

Rule History

Title 30 Texas Administrative Code Chapter 115

Transport Vessels

Introduction

The official version of the rules in [Chapter 115, Subchapter C, Division 3](#) 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 06/03/2015

Rule project number 2013-048-115-AI

Proposal: [39 TexReg 10246](#) (12/26/2014)

Adoption: [40 TexReg 3907](#) (06/19/2015)

Date submitted to EPA: 07/10/2015

EPA approval: Pending

Section affected:

- Amended: 115.239

Area affected:

- Dallas–Fort Worth (DFW) area (Wise County)

Compliance date: 01/01/2017 (Effective date: 06/25/2015)

Summary:

The rulemaking requires owners and operators of transport vessels in Wise County to comply with the same rule requirements that currently apply to transport vessels located in the other nine DFW counties.

The rulemaking is necessary to satisfy federal reasonably available control technology (RACT) requirements for Wise County as a result of the DFW nonattainment area designation under the 2008 eight-hour ozone NAAQS. This rulemaking is part of the [DFW 2008 Eight-Hour Ozone Attainment Demonstration SIP Revision \(2013-015-SIP-NR\)](#) (06/03/2015).

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: 115.239

Area affected:

- DFW area (Ellis, Johnson, Kaufman, Parker, and Rockwall Counties)

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

Summary:

The rulemaking requires owners and operators operating transport vessels in the newly designated nonattainment counties (Ellis, Johnson, Kaufman, Parker, and Rockwall Counties) to comply with the same rules that currently apply to transport vessels located in other DFW counties (Collin, Dallas, Denton, and Tarrant Counties).

The rulemaking is necessary to satisfy federal RACT requirements for the new nonattainment counties as a result of the DFW nonattainment area's expansion under the 1997 eight-hour ozone NAAQS and is part of the [DFW 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)

Section affected:

- Amended: 115.239

Areas affected:

- Austin–Round Rock area (Bastrop, Caldwell, Hays, Travis, and Williamson Counties)
- Beaumont–Port Arthur (BPA) area (Hardin, Jefferson, and Orange Counties)
- Corpus Christi area (Nueces and San Patricio Counties)
- DFW area (Collin, Dallas, Denton, and Tarrant Counties)
- Houston-Galveston-Brazoria (HGB) area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)
- Northeast Texas area (Gregg, Rusk, Smith, Upshur, and Harrison Counties)
- San Antonio area (Bexar, Comal, Guadalupe, and Wilson Counties)
- Victoria area (Victoria County)
- Other covered ozone attainment counties*

Compliance date: Not applicable (Effective date: 01/17/2003)

Summary:

The rulemaking replaces references and deletes language that is obsolete due to the passing of compliance dates.

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

Rule Project Adopted on 06/30/1999

Rule project number 1998-028-115-AI

Proposal: [24 TexReg 61](#) (01/01/1991)

Adoption: [24 TexReg 5488](#) (07/16/1999)

Date submitted to EPA: 08/09/1999

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

Sections affected:

- Amended: 115.234–115.237 and 115.239

Areas affected:

- Austin–Round Rock area (Bastrop, Caldwell, Hays, Travis, and Williamson Counties)
- BPA area (Hardin, Jefferson, and Orange Counties)
- Corpus Christi area (Nueces and San Patricio Counties)
- DFW area (Collin, Dallas, Denton, and Tarrant Counties)
- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)
- Northeast Texas area (Gregg, Rusk, Smith, Upshur, and Harrison Counties)
- San Antonio area (Bexar, Comal, Guadalupe, and Wilson Counties)
- Victoria area (Victoria County)
- Anderson, Angelina, Aransas, Atascosa, Austin, Bee, Bell, Bosque, Bowie, Brazos, Burleson, Calhoun, Camp, Cass, Cherokee, Colorado, Cooke, Coryell, De Witt, Delta, Falls, Fannin, Fayette, Franklin, Freestone, Goliad, Gonzales, Grayson, Grimes, Henderson, Hill, Hood, Hopkins, Houston, Hunt, Jackson, Jasper, Karnes, Lamar, Lavaca, Lee, Leon, Limestone, Live Oak, Madison, Marion, Matagorda, McLennan, Milam, Morris, Nacogdoches, Navarro, Newton, Panola, Polk, Rains, Red River, Refugio, Robertson, Sabine, San Augustine, San Jacinto, Shelby, Somervell, Titus, Trinity, Tyler, Van Zandt, Walker, Washington, Wharton, Wise, and Wood Counties

Compliance date: 04/30/2000 (Effective date: 07/21/1999)

Summary:

The rulemaking establishes the testing, recordkeeping, and inspection requirements for gasoline tank-truck tanks located in the covered ozone attainment counties.

The rulemaking also updates references; adds an exemption for transport vessels other than tank-truck tanks in the covered ozone attainment counties; adds an exemption for portable tanks; adds recordkeeping requirements for gasoline tank-truck tank leak testing in the covered attainment counties; and clarifies rule requirements.

Rule Project Adopted on 11/10/1993

Proposal: [18 TexReg 4471](#) (07/09/1993)

Adoption: [18 TexReg 8538](#) (11/19/1993)

Date submitted to EPA: 11/12/1993

EPA approval: [62 FR 27964](#) (05/22/1997)

Sections affected:

- Amended: 115.234–115.236 and 115.239
- New: 115.237

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: 05/31/1995 (Effective date: 12/03/1993)

Summary:

The rulemaking extends the annual leak-tightness test requirement to include all tank-trucks transporting VOCs meeting a minimum true vapor pressure.

The rulemaking establishes exemptions for tank-truck tanks used exclusively to transport VOCs meeting a minimum true vapor pressure and for transport vessels other than tank-truck tanks.

The rulemaking extends rule requirements to Brazoria, Chambers, Collin, Denton, El Paso, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties to ensure that all nonattainment areas are subject to the same level of control.

The rulemaking also changes the Subchapter title from 'VOC Marketing Operations' to 'VOC Transfer Operations.'

This rulemaking is part of the [15% Rate of Progress SIP Revision \(Phase I\)](#) (11/10/1993).

Rule Project Adopted on 05/10/1991

Proposal: [16 TexReg 839](#) (02/12/1991)

Adoption: [16 TexReg 3721](#) (07/02/1991)

Date submitted to EPA: 05/10/1991

EPA approval: [57 FR 44124](#) (09/24/1992)

Section affected:

- Amended: 115.239

Areas affected:

- BPA area (Jefferson and Orange Counties)
- HGB area (Brazoria and Galveston Counties)

Compliance date: 07/31/1992 (Effective date: 07/17/1991)

Summary:

The rulemaking extends the compliance date for Brazoria, Galveston, Jefferson, and Orange Counties that are now affected by the rules.

This rulemaking is necessary to correct rule deficiencies so that the rules meet federal RACT requirements and is part of the [15% Rate-of-Progress SIP Revision \(Phase I\)](#) (11/10/1993).

Rule Project Adopted on 12/08/1989

Proposal: [14 TexReg 3650](#) (07/28/1989)

Adoption: [15 TexReg 569](#) (02/02/1990)

Date submitted to EPA: 03/05/1990

EPA approval: [57 FR 44124](#) (09/24/1992)

Sections affected:

- New: 115.234–115.236 and 115.239

Areas affected:

- DFW area (Dallas and Tarrant Counties)
- El Paso area (El Paso County)
- DFW area (Harris County)

Compliance date: Not applicable (Effective date: 02/19/1990)

Summary:

The rulemaking establishes requirements for VOC leaks from gasoline tank-truck tanks in the new Chapter 115. The rulemaking is part of the reorganization and reformatting of the Chapter 115 rules.

This rulemaking is concurrent with the repeal of Sections 115.261–115.264 (Rule Project Adopted on 12/08/1989).

The rulemaking specifies applicable inspection procedures and schedules; identifies federally approved test methods and procedures; and specifies the type of records to be kept to document compliance.

Rule Project Adopted on 12/08/1989

Proposal: [14 TexReg 3522](#) (07/21/1989)

Adoption: [15 TexReg 354](#) (01/23/1990)

Date submitted to EPA: 03/05/1990

EPA approval: [57 FR 44124](#) (09/24/1992)

Sections affected:

- Repealed: 115.261–115.264

Areas affected:

- DFW area (Dallas and Tarrant Counties)
- El Paso area (El Paso County)
- HGB area (Harris County)

Compliance date: Not applicable (Effective date: 02/15/1990)

Summary:

The rulemaking repeals the entire Chapter 115 rules, including the control of VOC leaks from gasoline tank-truck tanks rules.

This rulemaking is concurrent with the adoption of Sections 115.234–115.236 and 115.239 (Rule Project Adopted on 12/08/1989).

Rule Project Adopted on 10/14/1988

Proposal: [13 TexReg 2822](#) (06/07/1988)

Adoption: [13 TexReg 6094](#) (12/09/1988)

Date submitted to EPA: 12/13/1988

EPA approval: [56 FR 40253](#) (08/14/1991)

Section affected:

- Amended: 115.262

Areas affected:

- DFW area (Dallas and Tarrant Counties)
- El Paso area (El Paso County)
- HGB area (Harris County)

Compliance date: Not applicable (Effective date: 12/21/1988)

Summary:

The rulemaking specifies the test methods to be used to determine compliance with the applicable control requirements to insure the maximum effectiveness of previously adopted controls.

Rule Project Adopted on 07/26/1985

Proposal: [10 TexReg 736](#) (03/01/1985)

Adoption: [10 TexReg 3380](#) (09/06/1985)

Date submitted to EPA: 10/11/1985

EPA approval: [56 FR 40253](#) (08/14/1991) (Approval for Dallas and Tarrant Counties only)

Sections affected:

- Amended: 115.261, 115.262, and 115.264

Areas affected:

- DFW area (Dallas and Tarrant Counties)
- El Paso area (El Paso County)

Compliance date: 12/31/1987 (Effective date: 09/17/1985)

Summary:

The rulemaking extends the control and testing of leaks from gasoline tank-trucks to Dallas, Tarrant, and El Paso Counties.

This rulemaking is part of the [Dallas/El Paso/Tarrant Post-1982 Ozone SIP Revision](#) (08/1985).

Rule Project Adopted on 03/20/1981

Proposal: [5 TexReg 4485](#) (11/11/1980)

Adoption: [6 TexReg 1246](#) (04/03/1981)

Date submitted to EPA: 07/20/1981

EPA approval: [47 FR 17284](#) (04/22/1982)

Section affected:

- Amended: 115.262

Area affected:

- HGB area (Harris County)

Compliance date: Not applicable (Effective date: 04/16/1981)

Summary:

The rulemaking clarifies that the testing requirement that limits the change in pressure for a tank applies when the tank is pressurized to a gauge pressure of 18 inches of water or when the tank is evacuated to a vacuum of 6 inches of water.

Rule Project Adopted on 07/11/1980

Proposal: [5 TexReg 1316](#) (04/04/1980)

Adoption: [5 TexReg 3259](#) (08/12/1980)

Date submitted to EPA: 07/25/1980

EPA approval: [47 FR 18857](#) (05/03/1982) (Due to the absence of relevant test methods in Texas, the EPA approved this rulemaking on the basis that the test methods applicable to gasoline tank trucks in Louisiana are applicable to such sources in Texas)

Sections affected:

- New: 115.261–115.264

Area affected:

- HGB area (Harris County)

Compliance date: 12/31/1982 (Effective date: 08/22/1980)

Summary:

The rulemaking establishes the new VOC control, testing, and recordkeeping requirements for gasoline tank-trucks in Harris County.

The rulemaking requires a leak-tight test of any gasoline tank-truck prior to being filled or emptied; limits the change in pressure; and requires records of all certification testing and repairs to be maintained.

The rulemaking implements requirements based on the EPA's 1978 *Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems* ([EPA-450/2-78-051](#)).

The rulemaking is necessary to satisfy federal reasonably available control technology requirements.

