

Rule History

Title 30 Texas Administrative Code Chapter 117 Combustion Control at Minor Sources In Ozone Nonattainment Areas

Introduction

The official version of the rules in [Chapter 117, Subchapter D](#) 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 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 04/10/2013

Rule project number 2012-031-117-AI

Proposal: [37 TexReg 9060](#) (11/16/2012)

Adoption: [38 TexReg 2634](#) (04/26/2013)

Date submitted to EPA: 05/08/2013

EPA approval: [79 FR 44299](#) (07/31/2014)

Sections affected:

- Amended: 117.2103, 117.2130, 117.2135 and 117.2145

Areas affected:

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

Compliance date: 05/02/2013 (Effective date: 05/02/2013)

Summary:

In respond to the Halliburton Energy Services petition (2012-029-PET-NR), the adopted change expands the list of exempted sources in §117.2103 to include stationary diesel engines that are used exclusively for product testing and personnel training, operate less than 1,000 hours per year on a rolling 12-month basis, and meet applicable Tier emission standards for non-road engines listed in 40 Code of Federal Regulations (CFR) §89.112(a), Table 1 (October 23, 1998) in effect at the time of installation, modification, reconstruction, or relocation. The adopted change also revises the operating requirements of §117.2130, the monitoring requirements of §117.2135, and the recordkeeping requirements of §117.2145 to reflect the new category of exempt engines.

Rule Project Adopted on 04/20/2011

Rule project number 2010-048-117-EN

Proposal: [35 TexReg 10162](#) (11/19/2010)

Adoption: [36 TexReg 2855](#) (05/06/2011)

Date submitted to EPA: 05/18/2011

EPA approval: [78 FR 26251](#)  (05/06/2013)

Sections affected:

- Amended: 117.2110

Areas affected:

- DFW area (Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, and Tarrant Counties)

Compliance date: 05/15/2011 (Effective date: 05/15/2011)

Summary:

The adopted change expands the emission specification for lean-burn engines fired on landfill gas to include lean-burn engines fired on biogas at minor sources of NO_x in the Dallas–Fort Worth 1997 eight-hour ozone nonattainment area. Owners or operators of stationary gas-fired lean-burn internal combustion engines fired on biogas fuels other than landfill gas that are installed, modified, reconstructed, or relocated on or after 06/01/2007 are required to limit NO_x emissions to 0.60 grams per horse power-hour instead of 0.50 grams per horse power-hour.

Rule Project Adopted on 02/11/2009

Rule project number 2008-008-117-EN

Proposal: [33 TexReg 7443](#) (09/05/2008)

Adoption: [34 TexReg 1445](#) (02/27/2009)

Date submitted to EPA: 03/10/2009

EPA approval: [74 FR 38102](#)  (07/31/2009)

Sections affected:

- Amended: 117.2035 and 117.2045
- Areas affected
- Houston-Galveston-Brazoria (HGB) area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: 03/04/2009 (Effective date: 03/04/2009)

Summary:

The rulemaking provides for an additional output-based monitoring alternative to installing and operating a totalizing fuel flow meter on stationary reciprocating internal combustion engines and stationary gas turbines at the minor sources in the HGB area. An owner or operator may elect to install and operate a continuous monitoring system that continuously monitors horsepower and hours of operation. The rules also require associated recordkeeping.

Rule Project Adopted on 05/23/2007

Rule project number 2006-034-117-EN

Proposal: [31 TexReg 10538](#) (12/29/2006)

Adoption: [32 TexReg 3206](#) (06/08/2007)

Date submitted to EPA: 05/30/2007

EPA approval: [73 FR 73562](#) (12/03/2008)

Sections affected:

- New: 117.2000, 117.2003, 117.2010, 117.2025, 117.2030, 117.2035, 117.2045, 117.2100, 117.2103, 117.2110, 117.2125, 117.2130, 117.2135, and 117.2145
- Repealed: 117.471, 117.473, 117.475, 117.478, 117.479, and 117.481

Areas affected:

- DFW area (Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, and Tarrant Counties)
- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: 03/01/2009 for the DFW area, 03/31/2005 for the HGB area (Effective date: 06/14/2007)

Summary:

The rulemaking reformats the Chapter 117, Subchapter D rules for minor sources in the HGB area. In addition, the rulemaking establishes a new Subchapter D, Division 2 that includes new rule language and requirements associated with minor sources of NOx in the DFW eight-hour ozone nonattainment area.

The rulemaking establishes new NOx emission limits for minor source stationary reciprocating internal combustion engines in the DFW area. The rulemaking establishes carbon monoxide and ammonia specifications; specifies operating requirements; incorporates associated monitoring, testing, and recordkeeping requirements; and establishes exemptions for certain engines.

The rule requirements implement reasonably available control measures to help advance attainment of the 1997 eight-hour ozone standard in the DFW area. The rulemaking also revises language to clarify the requirements for units subject to the Mass Emissions Cap and Trade Program in the HGB area and adds a provision to require the predictive emissions monitoring system to predict the pollutant emissions in units of the applicable emission specifications.

This rulemaking is part of the [Dallas-Fort Worth Eight-Hour Ozone Attainment Demonstration SIP Revision \(2006-013-SIP-NR\)](#) (05/23/2007). Sections 117.2110(h) and 117.2125 are not a part of the SIP.

Rule Project Adopted on 04/27/2005

Rule project number 2005-004-117-EN

Proposal: [29 TexReg 11279](#) (12/03/2004)

Adoption: [30 TexReg 2862](#) (05/13/2005)

Date submitted to EPA: 05/13/2005

EPA approval: [73 FR 47835](#) (08/15/2008)

Sections affected:

- Amended: 117.479

Areas affected:

- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: 03/31/2007 (Effective date: 05/19/2005)

Summary:

The revisions clarify the use of totalizing fuel flow meters to ensure that fuel usage data is representative of actual operations that are used to demonstrate compliance with the NOx Mass Emissions Cap and Trade (MECT) Program requirements of Chapter 101, Subchapter H.

The rulemaking exempts units from the meter requirements if the site is not subject to the MECT program; allows for a single meter to monitor flow to multiple units as long as the units exhaust to a common stack monitored with a continuous emissions monitoring system; and provides for an alternative to the meter requirements for units subject to the MECT program by allowing meter sharing among units.

The rulemaking also allows for a fuel flow alternative for stationary diesel internal combustion engines and allows for the use of an American Society of Testing and Materials test method as an alternative to the specified test methods for testing performed on natural gas-fired reciprocating engines, combustion engines, boilers, and process heaters.

This rulemaking is part of the [Dallas–Fort Worth 5% Increment of Progress SIP Revision \(2004-096-SIP-AI\)](#) (04/27/2005).

Rule Project Adopted on 12/13/2002

Rule project number 2002-038-117-AI

Proposal: [27 TexReg 5454](#) (06/21/2002)

Adoption: [28 TexReg 242](#) (01/03/2003)

Date submitted to EPA: 01/28/2003

EPA approval: [71 FR 52670](#) (09/06/2006)

Sections affected:

- Amended: 117.473, 117.475, 117.478, and 117.479
- New: 117.481

Areas affected:

- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: 03/31/2007 (Effective date: 01/17/2003)

Summary:

The revisions adopt changes to the emission specifications for attainment demonstrations (ESAD) for liquid-fired boilers and process heaters and clarify the ESAD for gas-fired units. The revisions also clarify the emission specification for stationary diesel engines. The changes remove the ESAD for stationary diesel engines rated at less than 50 horsepower because those engines are exempt.

The changes provide further clarification to the ESAD for units with specific annual capacity factors; units that are subject and not subject to an ESAD; and what is meant by a source which meets the definition of a major stationary source.

Additionally, the adopted rulemaking specifies new ammonia and carbon monoxide emission limits; clarifies operating requirements for certain stationary engines; clarifies monitoring, recordkeeping, and reporting requirements regarding totalizing fuel flow meters; and adds new ammonia monitoring requirements for units that inject urea or ammonia into an exhaust stream for NO_x control. The new section allows for an alternative emission specification to be established on a case specific basis for ammonia.

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

Rule Project Adopted on 09/26/2001

Rule project number 2001-007b-117-AI

Proposal: [26 TexReg 4400](#) (06/15/2001)

Adoption: [26 TexReg 8110](#) (10/12/2001)

Date submitted to EPA: 10/04/2001

EPA approval: [66 FR 57230](#) (11/14/2001)

Sections affected:

- Amended: 117.471, 117.473, 117.475, 117.478, and 117.479

Areas affected:

- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: 03/31/2007 (Effective date: 10/18/2001)

Summary:

The revisions add stationary gas turbines and associated duct burners at minor sources of NO_x in the Houston-Galveston-Brazoria area to the list of sources subject to Chapter 117 requirements. The revisions clarify exemptions for engines used for certain purposes and for engines used for specified periods of time. Additionally, the revisions clarify exemptions for stationary gas turbines of a certain size and remove the exemption for small electric generating units which are registered under a standard permit.

The revisions also adopt new emission specifications for attainment demonstrations for stationary engines fired on landfill gas and for stationary gas turbines and duct burners used in turbine exhaust ducts. The changes also add a new emission specification for stationary dual-fuel engines and stationary diesel engines. The revision also adds a new prohibition to start or operate any stationary diesel or dual fuel engine in HGB area for testing or maintenance between the hours of 6:00 a.m. and noon.

This rulemaking is part of the [Houston-Galveston-Brazoria SIP Revision \(2001-007-SIP-AI\)](#) (09/26/2001).

Rule Project Adopted on 12/06/2000

Rule project number 2000-011H-117-AI

Proposal: [25 TexReg 8275](#) (08/25/2000)

Adoption: [26 TexReg 524](#) (01/12/2001)

Date submitted to EPA: 12/20/2000

EPA approval: [66 FR 57230](#) (11/14/2001)

Sections affected:

- New: 117.471, 117.473, 117.475, 117.478, and 117.479

Areas affected:

- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: 03/31/2005 (Effective date: 01/18/2001)

Summary:

The rulemaking establishes new emission specifications and operating restrictions for boilers, process heaters, and stationary reciprocating internal combustion engines at minor sources of NO_x in the Houston-Galveston-Brazoria area.

The rulemaking also specifies exemptions for certain units, and establishes monitoring, recordkeeping, and reporting requirements. These rules achieve necessary NO_x emission reductions as part of the control strategy developed for attainment of the one-hour ozone standard.

This rulemaking is part of the [Houston-Galveston-Brazoria Attainment SIP Revision \(2000-011-SIP-AI\)](#) (12/06/2000).