environmental Protection Agency (EPA) approval as part of the State Implementation Plan (SIP) control strategy to meet the National Ambient Air Quality Standard (NAAQS) for ozone. Links to the *Federal Register* publication of the EPA's approval of these rules and the associated SIP revisions are also included.

The summary information includes the affected sections of the rule, the counties affected, the compliance date, and a brief description of the rule revisions. If the adopted rule does not provide for additional time to comply with any new or revised requirements then compliance with any rule revisions is required by the effective date of the rulemaking.

#### Rule Project Adopted on 01/25/2012

##### **Rule project number 2010-046-111-EN**

Proposal: [36 TexReg 5640](#) (09/02/2011)

Adoption: [37 TexReg 704](#) (02/10/2012)

Date submitted to EPA: 03/07/2012

EPA approval: Pending

Section affected:

- Amended: 111.147

Areas affected:

- El Paso area (El Paso County)

Compliance date: (Effective date: 02/16/2012)

Summary:

The rulemaking replaces the requirement to pave alleys at the rate of 15 miles per year with the following requirements: all new alleys must be paved; unpaved residential alleys may not be used for garbage and recycling collection; and the use of reclaimed asphalt pavement may be used as an alternate means of particulate matter control for alleys.

The rulemaking also changes the street sweeping frequency requirement from four times per year to three times per year in the city limits, and from six times per week to four times per week in the central business district.

This rulemaking is part of the [El Paso, PM10 Revised Memorandum of Agreement \(2011-010-SIP-NR\)](#) (01/25/2012).

## Rule Project Adopted on 05/17/2006

### Rule project number 2005-013-111-EN

Proposal: [30 TexReg 7821](#) (11/25/2005)

Adoption: [31 TexReg 4651](#) (06/02/2006)

Date submitted to EPA: 06/09/2006

EPA approval: No action taken ([74 FR 19144](#))

Section affected:

- Repealed: 111.155

Areas affected:

- Statewide

Compliance date: (Effective date: 06/11/2006)

Summary:

In response to a petition, the rulemaking repeals ground-level total suspended particulate concentration limits in Section 111.155.

Note: By letter dated 06/09/2006, the TCEQ requested the EPA to remove from consideration its previous request to revise the Texas SIP by replacing 30 TAC Section 105.2 with Section 111.155. In response to the TCEQ request, EPA did not finalize the proposed approval of TAC 111.115.

The predecessor to Section 111.155, Rule 105.2 adopted on 01/26/1972, remains an approved portion of the SIP.

## Rule Project Adopted on 08/08/2001

### Rule project number 1999-063-111-AI

Proposal: [26 TexReg 3833](#) (05/25/2001)

Adoption: [26 TexReg 6376](#) (08/24/2001)

Date submitted to EPA: This rulemaking was not submitted to the EPA

EPA approval: Not applicable

Sections affected:

- Consideration of all sections

Areas affected:

- Statewide

Compliance date: (Effective date: 08/09/2001)

Summary:

The rulemaking is a quadrennial review of Chapter 111. A quadrennial review is required to determine whether the rules are still necessary. The Chapter 111 rules are necessary to implement the Federal Clean Air Act and Texas Clean Air Act and are re-adopted through this rulemaking.

## Rule Project Adopted on 05/17/2000

### Rule project number 1999-012-111-AI

Proposal: [24 TexReg 10795](#) (12/03/1999)

Adoption: [25 TexReg 5361](#) (06/02/2000)

Date submitted to EPA: This rulemaking was not submitted to the EPA

EPA approval: Not applicable

Sections affected:

- Amended: 111.121, 111.123, 111.125, 111.127, and 111.129

Areas affected:

- Statewide

Compliance date: (Effective date: 06/11/2000)

Summary:

The rulemaking deletes the oxygen and carbon monoxide continuous emission monitoring requirements for certain low throughput dual-chamber incinerators that meet the permit exemption criteria in 30 TAC section 106.491 [§](#) or 30 TAC section 106.494 [§](#).

The rulemaking also updates rule references to reflect the movement of medical waste incineration requirements from Section 111.123 to 30 TAC Chapter 113.

This rulemaking responds to a 01/13/1999 letter from a member of the Texas Legislature suggesting that the commission exempt from monitoring requirements those incinerators that can meet a permit by rule.

This rulemaking was not submitted to the EPA for inclusion in the SIP. The version of Section 111.121 adopted on 06/16/1989 ([13 TexReg 6428](#)), is included in the SIP. Sections 111.123, 111.125, 111.127, and 111.129 are not in the SIP.

## Rule Project Adopted on 08/21/1996

### Rule project number 1995-143-111-AI

Proposal: [21 TexReg 4395](#) (05/21/1996)

Adoption: [21 TexReg 8505](#) (09/03/1996)

Date submitted to EPA: 08/30/1996

EPA approval: [74 FR 19144](#) (04/28/2009)

#### Sections affected:

- New: 111.201, 111.203, 111.205, 111.207, 111.209, 111.211, 111.213, 111.215, 111.219, and 111.221
- Repealed: 111.101, 111.103, 111.105, and 111.107

#### Areas affected:

- Statewide

Compliance date: (Effective date: 09/16/1996)

#### Summary:

The rulemaking moves all of the requirements for outdoor burning to new Subchapter B, Outdoor Burning, and leaves all other requirements in Subchapter A, Visible Emissions and Particulate Matter. The rulemaking also revises the outdoor burning rules.

## Rule Project Adopted on 03/29/1995

Proposal: [19 TexReg 9834](#) (12/13/1994)

Adoption: [20 TexReg 2628](#) (04/07/1995)

Date submitted to EPA: 07/12/1995

EPA approval: [74 FR 19144](#) (04/28/2009)

Section affected:

- Amended: 111.103 (Note: The rulemaking adopted 08/21/1996 moved Section 111.103 to Section 111.209 before the EPA approved the revisions made in this rulemaking)

Areas affected:

- Statewide

Compliance date: (Effective date: 04/21/1995)

Summary:

The rulemaking prohibits open burning of municipal solid waste at certain landfills since it is prohibited by the Federal Resource Conservation and Recovery Act.

## Rule Project Adopted on 06/18/1993

Proposal: [18 TexReg 1000](#) (02/25/1993)

Adoption: [18 TexReg 4508](#) (07/09/1993)

Correction: [18 TexReg 4897](#) (07/23/1993) (Preamble for Section 111.111(a)(4)(B))

Date submitted to EPA: 08/04/1993

EPA approval: [61 FR 20732](#) (05/08/1996)

Section affected:

- Amended: 111.111

Areas affected:

- Statewide

Compliance date: 09/01/1993 (Effective date: 07/23/1993)

Summary:

The rulemaking requires a daily six-minute visual observation of process-gas flares to determine visible emissions, and a two-hour observation for visible emissions following operational changes requiring a permit amendment.

The rulemaking also requires a daily notation in the flare operation log. Flares operated less frequently than a daily basis need to be observed during each operation; flares used only during upset or emergency conditions are exempt from these monitoring and recordkeeping requirements.

## Rule Project Adopted on 09/18/1992

Proposal: [17 TexReg 2931](#) (04/24/1992)

Adoption: [17 TexReg 7083](#) (10/09/1992)

Date submitted to EPA: 10/15/1992

EPA approval: [61 FR 20732](#) (05/08/1996) (Partial approval)

Section affected:

- Amended: 111.111

Areas affected:

- Statewide

Compliance date: 03/01/1994 (Effective date: 10/23/1992)

Summary:

The rulemaking creates new 111.111(a)(2) to require continuous opacity monitoring systems for: certain large and consistently operated solid fuel-fired steam generators; oil-fired steam generators that need particulate matter controls; and large catalytic cracking regeneration units.

The rulemaking creates new 111.111(a)(3) to include associated exemptions. The rulemaking also adds requirements for the use and installation of the monitors; alternative monitoring methods; approved test methods; and to obtain both the executive director and the EPA's approval to implement alternative test methods.

Prior to EPA approval of this rulemaking, revisions to the continuous opacity monitoring system requirements in Section 111.111(a)(2) and the requirements for gas flares in 111.111(a)(4)(A) and (B) were adopted on 06/18/1993.

EPA approval of the revisions adopted on 06/18/1993 ([61 FR 20732](#)) supersedes EPA approval of the revisions adopted in this rulemaking.

## Rule Project Adopted on 12/13/1991

Proposal: [16 TexReg 4207](#) (08/02/1991)

Adoption: [17 TexReg 1126](#) (02/07/1992)

Date submitted to EPA: 06/03/1992

EPA approval: Not approved; see note below

Sections affected:

- Amended: 111.121 and 111.127

Areas affected:

- Statewide

Compliance date: (Effective date: 02/19/1992)

- 12/31/1992 - Section 111.121

Summary:

The rulemaking exempts hazardous waste incinerators that are controlled under other portions of Chapter 111. The rulemaking also allows incinerators to operate at less than 4.0% oxygen if it meets the emission limits for carbon monoxide or total hydrocarbons on a rolling hourly average.

The rulemaking also requires compliance with carbon monoxide and hydrocarbon emission limits to be demonstrated on a rolling hourly average.

Note: In a letter dated 10/28/1998, the governor requested the EPA remove this rulemaking from the SIP approval process. The version of Section 111.121 adopted 06/16/1989 ([13 TexReg 6428](#)) is included in the SIP. Section 111.127 is not part of the SIP.

## Rule Project Adopted on 10/25/1991

Proposal: [16 TexReg 4265](#) (08/25/1991)

Adoption: [17 TexReg 690](#) (01/28/1992)

Date submitted to EPA: 11/05/1991

EPA approval: [59 FR 2532](#) (01/18/1994)

Sections affected:

- Amended: 111.111, 111.141, 111.145, and 111.147

Area affected:

- El Paso area (El Paso County)

Compliance date: 12/10/1993 (Effective date: 02/12/1992)

Summary:

The rulemaking adds requirements for the city of El Paso and portions of Fort Bliss. The rulemaking prohibits use of indoor solid fuel heating devices during periods of atmospheric stagnation unless it is the sole heating source for a building.

The rulemaking requires paving or dust control treatments on construction and demolition site access roads. The rulemaking eliminates the exemption for sand applied for snow and ice control.

The rulemaking requires paving and cleaning all vehicle traffic surfaces and the paving of specific thoroughfares. The rulemaking also defines alley paving and street sweeping schedules and recordkeeping requirements.

This rulemaking is part of the [El Paso PM<sub>10</sub> SIP Revision](#) (11/05/1991).

## Rule Project Adopted on 09/20/1991

Proposal: [16 TexReg 2214](#) (04/16/1991)

Adoption: [16 TexReg 5833](#) (10/18/1991)

Date submitted to EPA: This rulemaking was not submitted to the EPA

EPA approval: Not applicable

Sections affected:

- New: 111.131, 111.133, 111.135, 111.137, and 111.139

Areas affected:

- Statewide

Compliance date: (Effective date: 11/01/1991)

Summary:

The rulemaking sets particulate matter limits for the abrasive blasting of water storage tanks performed during portable operations. The rulemaking requires the use of specific abrasive blasting methods; testing using approved test methods before performing abrasive blasting; notification if the coating removed contains 1.0% or more lead; and recordkeeping.

The rulemaking responds to a lead contamination incident in Cedar Park, Texas. These rules are not part of the SIP.

## Rule Project Adopted on 05/10/1991

Proposal: [15 TexReg 7421](#) (12/21/1990)

Adoption: [16 TexReg 3605](#) (06/28/1991)

Date submitted to EPA: 10/02/1991

EPA approval: Not approved; see note below

Sections affected:

- Amended: 111.125, 111.127, and 111.129
- New: 111.124

Areas affected:

- Statewide

Compliance date: (Effective date: 07/11/1991)

- 12/31/1991 for Section 111.124(1)–(4) and (6)–(8)
- 07/31/1992 for Section 111.124(5)

Summary:

The rulemaking controls particulate matter, hydrogen chloride, and hazardous organic compound emissions from the burning of hazardous waste from off-site sources as fuel and prohibits burning chlorinated wastes and certain metal-bearing fuels.

Affected sources include boilers, industrial furnaces, and cement kilns that are not regulated by 40 Code of Federal Regulations Part 264, Subpart O or Part 265. The rulemaking also adds testing, monitoring, and operational requirements for these sources.

Note: In a letter dated 10/28/1998 the governor requested the EPA remove this rulemaking from the SIP approval process. Sections 111.124, 111.125, 111.127, and 111.129 are not part of the SIP.

## Rule Project Adopted on 10/12/1990

Proposal: [15 TexReg 2328](#) (04/24/1990)

Adoption: [15 TexReg 6302](#) (11/02/1990)

Date submitted to EPA: 01/29/1991

EPA approval: [61 FR 20732](#) (05/08/1996) (Partial approval of Section 111.111(a)(4)(A) and (B)(i), (a)(5)(A) and (B)(i), and (a)(6)(A) and (B)(i). The EPA did not approve amendments to Section 111.111(a)(4)(B)(ii), (5)(B)(ii) and (6)(B)(ii).)

Sections affected:

- Amended: 111.111, 111.121, 111.123, 111.125, 111.127, and 111.129

Areas affected:

- Statewide

Compliance date: (Effective date: 11/14/1990)

- 12/31/1991 for Sections 111.121 and 111.123(1)
- 07/21/1992 for Sections 111.123(2)
- 12/31/1992 for Sections 111.123(3)

Summary:

The rulemaking allows the use of EPA Test Method 9 to determine compliance with the visible emission limits for locomotives, ships, and structures, and to allow the use of equivalent test methods approved by the executive director.

The rulemaking amends the rules for single-chamber incinerators to delete the reference to hospital/pathological incinerators; replace the term publically-owned with institutional; add a reference to industrial incinerators; and add a 12/31/1991 compliance date for industrial solid waste incinerators.

The rulemaking also moves emission limits and operational requirements for dual-chamber and multiple-chamber incinerators from Section 111.123 to Section 111.121.

The rulemaking also adds new emission limits for medical waste incinerators. The rulemaking also adds new test methods, monitoring and recordkeeping requirements.

In a letter dated 10/28/1998 the governor requested the EPA remove revisions to Sections 111.121, 111.123, 111.125, 111.127, and 111.129 from the SIP approval process.

The version of Section 111.121 adopted on 06/16/1989 ([13 TexReg 6428](#)) is included in the SIP. Sections 111.123, 111.125, 111.127, and 111.129 are not part of the SIP.

## Rule Project Adopted on 12/08/1989

Proposal: [14 TexReg 4277](#) (08/25/1989)

Adoption: [15 TexReg 434](#) (01/26/1990)

Date submitted to EPA: 02/21/1990

EPA approval: Not approved; see note below

Sections affected:

- New: 111.121, 111.123, 111.125, 111.127, and 111.129
- Repealed: 111.121

Areas affected:

- Statewide

Compliance date: 07/31/1990 (Effective date: 02/07/1990)

Summary:

The rulemaking creates a new Section 111.121 containing the same requirements in the repealed Section 111.121 with revisions to prohibit the use of a single-chamber incinerator unless it meets the requirements for a dual-chamber or multiple-chamber incinerator in new Section 111.123(a).

New Section 111.123 limits opacity from dual-chamber and multi-chamber incinerator emissions; particulate matter and hydrogen chloride emissions; combustion efficiency for carbon monoxide; temperature; retention time; and capacity.

The rulemaking also establishes approved test methods; requires continuous monitoring of waste flow, oxygen content and exhaust gas temperature; and exempts low-throughput incinerators from all requirements except the opacity limits.

These rule revisions are in response to [House Bill 2468](#) from the 71<sup>st</sup> Texas Legislature, 1989.

Note: In a letter dated [10/28/1998](#) the governor requested the EPA remove this rulemaking from the SIP approval process. The version of Section 111.121 adopted on 06/16/1989 ([13 TexReg 6428](#)) is included in the SIP. Sections 111.123, 111.125, 111.127, and 111.129 are not part of the SIP.

## Rule Project Adopted on 06/16/1989

Proposal: [13 TexReg 6428](#) (12/27/1988)

Adoption: [14 TexReg 3286](#) (07/04/1989)

Date submitted to EPA: 08/21/1989

EPA approval:

- [59 FR 2532](#) (01/18/1994) (Partial approval of Sections 111.101, 111.103, 111.105, 111.107, 111.143, 111.145(1) and (2), 111.147(1)(B)–(D), and 111.149) Additional information on this approval is also available in the 10/08/1993 issue of the *Federal Register* ([58 FR 52467](#))
- [61 FR 20732](#) (05/08/1996) (Partial approval of Sections 111.111(a)(1)(A), (B), and (E); 111.111(b); and 111.113)
- [74 FR 19144](#) (04/28/2009) (Partial approval of Sections 111.121; 111.151; 111.153; 111.171; 111.173; 111.175; 111.181; 111.183; and the repeal of Section 111.92) Additional information on this approval is also available in the 10/28/1999 issue of the *Federal Register* ([64 FR 57983](#))
- The TCEQ adopted revisions to Sections 111.141; 111.145(implied (a)); 111.147(implied (a)); 111.147(1)(A); and 111.147(2) on 10/25/1991 and the EPA approved these revisions on 01/18/1994 ([59 FR 2532](#)). The EPA approval of the adopted revisions on 10/25/1991 supersedes revisions made to these sections as part of this rulemaking (Rule Project Adopted on 06/16/1989).
- Prior to EPA approval of this rulemaking, revisions to Section 111.111(a)(1)(C), (D), (F) and (G); and (a)(2)-(6) were adopted on 09/18/1992. EPA approval of these sections as adopted on 09/18/1992 ([61 FR 20732](#)) supersedes EPA approval of the revisions adopted in this rulemaking.
- The EPA did not approve Section 111.155 as adopted in this rulemaking. See the Rule Project Adopted on 05/16/2006 in this document for more information on Section 111.155.

Sections affected:

- New: 111.101, 111.103, 111.105, 111.107, 111.111, 111.113, 111.121, 111.141, 111.143, 111.145, 111.147, 111.149, 111.151, 111.153, 111.155, 111.171, 111.173, 111.175, 111.181, and 111.183
- Repealed: 111.1–111.4, 111.11, 111.12, 111.21–111.28, 111.41–111.45, 111.51–111.53, 111.71–111.76, 111.81–111.83, 111.91, and 111.92
- [Derivation and Disposition Table](#)

Areas affected:

- Statewide

Compliance date: (Effective date: 07/18/1989)

- 12/31/1991 for Sections 111.141, 111.143, 111.145, 111.147, and 111.149 in portions of El Paso, Harris, and Nueces counties

#### Summary:

The rulemaking repeals all sections of Chapter 111 and replaces them with new sections in response to the EPA's new PM<sub>10</sub> NAAQS.

The rulemaking repeals Sections 111.1–111.4 and creates new Sections 111.101, 111.103, 111.105, and 111.107 to restrict outdoor burning and the disposal of spontaneously ignitable materials.

The rulemaking repeals Sections 111.21–111.28 and creates new Sections 111.111 and 111.113 to establish opacity limits for specific sources. The rulemaking establishes specific opacity limits for locomotives, ships, vehicles, and structures; test methods for demonstrating compliance; and requirements for opacity monitors on certain sources.

The rulemaking repeals Sections 111.11 and 111.12 and creates new Section 111.121 to limit the burning of garbage or rubbish in residential, publicly owned, commercial, or hospital or pathological waste incinerators.

The rulemaking repeals Sections 111.41–111.45 and creates new Sections 111.141, 111.143, 111.145, 111.147, and 111.149 to limit dust emissions from materials handling, construction, roads, streets, alleys, and parking lots. The rulemaking also repeals Section 111.92 and moves those compliance requirements to Section 111.141. The rulemaking adds more stringent dust control requirements for the City of El Paso including paving of large parking lots.

The rulemaking repeals Sections 111.51–111.53 and creates new Sections 111.151, 111.153, and 111.155 to limit particulate matter emissions from nonagricultural processes. The rulemaking does not replace the repealed five-hour total suspended particulate standard.

The rulemaking repeals Sections 111.71–111.76 and creates new Sections 111.171, 111.173, and 111.175 to limit particulate matter emissions from agricultural processes.

The rulemaking repeals Sections 111.81–111.83 and creates new Sections 111.181 and 111.183 to provide exemptions for portable or transient operations that meet specific criteria.

## Rule Project Adopted on 01/08/1982

Proposal: [6 TexReg 2824](#) (08/04/1981)

Withdrawal: [7 TexReg 899](#) (03/05/1982) (Sections 111.51–111.53)

Adoption: [7 TexReg 902](#) (03/05/1982)

Date submitted to EPA: 08/09/1982 and addendum 01/13/1983

EPA approval: [48 FR 8072](#)  (02/25/1983)

Sections affected:

- Amended: 111.71 and 111.92, title change for Sections 111.71–111.76
- New: 111.81–111.83
- Repealed: 111.61–111.65 and 111.91

Areas affected:

- Statewide

Compliance date: (Effective date: 03/17/1982)

Summary:

The rulemaking changes the title of the subchapter containing Sections 111.71–111.76 to Agricultural Processes; updates references; and moves exemptions from repealed Sections 111.61–111.65 to new Sections 111.81–111.83. The rulemaking also repeals Section 111.91 because the compliance dates have passed.

## Rule Project Adopted on 03/20/1981

Proposal: [5 TexReg 4482](#) (11/11/1980)

Adoption: [6 TexReg 1241](#) (04/03/1981)

Date submitted to EPA: 07/20/1981 and 08/21/1989

EPA approval: Not approved

Sections affected:

- New: 111.28

Areas affected:

- Statewide

Compliance date: (Effective date: 04/16/1981)

Summary:

The rulemaking establishes an alternative opacity limit for sources that cannot meet the applicable opacity limits if the source can demonstrate the alternative limit will not cause an exceedance of ambient air quality standards or nuisance.

To qualify for the alternative opacity limit, the source must meet mass and concentration limits; have failed to meet an applicable opacity limit during a performance test; and demonstrate it is technically impractical or economically unreasonable to comply with the established opacity limits.

Note: Prior to EPA approval of this rulemaking, the alternative opacity limits in this section were revised and moved to Section 111.113 in the rulemaking adopted on 06/16/1989. EPA approval of Section 111.113 as adopted on 06/16/1989 ([61 FR 20732](#)) supersedes EPA approval of the revisions adopted in this rulemaking.

## Rule Project Adopted on 03/30/1979

Proposal: [3 TexReg 3549](#) (10/10/1978)

Adoption: [4 TexReg 1361](#) (04/17/1979)

Date submitted to EPA: 03/07/2012

EPA approval:

- [47 FR 32125](#) (Sections 111.2, 111.22, 111.91, and 111.92)
- [45 FR 19231](#) (Sections 111.41–111.45)
- Rule 104, the predecessor to Sections 111.41–111.45, as adopted on 01/26/1972 also remains in the SIP, applicable in Standard Metropolitan Statistical Areas where the PM NAAQS are exceeded.

Sections affected:

- Amended: 111.2 (131.03.01.002), 111.22 (131.03.03.002), 111.41–111.45 (131.03.04.001–131.03.04.005), 111.91 (131.03.08.001), and 111.92 (131.03.08.002).

Areas affected:

- Statewide

Compliance date: (Effective date: 05/07/1979)

- 12/31/1981 - 111.41–111.45

Summary:

The rulemaking revises the outdoor burning restrictions in Section 111.2 (131.03.01.002).

The rulemaking exempts acid gas flares from the visible emission requirements and specifies that acid gas flares must continue to comply with requirements for stationary flues.

The rulemaking restricts the rule applicability to particulate matter from material handling, construction, roads, streets and alleys in areas designated nonattainment for total suspended particulates; preclude sources in El Paso from using wetting as an alternative to covering open-bodied hauling vehicles to prevent dust emissions;

The rulemaking requires particulate matter controls on construction and demolition of structures, roads, streets, and alleys; requires paving, chemical application, or sweeping on certain roads, except for sweeping sand applied for ice and snow control; and requires paving or chemical dust suppression on certain parking lots.

The rulemaking amends the compliance requirements to specify which rules adopted in this rulemaking supersede the previous versions and to require compliance in nonattainment areas two years after designation.

This rulemaking is part of the [Ozone, Particulate Matter, Carbon Monoxide SIP Revision \(03/30/1979\)](#).

## Rule Project Adopted on 10/31/1975

Adoption: [Regulation I](#) (Precedes *Texas Register*)

EPA approval: Not approved

Sections affected:

- Amended: Regulation I, Rule 101

Areas affected:

- Statewide

Compliance date: (Effective date: 12/05/1975)

Summary:

The rulemaking revises the title of Regulation I to 'Control of Air Pollution from Visible Emissions and Particulate Matter.' The rulemaking also revises Rule 101 to amend the conditions under which outdoor burning can occur.

Prior to EPA approval of this rulemaking, the content of Rule 101 was moved to Section 111.2 in the Rule Project Adopted on 03/30/1979. EPA approval of the revisions to Section 111.2 adopted on 03/30/1979 ([47 FR 32125](#)) supersedes EPA approval of the revisions adopted in this rulemaking. Rule 101 was labeled by the Texas Secretary of State in 1976 as 131.03.01.001–131.03.01.004.

This rulemaking is part of the [1976 Complete SIP Revision](#) (02/15/1976).

## Rule Project Adopted on 12/19/1973

Adoption: [Regulation I](#) (Precedes *Texas Register*)

Date submitted to EPA: 01/22/1974 and 08/21/1989

EPA approval: Not approved

Sections affected:

- Amended: Regulation I, Rule 105.32 (111.53)

Areas affected:

- Statewide

Compliance date: (Effective date: 01/19/1974)

Summary:

The rulemaking creates new Rule 105.32 to limit particulate matter emissions to 0.1 pound per million British thermal units (MMBtu) heat input for oil-fired or gas-fired steam generators with heat input greater than 2,500 MMBtu per hour. The rulemaking also exempts these units from the emission limits in Rule 105.1 and the net ground level concentrations in Rule 105.2.

Prior to EPA approval of this rulemaking, the content of Rule 105.32 was moved to Section 111.153(c) in the Rule Project Adopted on 06/16/1989. EPA approval of the revisions to Section 111.153 ([74 FR 19144](#)) supersedes EPA approval of the revisions adopted in this rulemaking.

This rulemaking is part of the [1974 Complete SIP Revision](#).

## Rule Project Adopted on 01/26/1972

Adoption: [Regulation I](#) (Precedes *Texas Register*)

Date submitted to EPA: 01/28/1972

EPA approval: [37 FR 10895](#) (05/31/1972)

Sections affected:

- New: Regulation I, Rules 101–108
- Repealed: Portions of Regulation I

Areas affected:

- Statewide

Compliance date: (Effective date: 03/05/1972)

- 02/15/1973 - Rule 107
- 12/31/1973 - Rules 101–106

Summary:

The rulemaking combines previous Regulations I and II into a single Regulation I, Rules 101–108.

The rulemaking creates new Rule 101, containing the outdoor burning rules previously found in Regulation II and revisions to the conditions under which outdoor burning can occur.

The rulemaking creates new Rules 102–108 containing the particulate matter rule previously found in Regulation I with the following revisions.

In Rule 102, the rulemaking requires single-chamber incinerators used to burn garbage or rubbish to perform equivalent to multiple-chamber incinerators.

In Rule 103, the rulemaking sets opacity limits for stationary stacks, vents, and flues; prohibits visible emissions from flares for more than five minutes in any two-hour period; prohibits excessive visible emissions from buildings, motor vehicles, locomotives, and ships; and repeals the previous exemptions for startup and shutdown operations.

In Rule 104, the rulemaking restricts particulate matter from material handling, construction, and roads in areas exceeding federal air quality standards.

In Rule 105, the rulemaking limits maximum particulate matter concentrations based on stack characteristics; revises net ground level particulate limits; and sets a new separate limit for all solid-fossil-fuel-fired steam generators.

In Rule 106, the rulemaking sets location and operating restrictions for portable hot-mix asphalt plants, portable rock crushers, and other transient operations working on public projects for less than six months at the same location. Rule 106 does not apply to sources in Dallas and Harris Counties and does not apply to portable hot-mix asphalt plants after 12/31/1974.

In Rule 107, the rulemaking provides an option for agricultural processes to meet process weight-based limits or an equivalent alternative limit and requires compliance by 02/15/1973.

In Rule 108, the rulemaking requires compliance by 12/31/1973 and quarterly progress reports until sources are in compliance.

The rulemaking repeals the Regulation I restrictions on the emission of beryllium particles; the unpermitted burning of certain cotton gin waste; the partial exemption for sources that began continuous operation prior to 08/01/1965; and the general petitions for variances.

This rulemaking is part of the [1972 Complete SIP](#) (01/28/1972).

## Rule Project Adopted on 04/29/1971

Adoption: [Texas Air Control Board Order 71-5](#) (Precedes *Texas Register*)

Date submitted to EPA: This rulemaking predates the EPA

EPA approval: This rulemaking predates the EPA

Sections affected:

- Amended: Regulation I

Areas affected:

- Statewide

Compliance date: (Effective date: 05/18/1971)

Summary:

Texas Air Control Board Order 71-5 revises Regulation I. Later versions of Regulation I indicate the effective date as 05/18/1971. No revised regulatory text is available.

## Rule Project Adopted on 07/30/1969

Adoption: [Texas Air Control Board Order 69-10](#) (Precedes *Texas Register*)

Date submitted to EPA: This rulemaking predates the EPA

EPA approval: This rulemaking predates the EPA

Sections affected:

- Amended: Regulations I and II

Areas affected:

- Statewide

Compliance date: (Effective date: 09/12/1969)

Summary:

Texas Air Control Board Order 69-10 revises Regulations I and II. No revised regulatory text is available.

## Rule Project Adopted on 01/03/1968

Adoption: [Regulation I](#) and [Regulation II](#) (Precedes *Texas Register*)

Date submitted to EPA: This rulemaking predates the EPA

EPA approval: This rulemaking predates the EPA

Sections affected:

- Amended: Regulation I, Sections I–VI
- New: Regulation II, Sections I–IX

Areas affected:

- Statewide

Compliance date: (Effective date: 02/23/1968 - Regulation I, and 02/22/1968 - Regulation II)

- 07/01/1968 - Regulation II, except Section IV.K
- 07/01/1969 - Regulation II, Section IV.K

Summary:

The rulemaking revises Regulation I to prevent undesirable levels of suspended particulate matter and smoke. The rulemaking sets an opacity limit on smoke from continuous process units during periods of shut-down and start-up, and more restrictive time limits on smoke from flares and continuous process units.

The rulemaking exempts certain sources in operation prior to the 1965 effective date of the Clean Air Act of Texas.

The rulemaking also adopts new Regulation II to restrict the outdoor burning of waste and combustible material and provide exemptions for specific types of outdoor burning.

## Rule Project Adopted on 01/31/1967

Adoption: [Regulation I](#) (Precedes *Texas Register*)

Date submitted to EPA: This rulemaking predates the EPA

EPA approval: This rulemaking predates the EPA

Sections affected:

- New: Regulation I

Areas affected:

- Statewide

Compliance date: 12/31/1967 (Effective date: 01/31/1967)

Summary:

The rulemaking adopts new Regulation I, 'Control of Air Pollution from Smoke and Suspended Particulate Matter.' The rule limits smoke emissions from combustion units, flares, and continuous process units; limits the ambient air concentrations of suspended particulate matter; and limits suspended particulate matter emissions for all properties based on four land use categories.

The rulemaking also limits particulate matter emissions containing beryllium; prohibits burning cotton gin waste without permission; prohibits particulate matter emissions cause a traffic hazard; and exempts certain activities.