

Rule History

Title 30 Texas Administrative Code Chapter 115

Industrial Wastewater

Introduction

The official version of the rules in [Chapter 115, Subchapter B, Division 4](#) 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 11/15/2006

Rule project number 2006-011-115-EN

Proposal: [31 TexReg 5558](#) (07/14/2006)

Adoption: [31 TexReg 9840](#) (12/08/2006)

Date submitted to EPA: 12/13/2006

EPA approval: [73 FR 40972](#) (07/17/2008)

Section affected:

- Amended: 115.149

Area affected:

- Dallas–Fort Worth (DFW) area (Ellis, Johnson, Kaufman, Parker, and Rockwall Counties)

Compliance date: 03/01/2009 (Effective date: 12/07/2006)

Summary:

The rulemaking requires the owner or operator of volatile organic compound (VOC) wastewater streams at the affected source categories as defined in §115.140, located in the newly designated nonattainment counties (Ellis, Johnson, Kaufman, Parker, and Rockwall Counties) to comply with the same rules that currently apply to sources located in the other DFW counties (Collin, Dallas, Denton, and Tarrant Counties).

The rulemaking is necessary to satisfy federal reasonably available control technology (RACT) requirements for the new nonattainment counties as a result of the DFW nonattainment area's expansion under the 1997 eight-hour ozone NAAQS.

This rulemaking is part of the [DFW 1997 Eight-Hour Ozone Attainment Demonstration SIP Revision \(2006-013-SIP-NR\)](#) (05/23/2007).

Rule Project Adopted on 12/13/2002

Rule project number 2002-046b-115-AI

Proposal: [27 TexReg 5394](#) (06/21/2002)

Adoption: [28 TexReg 113](#) (01/03/2003)

Date submitted to EPA: 01/28/2003

EPA approval: [73 FR 10383](#) (02/27/2008)

Sections affected:

- Amended: 115.142–115.144, 115.147, and 115.149

Areas affected:

- BPA area (Hardin, Jefferson, and Orange Counties)
- DFW area (Collin, Dallas, Denton, and Tarrant Counties)
- El Paso area (El Paso County)
- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: 12/31/2003 (Effective date: 01/17/2003)

Summary:

The amendments clarify the intent of certain control requirements and exemptions to use VOC, rather than water, as the sealing liquid in water seals that have the potential to result in uncontrolled VOC emissions; add daily inspection requirements for water seals and weekly inspection for process drains not equipped with water seals; add new compliance dates; update rule language and references; and relocate an inspection requirement.

This rulemaking is part of the [HGB Attainment SIP Revision \(2002-046a-SIP-AI\)](#) (12/13/2002).

Rule Project Adopted on 04/26/2002

Rule project number 2002-037-115-AI

Proposal: [27 TexReg 49](#) (01/04/2002)

Adoption: [27 TexReg 4113](#) (05/10/2002)

Date submitted to EPA: 07/18/2002

EPA approval: [73 FR 10383](#) (02/27/2008)

Sections affected:

- Amended: 115.140, 115.145, and 115.147

Areas affected:

- BPA area (Hardin, Jefferson, and Orange Counties)
- DFW area (Collin, Dallas, Denton, and Tarrant Counties)
- El Paso area (El Paso County)
- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: Not applicable (Effective date: 05/16/2002)

Summary:

The rulemaking updates rule language; corrects grammatical errors; and clarifies the applicability of an exemption to ensure that any component of a wastewater storage, handling, transfer, or treatment operation that the industrial wastewater control requirements apply to are exempt from the requirements of any other division of this chapter.

Rule Project Adopted on 08/08/2001

Rule project number 2001-005-115-AI

Proposal: [26 TexReg 4026](#) (06/08/2001)

Adoption: [26 TexReg 6303](#) (08/24/2001)

Date submitted to EPA: 09/07/2001

EPA approval: [73 FR 10383](#) (02/27/2008)

Section affected:

- Amended: 115.142

Areas affected:

- BPA area (Hardin, Jefferson, and Orange Counties)
- DFW area (Collin, Dallas, Denton, and Tarrant Counties)
- El Paso area (El Paso County)
- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: Not applicable (Effective date: 08/29/2001)

Summary:

The rulemaking clarifies that the secondary seal requirement only applies to external floating roof tanks.

Rule Project Adopted on 10/27/1999

Rule project number 1999-019-115-AI

Proposal: [24 TexReg 5413](#) (07/16/1999)

Adoption: [24 TexReg 10095](#) (11/12/1999)

Date submitted to EPA: 11/12/1999

EPA approval: [65 FR 79745](#) (12/20/2000)

Sections affected:

- Amended: 115.140 and 115.142–115.149

Areas affected:

- BPA area (Hardin, Jefferson, and Orange Counties)
- DFW area (Collin, Dallas, Denton, and Tarrant Counties)
- El Paso area (El Paso County)
- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: 12/31/2002 (Effective date: 11/18/1999)

Summary:

The rulemaking extends the existing industrial wastewater rules to industrial wastewater sources in the synthetic organic chemical industry located in the BPA area to implement RACT. The rulemaking also reorganizes and clarifies the existing industrial wastewater rules.

This rulemaking is part of the [BPA One-Hour Ozone Attainment SIP Revision \(1999-018-SIP-AI\)](#) (10/27/1999).

Rule Project Adopted on 04/30/1997

Rule project number 1996-164-115-AI

Proposal: [21 TexReg 11231](#) (11/19/1996)

Adoption: [22 TexReg 4213](#) (05/13/1997)

Date submitted to EPA: 05/21/1997

EPA approval:

- [64 FR 3841](#) (01/26/1999) (Partial approval)
- [65 FR 79745](#) (12/20/2000)

Sections affected:

- Amended: 115.146, 115.147, and 115.149

Areas affected

- BPA area (Hardin, Jefferson, and Orange Counties)

Compliance date: Not applicable (Effective date: 05/22/1997)

Summary:

The rulemaking deletes the attainment date from the contingency measure for the BPA area to eliminate the need for rulemaking if the area's attainment date of the ozone NAAQS is extended in the future.

The adopted rulemaking also updates references.

Rule Project Adopted on 01/04/1995

Proposal: [19 TexReg 7999](#) (10/07/1994)

Adoption: [20 TexReg 221](#) (01/13/1995)

Date submitted to EPA: 01/11/1995

EPA approval:

- [64 FR 3841](#) (01/26/1999) (Partial approval)
- [65 FR 79745](#) (12/20/2000)

Sections affected:

- Amended: 115.143, 115.147, and 115.149

Areas affected:

- BPA area (Hardin, Jefferson, and Orange Counties)
- DFW area (Collin, Dallas, Denton, and Tarrant Counties)
- El Paso area (El Paso County)
- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: One-year after the failure to attain notice is published in the *Texas Register* (Effective date: 01/27/1995)

Summary:

The rulemaking updates rule referenced and extends the industrial wastewater rule requirements as a contingency measure to the BPA area.

This rulemaking is part of the [Post-96 ROP SIP for BPA and HGB SIP Revision \(1995-156-SIP-AI\)](#) (12/13/1995).

Rule Project Adopted on 05/04/1994

Proposal: [19 TexReg 21](#) (01/04/1994)

Adoption: [19 TexReg 3703](#) (05/13/1994)

Date submitted to EPA: 05/09/1994

EPA approval:

- [62 FR 27964](#) (05/22/1997) (Partial approval)
- [65 FR 79745](#) (12/20/2000)

Sections affected:

- New: 115.140 and 115.142–115.149

Areas affected:

- DFW area (Collin, Dallas, Denton and Tarrant Counties)
- El Paso area (El Paso County)
- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: 11/15/1996 (Effective date: 05/27/1994)

Summary:

The rulemaking establishes new control, inspection, monitoring, and testing criteria for the control of VOC emissions from wastewater streams in the specified industry sectors in response to the EPA's 1993 *Control of Volatile Organic Compound Emissions from Industrial Wastewater* draft control techniques guidelines (CTG) document ([EPA-453/D-93-056](#)). The EPA issued this guidance document as an alternative control techniques (ACT) document instead of a CTG, as initially proposed. The EPA's ACT recommended that the petroleum refining industry not be included in the applicability; however, this industry is included in the Chapter 115 rule applicability.

This rulemaking is necessary to achieve VOC reductions for the [15% ROP SIP Revision \(Phase II\)](#) (05/13/1994).