

# PROPOSED RULES

An agency may adopt a proposed rule no earlier than 30 days after publication in the *Register*, except where a federal statute or regulation requires implementation of a rule on shorter notice.

An agency, on request, shall provide a statement of the reasons for and against adoption of a rule. Any interested person may request this statement before adoption or within 30 days afterward. The statement shall include the principal reasons for overruling considerations urged against the agency's decision.

**Numbering System**—Each rule is designated by a unique 10-digit number which is divided into four units by decimal points. The first unit (three digits) indicates the agency which promulgates the rule. The second unit (two digits) indicates the chapter of rules to which the rule belongs. The third unit (two digits) indicates the subchapter of rules, if any, within the chapter. The fourth unit (three digits) indicates the individual rule.

**Symbology**—Changes to existing material are indicated in ***bold italics***. [Brackets] indicate deletion of existing material.

## Texas Air Control Board

### Regulation V—Control of Air Pollution from Volatile Organic Compounds

(Editor's note: Proposed new rules, amendments, and repeals of the Texas Air Control Board's chapter of general rules and chapters concerning regulations for the control of air pollution are being published serially beginning in the issue of October 10 and continuing consecutively in the issue of October 13 and in this issue. The final installment will appear in the issue of October 20. The proposed date of adoption for all the serialized proposals is November 10, 1978. The chapter titles and rules to be published serially were published in the October 10, 1978, issue (3 TexReg 3545). Proposed new rules in the chapter entitled Regulation V—Control of Air Pollution from Volatile Organic Compounds appear in this issue.)

The Texas Air Control Board proposes new rules for the control of air pollution from volatile organic compounds in connection with revisions to the State Implementation Plan pursuant to the Federal Clean Air Act. These rules (and the associated control strategy) relate to the control of photochemical oxidant (ozone).

The Federal Clean Air Act as amended in August of 1977 calls for revisions to the State Implementation Plan for all areas which do not meet the National Ambient Air Quality Standards. As revised, the plan must demonstrate attainment of these standards by December 31, 1982 (or December 31, 1987, if an extension is granted for photochemical oxidants or carbon monoxide.) In Texas, 15 counties have been designated as nonattainment areas for photochemical oxidant (ozone). Descriptions of each nonattainment area are available at the central office of the board at 8520 Shoal Creek Boulevard, Austin, Texas 78758, and at all regional offices of the board. Complete control strategies associated with the regulations will also be available for inspection at these locations.

Some, but not all, of the rules as proposed would be submitted as revisions to the State Implementation Plan, and would thus be enforceable by the U.S. Environmental Protection Agency as part of the control strategies required to demonstrate attainment of the standards. The remaining rules would be enforced by the board, but would not be part of the State Implementation Plan or enforceable at the federal level. Emission reductions attributable to these latter rules will therefore be available to offset emissions growth.

An important point related to this proposal, however, is that there are informal indications that the associated demonstration that the ozone standard will be attained by 1982 in Bexar, El Paso, Nueces, Tarrant, and Travis Counties would not be approved by the U.S. Environmental Protection Agency. This would result from the following different technical assumptions relied on by the respective agencies regarding ozone levels:

	Texas Air Control Board	U.S. Environmental Protection Agency
Current ozone levels attributable to background and transport	.12 ppm	.05-.08 ppm
Future ozone levels attributable to background and transport	.02 ppm	.04 ppm
Ozone standard to be attained	.1 ppm (currently proposed)	.08 ppm (currently in effect)

Assuming a determination that attainment is not demonstrated for these counties by 1982, the plan would be defective for failing to address inspection and maintenance of motor vehicles and alternative siting for new sources. Thus, important issues to be considered are whether the assumptions used by the Texas Air Control Board are technically sound, and if so, should they be relied on despite the federal preference for different assumptions.

The counties affected by the proposed regulation are classified as follows:

(a) Unclassified counties: Aransas, Calhoun, Hardin, Matagorda, Montgomery, and San Patricio.

(b) Photochemical oxidant nonattainment counties:

(1) Urban nonattainment counties: Bexar, Dallas, El Paso, Harris, Nueces, Tarrant, and Travis. Although Galveston County is a rural nonattainment county, the degree of control in this county is the same as for the urban nonattainment counties.

(2) Rural nonattainment counties: Brazoria, Ector, Gregg, Jefferson, McLennan, Orange, and Victoria.

Subchapters 131.07.01 through 131.07.09 apply the provisions of the existing regulation to the six unclassified counties. No additional control requirements are being added for these counties.

Subchapter 131.07.51 is a modification to the existing subchapter on storage of volatile organic compounds. This subchapter is being applied to all nonattainment counties. The following are specific changes to this subchapter:

(a) Control requirements for all volatile organic storage vessels above 1,000 gallons capacity are being added.

(b) Requirements for the operation and maintenance of floating roofs are being added.

(c) A requirement to install double seals on external floating roof tanks is being added.

Subchapter 131.07.52 is a modification to the existing subchapter on the loading and unloading of volatile organic compounds. This subchapter is being applied to all oxidant nonattainment counties. The following are specific changes to this subchapter:

(a) A more stringent control requirement for bulk gasoline terminals is being added.

(b) A control requirement for spew gauges at LPG loading facilities is being added.

Subchapter 131.07.53 is a new subchapter with control requirements for bulk gasoline plants which are gasoline loading facilities other than service stations with throughputs of less than 20,000 gallons per day. This subchapter is being applied to the urban nonattainment counties.

Subchapter 131.07.54 is a modification to the existing subchapter on the filling of gasoline storage vessels at service stations (Stage I). Except for Denton County, Stage I is being applied in the same counties as specified in the current regulation (Bexar, Harris, Galveston, Brazoria, Dallas, Tarrant, Travis, Nueces, Jefferson, Orange, and El Paso). Denton County is being deleted from the regulation because it is the only county in which Stage I is now required that is not classified as nonattainment for photochemical oxidants. The other change to this subchapter is the removal of the previous exemption for facilities with less than 120,000 gallons per year throughput.

Subchapter 131.07.55 is a modification to an existing subchapter on volatile organic compounds—water separators. This subchapter is being applied to all nonattainment counties. The following are specific changes to the subchapter:

(a) A control requirement is being added for effluent water transfer systems which discharge directly to an evaporation pond. A method for exempting specific effluent water transfer streams is incorporated into this rule.

(b) The level of control for volatile organic compound—water separators in petroleum refineries and chemical manufacturing plants is being reduced from 1.5 psia to 0.5 psia.

Subchapter 131.07.56 is a new subchapter adopting control requirements for process unit turnarounds, vacuum-producing systems, and fugitive emissions in petroleum refineries. This subchapter will apply in all nonattainment counties.

Subchapter 131.07.57 is a new subchapter adopting control requirements for process unit turnarounds and fugitive emissions in chemical manufacturing plants. This subchapter will apply in all nonattainment counties.

Subchapter 131.07.58 is a modification to the existing vent gas control subchapter. This subchapter is being applied to all nonattainment counties. The following are specific changes to the subchapter:

(a) The rule pertaining to ethylene-producing or consuming plants is modified to improve its enforceability.

(b) The exemption for dilute vent gas streams (less than three percent volatile organic compounds) is being reduced from 250 pounds per hour to 25 pounds per hour.

(c) A method for exempting specific vent gas streams is being incorporated into the rule.

Subchapter 131.07.59 is a new subchapter adopting control requirements for specific solvent-using processes (cutback asphalt, col solvent cleaning, open-top vapor degreasers, and conveyorized degreasers). The cutback asphalt rule will apply only in the urban nonattainment areas. The other rules will apply to all minor and major sources (those sources with potential emissions greater than 18 tons per year but less than 100 tons per year) which are located in urban nonattainment areas. The other rules will also apply to major sources (those sources with potential emissions greater than 100 tons per year), which are located in rural nonattainment areas.

Subchapter 131.07.60 is a new subchapter adopting control requirements for specific surface-coating industries (large appliances, cars, coils, paper, fabrics, assembly line automobiles, light-duty trucks, and metal furniture). The rules will apply to all minor and major sources which are located in urban nonattainment areas.

Subchapter 131.07.61 is a modification of an existing subchapter which pertains to alternate methods of control.

Subchapter 131.07.62 is a new subchapter which pertains to exempt compound status and applies in all nonattainment areas. The subchapter is comprised of the following items:

(a) Only the specific compounds methane, ethane, 1,1,1 trichloroethane, and Freon 113 are exempted from Regulation V.

(b) All previously granted specific organic compound exemptions are cancelled.

Subchapter 131.07.63 is a modification of an existing subchapter which pertains to compliance reporting procedures.

The fiscal impact of the new Regulation V is substantial. The fiscal years 1980 through 1983 will require large net increases for enforcement and administration by the Texas Air Control Board and local agencies.

	1979	1980	1981	1982	1983
State agency	0	\$247,800	\$311,500	\$294,200	\$299,700
Local agencies	0	52,100	101,100	154,000	210,900

The state agency increases for 1980 and 1981 are reflected in the budget estimates being submitted by the Texas Air Control Board to the Governor's Budget and Planning Office and Legislative Budget Office. For the years 1982 and 1983, the agency has made additional projections for continuing enforcement needs.

The estimates for net increases of local enforcement were obtained from air pollution control officials of the following local governments: Houston, El Paso (city-county), Dallas, Fort Worth, San Antonio, Galveston County, and Corpus Christi (city-county).

Assuming a determination that attainment is not demonstrated for these counties by 1982, the plan would be defective for failing to address inspection and maintenance of motor vehicles and alternative siting for new sources. Thus, important issues to be considered are whether the assumptions used by the Texas Air Control Board are technically sound, and, if so, should they be relied on despite the federal preference for different assumptions.

The Texas Air Control Board has scheduled public hearings on these proposed rules to be held at the following places and times:

Houston: Holiday Inn, Medical Center  
Tanglewood Room  
6701 South Main  
Houston, Texas  
November 9, 1978  
9:30 a.m., 1:30 p.m., and 6:30 p.m.

San Antonio: Meeting room of the Bowie Building  
4545 Centerview Drive (at Centerview Drive and Piedras West)  
San Antonio, Texas  
November 10, 1978  
1:30 p.m. and 6:30 p.m.

Arlington: Arlington Public Library  
Community Room  
101 East Abram  
Arlington, Texas  
November 13, 1978  
1:30 p.m. and 6:30 p.m.

Odessa: Texas Electric Service Company  
Redi Room  
520 North Lincoln  
Odessa, Texas  
November 14, 1978  
1:30 p.m. and 6:30 p.m.

El Paso: El Paso Civic Center  
Juarez Room  
One Civic Center Plaza  
El Paso, Texas  
November 15, 1978  
1:30 p.m. and 6:30 p.m.

Galveston: Galvez Hotel  
Grecian Room  
2024 Seawall Boulevard  
Galveston, Texas  
November 16, 1978  
1:30 p.m. and 6:30 p.m.

Public comment on these proposed rules, including cost of compliance, is invited, both orally and in writing at the public hearings and by submission of written comments. Because of the limited time available to complete all activities associated with the preparations of revisions to the State Implementation Plan, submission of written comments on or before the hearing date to the maximum extent feasible is requested. All written comments so received will be entered into the record and reviewed. Oral presentations should, therefore, supplement or highlight but not repeat testimony. Written comments should be submitted to the Texas Air Control Board hearing examiner at 8520 Shoal Creek Boulevard, Austin, Texas 78758, prior to November 16, 1978. Written copies of comments made at the hearings are requested, if possible. Oral presentations may be limited by the hearing examiner if necessary to afford all interested persons an opportunity to speak.

## Counties in Other than Oxidant Nonattainment Areas 131.07.01

This rule is proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

*101. Counties Affected.* Except for Subchapter 131.07.06, Subchapters 131.07.02-.09 shall apply only in the following counties: Aransas, Calhoun, Hardin, Matagorda, Montgomery, and San Patricio. Subchapter 131.07.06 shall apply in Hardin, Matagorda, Montgomery, and San Patricio Counties.

Doc. No. 786513

## Storage in Other than Oxidant Nonattainment Areas 131.07.02

These rules are proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

*101. Containers Over 25,000 Gallons.* No person shall place, store, or hold in any stationary tank, reservoir, or other container of more than 25,000 gallons (94,635 liters) nominal capacity any volatile organic compounds having a true vapor pressure equal to or greater than 1.5 psia (10.3 kPa) unless such tank, reservoir, or other container is a pressure tank capable of maintaining working pressure sufficient at all times to prevent vapor or gas loss to the atmosphere or is designed and equipped with one of the following vapor loss control devices:

(1) A floating roof, consisting of a pontoon-type, double-deck-type roof, or internal floating cover, which will rest on the surface of the liquid contents and be equipped with a closure seal or seals to close the space between the roof edge and tank wall. This control equipment shall not be permitted if the volatile organic compounds have a true vapor pressure of 11.0 psia (75.8 kPa) or greater. All tank gauging and sampling devices shall be vapor-tight except when gauging or sampling is taking place.

(2) A vapor recovery system which reduces the emissions such that the true vapor pressure of all volatile organic compound vapors in vent gases to the atmosphere will not exceed a level of 1.5 psia (10.3 kPa).

*102. Containers Over 1,000 Gallons.* No person shall place, store, or hold in any new stationary storage vessel of more than 1,000 gallons (3,785 liters) nominal capacity any volatile organic compound having a true vapor pressure equal to or greater than 1.5 psia (10.3 kPa) unless such vessel is equipped with a permanent submerged fill pipe or is a pressure tank as described in Rule 131.07.02.101 or is fitted with a vapor recovery system as described in Rule 131.07.02.101(2).

*103. Exemptions.*

(a) Crude oil or condensate storage containers are exempt from Rules 131.07.02.101-102.

(b) Slotted sampling and gauge pipes installed or approved for installation in any internal floating roof before the effective date of this regulation are exempted from Rule 131.07.02.101.

Doc. No. 786515

## Loading and Unloading Facilities in Other than Oxidant Nonattainment Areas 131.07.03

These rules are proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

### 101. Loading and Unloading Requirements.

(a) No person shall permit the loading or unloading of volatile organic compounds having a true vapor pressure equal to or greater than 1.5 psia (10.3 kPa) from any loading facility having 20,000 gallons (75,708 liters) or more throughput per day, averaged over any 30-day period, unless such facility is equipped with a vapor recovery system which reduces the emissions such that the true vapor pressure of all volatile organic compound vapors in vent gases to the atmosphere will not exceed a level of 1.5 psia (10.3 kPa).

(b) When loading or unloading is effected through the hatches of a tank truck or trailer or railroad tank car with a loading arm equipped with a vapor-collecting adaptor, then pneumatic, hydraulic, or other mechanical means shall be provided to force a vapor-tight seal between the adaptor and the hatch. A means shall be provided to prevent liquid drainage from the loading device when it is removed from the hatch of any tank truck, trailer, or railroad tank car to accomplish complete drainage before such removal. When loading or unloading is effected through means other than hatches, all loading and vapor lines shall be equipped with fittings which make vapor-tight connections and which close automatically when disconnected or equipped to permit residual volatile organic compounds in the loading line to discharge into a recovery or disposal system after loading is complete. All gauging and sampling devices shall be vapor-tight except for necessary gauging and sampling.

102. Exemptions. All loading or unloading facilities for crude oil or condensate and for ships and barges are exempt from Rule 131.07.03.101.

Doc. No. 786517

## Water Separation in Other than Oxidant Nonattainment Areas 131.07.04

These rules are proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

101. Water Separation. No person shall use any compartment of any single or multiple compartment volatile organic compound water separator, which compartment receives 200 gallons (757 liters) or more of volatile organic compounds a day having a true vapor pressure equal to or greater than 1.5 psia (10.3 kPa) from any equipment which is processing, refining, treating, storing, or handling volatile organic compounds, unless such compartment is controlled in one of the following ways:

(1) The compartment has all openings sealed and totally encloses the liquid contents. All gauging and sampling devices shall be vapor-tight except when gauging or sampling is taking place.

(2) The compartment is equipped with a floating roof or internal floating cover which will rest on the surface of the contents and be equipped with a closure seal or seals to close the space between the roof edge and tank wall. All gauging

and sampling devices shall be vapor-tight except when gauging or sampling is taking place.

(3) The compartment is equipped with a vapor recovery system which reduces the emissions such that the true vapor pressure of the volatile organic compound vapors in vent gases to the atmosphere will not exceed a level of 1.5 psia (10.3 kPa).

102. Exemptions. Volatile organic compound water separators used exclusively in conjunction with the production of crude oil or condensate are exempt from Rule 131.07.04.101.

Doc. No. 786519

## Vent Gas Control in Other than Oxidant Nonattainment Areas 131.07.05

These rules are proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

### 101. Ethylene.

(a) No person shall emit more than 4.2 pounds (1.9 kg) per hour of ethylene in a vent gas stream from an ethylene producing or consuming plant containing three volume percent or greater of ethylene unless the vent gas stream is burned at a temperature equal to or greater than 1,300° F (704° C) in a smokeless flare, a direct-flame incinerator, or is controlled by an approved equivalent alternate method.

(b) No person shall emit more than 1.1 pounds of ethylene per 1,000 pounds of low-density polyethylene plant product (1.1 kg/1,000 kg) in the vent gas streams associated with the formation, handling, and storage of solidified product unless the vent gas stream is burned at a temperature equal to or greater than 1,300° F (704° C) in a smokeless flare, a direct-flame incinerator, or is controlled by an approved equivalent alternate method.

102. Vent Gas Stream. No person shall emit a vent gas stream from any process vent containing one or more of the specific volatile organic compounds listed in Rule 131.07.05.102(1) or one or more compounds which are members of one or more of the classes of volatile organic compounds listed in Rule 131.07.05.102(2) unless the vent gas stream is burned properly at a temperature equal to or greater than 1,300° F (704° C) in a smokeless flare or a direct-flame incinerator before it is allowed to enter the atmosphere; alternate means of control may be approved by the executive director in accordance with Rule 131.07.06.101.

(1) Emission of the following specific volatile organic compounds shall be regulated under Rule 131.07.05.102: butadiene, isobutylene, styrene, isoprene, propylene, alpha-methyl-styrene.

(2) Emissions of the following classes of volatile organic compounds shall be regulated under Rule 131.07.05.102: aldehydes, alcohols, aromatics, ethers, olefins, peroxides, amines, acids, esters, ketones, sulfides, branched chain hydrocarbons (C<sup>8</sup> and above).

(3) The following vent gas streams are exempt from the requirements of Rule 131.07.05.102:

(A) A vent gas stream having a combined weight of the volatile organic compounds or classes of compounds specified in Rule 131.07.05.101(a) and Rule 131.07.05.102(2) equal to or less than 100 pounds (45 kg) in any consecutive 24-hour period.

(B) A vent gas stream having a combined weight of the volatile organic compounds or classes of compounds specified in Rule 131.07.05.102(1) and Rule 131.07.05.102(2) greater than 100 pounds (45 kg) in any consecutive 24-hour period but less than 250 pounds (113 kg) per hour averaged over any consecutive 24-hour period and having a true vapor pressure of the volatile organic compounds specified in Rule 131.07.05.102(1) and Rule 131.07.05.102(2) less than 0.44 psia (3.0 kPa).

**103. Emissions from Catalyst Regeneration, Basic Oxygen Furnace, or Fluid-Coking Unit.** No person shall emit in any one calendar year more than five tons (4,536 kg) of total volatile organic compounds excluding methane in a vent gas stream from any catalyst regeneration of a petroleum or chemical process system, basic oxygen furnace, or fluid-coking unit into the atmosphere unless the vent gas stream is properly burned at a temperature equal to or greater than 1,300° F (704° C) in a direct-flame incinerator or boiler.

**104. Emissions from Iron Cupola.** No person shall emit a vent gas stream from any iron cupola into the atmosphere unless the vent gas stream is properly burned at a temperature equal to or greater than 1,300° F (704° C) in an afterburner having a retention time of at least one-fourth of a second, and having a steady flame that is not affected by the cupola charge and relights automatically if extinguished.

**105. Blast Furnaces.** Vent gas streams from blast furnaces shall be burned in a smokeless flare or be used in one or more of the following ways:

- (1) to preheat the blast air before injection into the furnace through the tuyeres;
- (2) for steam generation;
- (3) for the heating of soaking pits;
- (4) for the underfiring of coke ovens;
- (5) for other miscellaneous heating uses.

**106. Alternate Methods of Control.** Rules 131.07.05.101-105 are not intended to require incineration as an exclusive method of control. In no event shall a vent gas stream be incinerated if the incineration will have no practical effect in reducing the emission of air contaminants or will result in an actual degradation of air quality. In all such cases, application shall be made to the executive director for approval of an alternate method of control. The executive director shall approve such alternate method if it represents the best available alternative having due regard for the intent of Rules 131.07.05.101-105 and the effect of the emissions on ambient air quality.

Doc. No. 786521

## Storage of Crude Oil or Condensate in Other than Oxidant Nonattainment Areas 131.07.06

These rules are proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

**101. Requirements.** No person shall place, store, or hold in any stationary tank, reservoir, or other container of more than 420,000 gallons (1,589,873 liters) nominal capacity crude oil or condensate having a crude vapor pressure equal to or greater than 1.5 psia (10.3 kPa) unless such tank, reser-

voir, or other container is a pressure tank capable of maintaining working pressures sufficient at all times to prevent vapor or gas loss to the atmosphere or is designed and equipped with one of the following vapor loss control devices:

(1) A floating roof, consisting of a pontoon-type, double-deck-type roof or internal floating cover, which will rest on the surface of the liquid contents and be equipped with a closure seal or seals to close the space between the roof edge and tank wall. This control equipment shall not be permitted if the volatile organic compounds have a true vapor pressure of 11.0 psia (75.8 kPa) or greater. All tank gauging and sampling devices shall be vapor-tight except when gauging or sampling is taking place.

(2) A vapor recovery system which reduces the emissions such that the true vapor pressure of all volatile nonmethane organic compound vapors in vent gases emitted to the atmosphere will not exceed a level of 1.5 psia (10.3 kPa).

**102. Exemption.** Slotted sampling and gauge pipes installed or approved for installation in any internal floating roof before the effective date of this regulation are exempted from Rule 131.07.06.101.

Doc. No. 786523

## Alternate Means of Control in Other than Oxidant Nonattainment Areas 131.07.07

This rule is proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

**101. Approval.** Any person affected by any section of this regulation may request the executive director to approve alternate means of control. The executive director shall approve such alternate means of control if it can be demonstrated that such control will be substantially equivalent to the methods of control approved by this regulation.

Doc. No. 786525

## Exemption in Other than Oxidant Nonattainment Areas 131.07.08

This rule is proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

**101. Qualification for Exemption.** The executive director, after consultation with appropriate local governmental agencies, may exempt specific compounds or a specific vent gas stream from the application of this regulation if it can be demonstrated that the emissions from the compound or specific vent gas stream will not make a significant contribution of air contaminants in the atmosphere.

Doc. No. 786527

## Compliance in Other than Oxidant Nonattainment Areas 131.07.09

This rule is proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

**101. Exceptions to Compliance.** Except for the following, all persons shall be in compliance with Subchapters 131.07.01-.08 on the effective date of this regulation:

(1) All persons in Hardin County shall be in compliance with these rules as soon as practicable, but no later than February 29, 1980.

(2) All persons affected by Subchapter 131.07.06 shall be in compliance with that subchapter as soon as practicable, but not later than February 29, 1980.

Doc. No. 786529

### Storage of Volatile Organic Compounds in Oxidant Nonattainment Areas 131.07.51

These rules are proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

**101. Required Control Devices.** No person shall place, store, or hold in any stationary tank, reservoir, or other container any volatile organic compound unless such tank, reservoir, or container is capable of maintaining working pressure sufficient to prevent any vapor or gas loss to the atmosphere, or is equipped with one or more of the approved alternate control devices specified in Table I for "Volatile Organic Compounds Other than Crude Oil and Condensate," Table II for "Crude Oil and Condensate," or any other control device which will provide equivalent control and is approved by the executive director.

(1) Table I.

Volatile Organic Compounds Other than Crude Oil and Condensate Approved Alternate Storage Control Devices

True Vapor Pressure of Stored Compound	Nominal Storage Capacity	Emission Control Options*
1.5 psia (10.3 kPa) or greater and less than 11 psia (75.8 kPa)	greater than 1,000 gallons (3,785 liters)	submerged fill pipe, or vapor recovery system
	greater than 25,000 gallons (94,635 liters)	submerged fill pipe and internal floating roof, external floating roof with single seal, or vapor recovery system
11 psia (75.8 kPa) or greater	greater than 1,000 gallons (3,785 liters)	submerged fill pipe, or vapor recovery system
	greater than 25,000 gallons (94,635 liters)	submerged fill pipe and vapor recovery system

\*Refer to definitions in the General Rules.

(2) Table II.

Crude Oil and Condensate Approved Alternate Storage Control Devices

True Vapor Pressure of Stored Compound	Nominal Storage Capacity	Emission Control Options*
1.5 psia (10.3 kPa) or greater and less than 11 psia (75.8 kPa)	greater than 1,000 gallons (3,785 liters)	submerged fill pipe, or vapor recovery system
	greater than 40,000 gallons (151,416 liters)	submerged fill pipe and internal floating roof, external floating roof with single seal, or vapor recovery system
11 psia (75.8 kPa) or greater	greater than 1,000 gallons (3,785 liters)	submerged fill pipe, or vapor recovery system
	greater than 40,000 gallons (151,416 liters)	submerged fill pipe and vapor recovery system

\*Refer to definitions in General Rules.

**102. Floating Roof Requirements.**

(a) All openings in an internal or external floating roof except for automatic bleeder vents and rim space vents must provide a projection below the liquid surface and be equipped with a cover, seal, or lid. The cover, seal, or lid must be in a closed (i.e., no visible gap) position at all times except when the device is in actual use.

(b) Automatic bleeder vents are to be closed at all times except when the roof is floated off or landed on the roof leg supports.

(c) Rim vents, if provided, are to be set to open only when the roof is being floated off the roof leg supports or at the manufacturers recommended setting.

(d) Any emergency roof drain must be provided with a slotted membrane fabric cover that covers at least 90 percent of the area of the opening.

**103. Double Seals Required.** Any tank, reservoir, or container equipped with an external floating roof as defined by the General Rules must be fitted with double seals not later than the date specified in Rule 131.07.51.105.

**104. Exemptions.**

(a) Crude oil and condensate, prior to lease custody transfer, are exempted from Rule 131.07.10.001 if stored in tanks with a nominal capacity less than 210,000 gallons (794,936 liters).

(b) Slotted sampling and gauge pipes installed or approved for installation in any internal floating roof before the effective date of this regulation are exempted from Rule 131.07.51.102.

**105. Counties Affected and Compliance Schedule.** All affected persons in the counties and for the facilities specified below will be in compliance as soon as practicable but no later than the date shown:

Rule	Counties Where Rule is Applicable	Final Compliance Date	Final Control Plan Submittal Date
131.07.51.101 and 131.07.51.102	Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, McLennan, Nueces, Orange, Tarrant, Travis, Victoria	December 31, 1980*	June 30, 1979*
131.07.51.103	Same as Rules 131.07.51.101 and 131.07.51.102	December 31, 1981	December 31, 1979

\*Tanks greater than 420,000 gallons (1,589,873 liters) nominal capacity containing crude oil or condensate with a true vapor pressure equal to or greater than 1.5 psia (10.3 kPa) in Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Orange, and Tarrant Counties shall be in compliance by February 29, 1980. (The Final Control Plan has been submitted previously for these facilities in these counties.)

Doc. No. 786531

### Facilities for Loading and Unloading of Volatile Organic Compounds in Oxidant Nonattainment Areas 131.07.52

These rules are proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

**101. Throughput and Control Requirements.** No person shall permit the loading or unloading of volatile organic compounds with a true vapor pressure equal to or greater than 1.5 psia (10.3 kPa) to or from any facility having 20,000 gallons (75,708 liters) or more throughput per day averaged over any consecutive 30-day period unless the following emission control requirements are met as specified in Rule 131.07.52.104:

(1) Volatile organic compound vapors from facilities other than bulk gasoline terminals shall be processed by an operating vapor recovery system as defined by the General Rules.

(2) Volatile organic compound vapors from bulk gasoline terminals shall be reduced to a level not to exceed 0.67 pounds of volatile organic compounds per 1,000 gallons (80 mg/liter) of gasoline transferred. Prior to December 31, 1981, bulk gasoline terminals shall remain in compliance with Rule 131.07.52.101(1).

(3) When loading or unloading is effected through the hatches of a tank truck or trailer or railroad tank car with a loading arm equipped with a vapor collection adapter, then pneumatic, hydraulic, or other mechanical means shall be provided to force a vapor-tight seal between the adapter and the hatch. A means shall be provided to prevent liquid drainage from the loading device when it is removed from the hatch of any tank truck, trailer, or railroad tank car, or to accomplish complete drainage before such removal. When loading or unloading is effected through means other than hatches, all loading and vapor lines shall be:

(A) equipped with fittings which make vapor-tight connections and which close automatically when disconnected; or

(B) equipped to permit residual volatile organic compounds in the loading line to discharge into a recovery or disposal system after loading is complete. All gauging and sampling devices shall be vapor-tight except for necessary gauging and sampling.

**102. Spew Gauges.** When spew gauges are required for level control, they shall be open no more than 25 percent of the total loading time. This provision shall apply only to the loading of liquefied petroleum gas. Liquefied petroleum gas retail distributors are exempted from this provision.

**103. Exemption.** All loading and unloading facilities for ships and barges are exempt from Rule 131.07.52.101.

**104. Counties Affected and Compliance Schedule.** All affected persons in the counties and for the facilities specified below will be in compliance as soon as practicable but no later than the date shown:

Rule	Affected Facility	Counties Where Rule is Applicable	Final Compliance Date	Final Control Plan Submittal Date
131.07.52.101(1) and 131.07.52.101(3)	Volatile organic compound loading facilities*	Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, McLennan, Nueces, Orange, Tarrant, Travis, and Victoria	December 31, 1980	June 30, 1979
131.07.52.101(2) and 131.07.52.101(3)	Bulk gasoline terminals	Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, McLennan, Orange, Nueces, Tarrant, Travis, and Victoria	December 31, 1981	June 30, 1979
131.07.52.101(1), 131.07.52.101(3), and 131.07.52.102	Liquefied petroleum gas loading	Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, McLennan, Orange, Nueces, Tarrant, Travis, and Victoria	December 31, 1980	December 31, 1979

\*Prior to December 31, 1981, bulk gasoline terminals are considered part of this source category. After December 31, 1981, bulk gasoline terminals are a separate source category.

Doc. No. 786532

## Gasoline Bulk Plants in Oxidant Nonattainment Areas 131.07.53

These rules are proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

### 101. Control Requirements.

(a) No person shall permit the transfer of gasoline from a gasoline bulk plant into a delivery truck unless the delivery truck has a submerged fill pipe. There shall be no gasoline leaks between the storage tank connection and the delivery vessel.

(b) No person shall permit the transfer of gasoline from a transport vessel into a gasoline bulk plant storage tank unless a vapor return line is installed from the storage tank to the transport vessel. There shall be no leaks in the transfer system which includes liquid lines, vapor lines, hatch covers, pumps, and transport vessel pressure-vacuum relief valves. The only atmospheric emission during gasoline transfer shall be through the storage tank's pressure-vacuum relief valve. Maximum allowable loss shall be 1.2 pounds of volatile organic compounds per 1,000 gallons (140 mg/liter) of gasoline transferred. All gauging and sampling devices shall be vapor-tight except for necessary gauging and sampling.

(c) No person shall permit the transfer of gasoline from a gasoline bulk plant storage tank into a delivery truck unless a vapor return line is installed from the delivery truck to the storage tank. There shall be no leaks in the transfer system which includes liquid lines, vapor lines, hatch covers, pumps, and delivery truck pressure-vacuum relief valves. The only atmospheric emission during gasoline transfer shall be through the storage tank pressure-vacuum relief valve. Maximum allowable loss shall be 1.2 pounds of volatile organic compounds per 1,000 gallons (140 mg/liter) of gasoline transferred. All gauging and sampling devices shall be vapor-tight except for necessary gauging and sampling.

**102. Exemption.** Gasoline bulk plants which have a gasoline throughput less than 4,000 gallons (15,142 liters) per day averaged over the work days in any consecutive 365-day period are exempt from Rule 131.07.53.101(c).

**103. Compliance Schedule and Counties.** All affected persons within Bexar, Dallas, El Paso, Galveston, Harris, Nueces, Tarrant, and Travis Counties shall be in compliance as soon as practicable, but no later than December 31, 1981, and shall submit a final control plan for compliance to the Texas Air Control Board no later than June 30, 1979.

Doc. No. 786533

## Filling of Gasoline Storage Vessels (Stage I) in Oxidant Nonattainment Areas 131.07.54

These rules are proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

*101. Control Requirements.* No person shall transfer gasoline from any delivery vessel into any stationary storage container with a nominal capacity greater than 1,000 gallons (3,785 liters) unless such container is equipped with a submerged fill pipe and unless the displaced vapors from the storage container are processed by a vapor recovery system which reduces the emissions to a level not to exceed 1.2 pounds of volatile organic compounds per 1,000 gallons (140 mg/liter) of gasoline transferred.

*102. Approved Vapor Balance System.* When a vapor balance system is used to comply with Rule 131.07.54.101, the balance system will be assumed to meet the specified emission limitations if the following conditions are met:

(1) A vapor-tight return line is connected before gasoline can be transferred into the storage container. No gasoline leaks exist anywhere in the liquid transfer system.

(2) The vapor return line cross sectional area is at least one-half of the product drop line cross sectional area.

(3) The only atmospheric emission during gasoline transfer into the storage container is through the storage container vent line.

(4) The delivery vessel is kept vapor-tight at all times, except for necessary gauging, until the captured vapors are discharged to a loading facility with vapor recovery equipment, if the delivery vessel is refilled in one of the counties listed in Rule 131.07.54.105.

*103. Alternate Vapor Balance Systems.* Other vapor balance arrangements may be accepted if proof of the emission level required in Rule 131.07.54.101 is provided to the Texas Air Control Board. Approval of any alternate vapor balance system shall not be valid unless it is received from the executive director in writing.

*104. Exemptions.* The following are exempt from the requirements of Rule 131.07.54.101:

(1) Stationary containers used exclusively for the fueling of implements of agriculture.

(2) Transfers made to storage tanks equipped with external floating roofs, internal floating roofs, or their equivalent.

(3) Any stationary container having a nominal capacity less than 2,000 gallons (7,570 liters) installed before January 12, 1977.

*105. Compliance Schedule and Counties.*

(a) All affected facilities which dispense less than 120,000 gallons (454,249 liters) per year in Bexar, Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Nueces, Orange, Tarrant, and Travis Counties shall be in compliance as soon as practicable, but no later than December 31, 1980, and shall submit a final control plan for compliance to the Texas Air Control Board no later than June 30, 1979.

(b) All affected facilities which dispense greater than 120,000 gallons (454,249 liters) per year in Bexar, Brazoria, Galveston, and Harris Counties shall be in compliance by August 31, 1978.

(c) All affected facilities which dispense greater than 120,000 gallons (454,249 liters) per year in Dallas, El Paso, Jefferson, Nueces, Orange, Tarrant, and Travis Counties shall be in compliance as soon as practicable, but no later than February 29, 1980.

Doc. No. 786534

## Volatile Organic Compound—Water Separation in Oxidant Nonattainment Areas 131.07.55

These rules are proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

*101. Facilities Other than Petroleum Refineries.* No person shall use any compartment of any single or multiple compartment volatile carbon compound water separator, which compartment receives 200 gallons (757 liters) or more of volatile organic compounds a day having a true vapor pressure equal to or greater than 1.5 psia (10.3 kPa) from any equipment in a facility other than a petroleum refinery which is processing, treating, storing, or handling volatile organic compounds, unless such compartment is controlled in one of the following ways:

(1) The compartment has all openings sealed and totally encloses the liquid contents. All gauging and sampling devices shall be vapor-tight except when gauging or sampling is taking place.

(2) The compartment is equipped with a floating roof or internal floating cover which will rest on the surface of the contents and be equipped with a closure seal or seals to close the space between the roof edge and tank wall. All gauging and sampling devices shall be vapor-tight except when gauging or sampling is taking place.

(3) The compartment is equipped with a vapor recovery system which reduces the emissions such that the true vapor pressure of the volatile organic compound vapors in vent gases to the atmosphere will not exceed a level of 1.5 psia (10.3 kPa).

*102. Transfer of Waste Water Streams.* No petroleum refinery or chemical manufacturing plant shall permit the transfer of waste water stream or streams to a disposal or treatment ponds or tanks that are exposed to the atmosphere if such stream(s) collectively contain more than 200 gallons (757 liters) per day of VOC having a true vapor pressure of .5 psia or greater unless the atmospheric emission of VOC from such stream(s) are controlled by a method approved by the executive director. Any person may request in writing that the Texas Air Control Board exempt a specific waste water stream from the application of Subchapter 131.07.55 if he demonstrates that the emissions from the waste water stream will not make a significant contribution of air contaminants in the atmosphere and/or that the control of emissions from such waste water streams is impractical. This rule shall apply upstream of any waste water treatment facility.

*103. Petroleum Refineries.* No person shall use any compartment of any single or multiple compartment volatile carbon compound water separator, which compartment receives 200 gallons (757 liters) or more of volatile organic compounds a day having a true vapor pressure of 0.5 psia (3.4 kPa) or greater from any equipment in a petroleum refinery which is processing, refining, treating, storing, or handling volatile organic compounds, unless such compartment is controlled in one of the following ways:

(1) The compartment has all openings sealed and totally encloses the liquid contents. All gauging and sampling devices shall be vapor-tight except when gauging or sampling is taking place.

(2) The compartment is equipped with a floating roof or internal floating cover which will rest on the surface of the contents and be equipped with a closure seal or seals to close the space between the roof edge and tank wall. All gauging and sampling devices shall be vapor-tight except when gauging or sampling is taking place.

.104. *Chemical Manufacturing Plants.* No person shall use any compartment of any single or multiple compartment volatile organic compound water separator, which compartment receives 200 gallons (757 liters) or more of volatile organic compounds a day having a true vapor pressure of 0.5 psia (3.4 kPa) or greater from any equipment in a chemical manufacturing plant which is processing, treating, storing, or handling volatile carbon compounds, unless such compartment is controlled in one of the following ways:

(1) The compartment has all openings sealed and totally encloses the liquid contents. All gauging and sampling devices shall be vapor-tight except when gauging or sampling is taking place.

(2) The compartment is equipped with a floating roof or internal floating cover which will rest on the surface of the contents and be equipped with a closure seal or seals to close the space between the roof edge and tank wall. All gauging and sampling devices shall be vapor-tight except when gauging or sampling is taking place.

.105. *Production of Crude Oil or Condensate.* Volatile organic compound water separators used exclusively in conjunction with the production of crude oil or condensate are exempt from Rules 131.07.55.101-104.

.106. *Counties Affected and Compliance Schedule.* All persons in the counties shown below will be in compliance as soon as practicable but not later than the date shown.

Rule	Counties Where Rule is Applicable	Final Compliance Date	Final Control Plan Submittal Date
131.07.55.101	Bexar, Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Nueces, Orange, Travis, Victoria	December 31, 1973	previously submitted
	Tarrant	February 29, 1980	previously submitted
131.07.55.102	Bexar, Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Nueces, Orange, Travis, Victoria, Tarrant, Ector, McLennan, Gregg	December 31, 1981	December 31, 1979
131.07.55.103	Bexar, Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Nueces, Orange, Travis, Victoria, Tarrant, Ector, McLennan, Gregg	December 31, 1980	June 30, 1979
131.07.55.104	Bexar, Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Nueces, Orange, Travis, Victoria, Tarrant, Ector, McLennan, Gregg	December 31, 1981	December 31, 1979

Doc. No. 786535

## Process Unit Turnaround, Vacuum-Producing Systems, and Fugitive Emission Control in Petroleum Refineries 131.07.56

These rules are proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

.101. *Process Unit Turnaround.* Volatile organic compound emissions from petroleum refineries shall be controlled during process unit shutdown or turnaround with the following procedure:

- (1) Recover all liquid to storage.
- (2) Reduce vessel gas pressure to 5 psia (34.5 kPa) or less by recovery or combustion before venting to the atmosphere.

.102. *Vacuum-Producing Systems.*

(a) No person shall emit any organic compound from a steam ejector or mechanical vacuum pump in a petroleum refinery unless the vent stream is burned at a temperature equal to or greater than 1,300° F (704° C) in a smokeless flare, a direct-flame incinerator, or is controlled by an approved equivalent alternate method.

(b) No person shall emit any organic compound from a hotwell with a contact condenser unless the hotwell is covered and the vapors from the hotwell are burned at a temperature equal to or greater than 1,300° F (704° C) in a smokeless flare, a direct-flame incinerator, or are controlled by an approved equivalent alternate method.

.103. *Fugitive Emission Control.*

(a) Control requirements.

(1) No component of any petroleum refinery shall be allowed to leak at a rate which would result in a volatile organic compound's concentration exceeding 10,000 parts per million (ppm) when tested in the manner described in Appendix B of the OAQPS Guideline Series: "Control of Volatile Organic Compound Leaks from Petroleum Refinery Equipment," June 1978.

(2) No valve, except safety pressure relief valves, shall be located at the end of a pipe or line containing volatile organic compounds unless the end of such line is sealed with a second valve, a blind flange, a plug, or a cap. Such sealing device may be removed only when the line is in use, for example, when a sample is being taken.

(3) The operator of a refinery shall make every reasonable effort to repair a leaking component, as defined by (a)(1), within 15 days. If the repair of a component would require a unit shutdown, and if the unit shutdown would create more emissions than the repair would eliminate, the repair may be delayed to the next scheduled shutdown.

(b) Monitoring requirements. Monitoring of components shall be performed by the following schedule using the method defined in (a)(1):

(1) Monitor with a portable VOC detection device one time per year (annually) the following equipment items:

- (A) pump seals,
- (B) pipeline valves in liquid service, and
- (C) process drains.

(2) Monitor with a portable VOC detection device four times per year (quarterly) the following equipment items:

- (A) compressor seals,
- (B) pipeline valves in gas service, and
- (C) pressure relief valves in gas service.

(3) Monitor pump seals visually 52 times a year.

(4) Monitor with a portable VOC detection device any pump seal when liquids are observed dripping from the pump seals.

(5) Monitor with a portable VOC detection device any pressure relief valve within 15 days, after it has vented to the atmosphere.

(6) Monitoring is not required on the following equipment items:

(A) pipeline flanges,

(B) pressure relief valves in liquid service, and

(C) pressure relief devices which are tied in to either a flare header or vapor recovery device.

(7) The monitoring schedule of (b)(1), (b)(2), and (b)(3) may be modified as follows:

(A) After at least two complete annual checks, the operator of a refinery may request in writing to the Texas Air Control Board that the monitoring schedule be revised. This request shall include data that have been developed to justify any modification in the monitoring schedule.

(B) If the executive director of the Texas Air Control Board determines that there is an excessive number of leaks in any given process area, he may require an increase in the frequency of monitoring for that process area of the refinery.

(8) The executive director of the Texas Air Control Board may approve an alternate monitoring method if the refinery operator can demonstrate that the alternate monitoring method is equivalent to the method required by this rule. Any request for an alternate monitoring method must be made in writing to the executive director.

(c) Recording requirements.

(1) When a leak is located, a weatherproof and readily visible tag bearing an identification number and the date the leak is located shall be affixed to the leaking component. The tag may be discarded after the leak is repaired.

(2) A survey log shall be maintained by the operator of a refinery which shall include the following:

(A) the name of the process unit where the leaking component is located;

(B) the name of the leaking component;

(C) the stream composition at the leak;

(D) the identification number from the tag required by (c)(1);

(E) the date the leak was located;

(F) the date maintenance was performed; and

(G) the date the component was rechecked after maintenance.

The operator shall retain the survey log for two years after the latter date specified in (c)(2)(G).

(d) Reporting requirements. The operator of a refinery shall, after each quarterly monitoring has been performed, submit a report to the executive director of the Texas Air Control Board listing all leaks that were located but not required within the 15-day limit. Such report shall include the following:

(1) the name of the unit where the leaking component is located;

(2) the name of the leaking component;

(3) the stream composition at the leak;

(4) the date the leak was located;

(5) the date maintenance was attempted;

(6) the date the leak will be repaired; and

(7) the reason repairs failed or were postponed.

The operator shall include in this report a signed statement attesting to the fact that all other monitoring has been performed as required by this rule.

#### .104. Compliance Schedule and Counties.

(a) All affected persons within Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, McLennan, Nueces, Orange, Tarrant, Travis, and Victoria Counties shall be in compliance with Rule 131.07.56.101 and Rule 131.07.56.102 as soon as practicable but no later than December 31, 1980, and shall submit to the Texas Air Control Board a final control plan for compliance no later than June 30, 1979.

(b) All affected persons within the counties listed in Rule 131.07.56.104(a) shall be in compliance with Rule 131.07.56.103 as soon as practicable but no later than December 31, 1981, and shall submit to the Texas Air Control Board a final control plan for compliance no later than December 31, 1979.

Doc. No. 786536

### Process Unit Turnaround and Fugitive Emission Control in Chemical Manufacturing Plants in Oxidant Nonattainment Areas 131.07.57

These rules are proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

.101. Process Unit Turnaround. Volatile organic compound emissions from chemical manufacturing plants shall be controlled during process unit shutdown or turnaround with the following procedure:

(1) Recover all liquid to storage.

(2) Reduce vessel gas pressure to 5 psia (34.5 kPa) or less by recovery or combustion before venting to the atmosphere.

#### .102. Fugitive Emission Control.

(a) Control requirements.

(1) No component of any chemical manufacturing plant shall be allowed to leak at a rate which would result in a volatile organic compound's concentration exceeding 10,000 parts per million (ppm) when tested in the manner described in Appendix B of the OAQPS Guideline Series: "Control of Volatile Organic Compound Leaks from Petroleum Refinery Equipment," June 1978.

(2) No valve, except safety pressure relief valves, shall be located at the end of a pipe or line containing volatile organic compounds unless the end of such line is sealed with a second valve, a blind flange, a plug, or a cap. Such sealing device may be removed only when the line is in use, for example, when a sample is being taken.

(3) The operator of a chemical manufacturing plant shall make every reasonable effort to repair a leaking component, as defined by (a)(1), within 15 days. If the repair of a component would require a unit shutdown, and if the unit shutdown would create more emissions than the repair would eliminate, the repair may be delayed to the next scheduled shutdown.

(b) Monitoring requirements. Monitoring of components shall be performed by the following schedule using the method defined in (a)(1):

(1) Monitor with a portable VOC detection device one time per year (annually) the following equipment items:

- (A) pump seals,
- (B) pipeline valves in liquid service, and
- (C) process drains.

(2) Monitor with a portable VOC detection device four times per year (quarterly) the following equipment items:

- (A) compressor seals,
- (B) pipeline valves in gas service, and
- (C) pressure relief valves in gas service.

(3) Monitor pump seals visually 52 times a year (weekly).

(4) Monitor with a portable VOC detection device any pump seal when liquids are observed dripping from the pump seals.

(5) Monitor with a portable VOC detection device any pressure relief valve within 15 days, after it has vented to the atmosphere.

(6) Monitoring is not required on the following equipment items:

- (A) pipeline flanges,
- (B) pressure relief valves in liquid service, and
- (C) pressure relief devices which are tied in to either a flare header or vapor recovery device.

(7) The monitoring schedule of (b)(1), (b)(2), and (b)(3) may be modified as follows:

(A) After at least two complete annual checks, the operator of a chemical manufacturing plant may request in writing to the Texas Air Control Board that the monitoring schedule be revised. This request shall include data that have been developed to justify any modification in the monitoring schedule.

(B) If the executive director of the Texas Air Control Board determines that there is an excessive number of leaks in any given process area, he may require an increase in the frequency of monitoring for that process area of the chemical manufacturing plant.

(8) The executive director of the Texas Air Control Board may approve an alternate monitoring method if the chemical manufacturing plant operator can demonstrate that the alternate monitoring method is equivalent to the method required by this rule. Any request for an alternate monitoring method must be made in writing to the executive director.

(c) Recording requirements.

(1) When a leak is located, a weatherproof and readily visible tag bearing an identification number and the date the leak is located shall be affixed to the leaking component. The tag may be discarded after the leak is repaired.

(2) A survey log shall be maintained by the operator of a chemical manufacturing plant which shall include the following:

- (A) the name of the process unit where the leaking component is located;
- (B) the name of the leaking component;
- (C) the stream composition at the leak;
- (D) the identification number from the tag required by (c)(1);
- (E) the date the leak was located;
- (F) the date maintenance was performed; and

(G) the date the component was rechecked after maintenance.

The operator shall retain the survey log for two years after the date specified in (c)(2)(G).

(d) Reporting requirements. The operator of a chemical manufacturing plant shall, after each quarterly monitoring has been performed, submit a report to the executive director of the Texas Air Control Board listing all leaks that were located but not repaired within the 15-day limit. Such report shall include the following:

- (1) the name of the unit where the leaking component is located;
- (2) the name of the leaking component;
- (3) the normal stream composition at the leak;
- (4) the date the leak was located;
- (5) the date maintenance was attempted;
- (6) the date the leak will be repaired; and
- (7) the reason repairs failed or were postponed.

The operator shall include in this report a signed statement attesting to the fact that all other monitoring has been performed as required by this rule.

*103. Compliance Schedule and Counties.* All affected persons within Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, McLennan, Nueces, Orange, Tarrant, Travis, and Victoria Counties shall be in compliance with Subchapter 131.07.57 as soon as practicable but no later than December 31, 1982, and shall submit to the Texas Air Control Board a final control plan for compliance no later than December 31, 1979.

Doc. No. 786537

## Vent Gas Control in Oxidant Nonattainment Areas 131.07.58

These rules are proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

*101. Ethylene.*

(a) No person shall emit more than 4.2 pounds (1.9 kg) per hour of ethylene in a vent gas stream from an ethylene-producing or consuming plant containing three volume percent or greater of ethylene unless the vent gas stream is burned at a temperature equal to or greater than 1300°F (704°C) in a smokeless flare, a direct-flame incinerator, or is controlled by an approved equivalent alternate method.

(b) No person shall emit more than 1.1 pounds of ethylene per 1,000 pounds of low-density polyethylene plant product (1.1 kg/1,000 kg) in the vent gas streams associated with the formation, handling, and storage of solidified product unless the vent gas stream is burned at a temperature equal to or greater than 1,300°F (704°C) in a smokeless flare, a direct-flame incinerator, or is controlled by an approved equivalent alternate method.

*102. Vent Gas Stream.* No person shall emit a vent gas stream from any process vent containing one or more of the specific volatile organic compounds listed in Rule 131.07.58.102(1) or one or more compounds which are members of one or more of the classes of volatile organic compounds listed in Rule 131.07.58.102(2) unless the vent gas stream is burned properly at a temperature equal to or

greater than 1,300°F (704°C) in a smokeless flare, a direct-flame incinerator, or is controlled by an approved alternate method.

(1) Emission of the following specific organic compounds shall be regulated under Rule 131.07.58.102: butadiene, isobutylene, styrene, isoprene, propylene, alpha-methyl-styrene.

(2) Emissions of the following classes of organic compounds shall be regulated under Rule 131.07.58.102: aldehydes, alcohols, aromatics, ethers, olefins, peroxides, amines, acids, esters, ketones, sulfides, branched chain hydrocarbons (C<sup>8</sup> and above).

(3) The following vent gas streams are exempt from the requirements of Rule 131.07.58.102:

(A) a vent gas stream having a combined weight of volatile organic compounds or classes of volatile organic compounds specified in Rule 131.07.58.102(1) and Rule 131.07.58.102(2) equal to or less than 100 pounds (45 kg) in any consecutive 24-hour period;

(B) a vent gas stream having a combined weight of volatile organic compounds or classes of volatile organic compounds specified in Rule 131.07.58.102(1) and Rule 131.07.58.102(2) greater than 100 pounds (45 kg) in any consecutive 24-hour period but less than 250 pounds (113 kg) per hour averaged over any consecutive 24-hour period and having an aggregate partial pressure of the volatile organic compounds specified in Rule 131.07.58.102(1) and Rule 131.07.58.102(2) less than .44 psia (3.0 kPa).

#### 103. Volatile Organic Compound Vent Gas Streams.

(a) Except as provided below for specific volatile organic compound concentrations, no person shall emit any volatile organic compound from any vent gas stream unless the vent gas stream is burned at a temperature equal to or greater than 1,300°F (704°C) in a smokeless flare, a direct-flame incinerator, or is controlled by an approved equivalent alternate method.

(b) The following vent gas streams are exempt from the requirements of Rule 131.07.58.103:

(1) any vent gas stream having a combined weight of volatile organic compounds less than 4.2 pounds (1.9 kg) per hour;

(2) any vent gas stream having a combined weight of volatile organic compounds less than 25 pounds (11.3 kg) per hour averaged over any consecutive 24-hour period and having a volatile organic compound concentration less than three volume percent.

(c) Exempt compounds. Only methane, ethane, 1,1,1 trichloroethane (methyl chloroform), and trichlorotrifluoroethane (Freon 113) are exempted from Rule 131.07.58.103.

(d) Exemption requests. Any person may request the Texas Air Control Board in writing to exempt a specific vent gas stream from the application of Rule 131.07.58.103 if he demonstrates that the emissions from the vent gas stream will not make a significant contribution of air contaminants in the atmosphere and/or that the control of emissions from such vent gas stream is impracticable.

#### 104. Compliance Schedule and Counties.

(a) All affected persons within Bexar, Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Nueces, Orange, Travis, and Victoria Counties shall be in compliance with Rule 131.07.58.101 and Rule 131.07.58.102 by December 31, 1973.

(b) All affected persons in Tarrant County shall be in compliance with Rule 131.07.58.101 and Rule 131.07.58.102 by February 29, 1980.

(c) All affected persons in Ector, Gregg, and McLennan Counties shall be in compliance with Rule 131.07.58.101 as soon as practicable but no later than December 31, 1980, and shall submit a final control plan for compliance no later than December 31, 1979.

(d) All affected persons in Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, McLennan, Nueces, Orange, Tarrant, Travis, and Victoria Counties shall be in compliance with Rule 131.07.58.103 as soon as practicable but no later than December 31, 1981, and shall submit a final control plan for compliance no later than December 31, 1979.

Doc. No. 786538

### Specified Volatile Organic Solvent Using Processes in Oxidant Nonattainment Areas 131.07.59

These rules are proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

101. *Cutback Asphalt.* The use of cutback asphalt containing volatile organic compound solvents for the paving of roadways, driveways, or parking lots is restricted to no more than seven percent of the total annual volume of asphalt used or specified for use by any state, municipal, or county agency which uses or specifies the type of asphalt application.

#### 102. Cold Solvent Cleaning.

(a) No person shall operate or maintain a system utilizing a volatile organic compound for the cold cleaning of objects without a cover, cleaned parts drainage facility, and a permanent conspicuous label which summarizes the operating requirements.

(b) No person shall operate or maintain a system using a volatile organic compound for the cold cleaning of objects without complying with the following operating procedures:

(1) Waste solvent shall not be disposed of or transferred to another party such that greater than 20 percent of the waste (by weight) can evaporate into the atmosphere. Waste solvent shall be stored only in covered containers.

(2) The degreaser cover shall be closed whenever parts are not being handled in the cleaner.

(3) Parts shall be drained for at least 15 seconds or until dripping ceases.

#### 103. Open Top Vapor Degreasers.

(a) No person shall operate or maintain a system utilizing a volatile organic compound for the open top vapor cleaning of objects without a cover that can be opened and closed easily without disturbing the vapor zone.

(b) No person shall operate or maintain a system using a volatile organic compound for the open top vapor cleaning of objects without complying with the following operating procedures:

(1) The cover shall be closed at all times except when processing work loads through the degreaser.

(2) Parts shall be positioned so that maximum drainage is obtained.

(3) Parts shall be moved in and out of the degreaser at less than 11 ft/min (3.3 M/Min).

(4) The work load shall be decreased in the vapor zone at least 30 seconds or until condensation ceases.

(5) Any pools of solvent on the cleaned parts shall be removed by tipping the part before withdrawing the part.

(6) Parts shall be allowed to dry within the degreaser for at least 15 seconds or until visually dry.

(7) Porous or absorbent materials such as cloth, leather, wood, or rope shall not be degreased.

(8) Work loads shall not occupy more than half of the degreaser open top area.

(9) The vapor level shall not drop more than four inches (10 CM) when the work load enters or is removed from the vapor zone.

(10) Solvent shall not be sprayed above the vapor level.

(11) Solvent leaks shall be repaired immediately or the degreaser shall be shut down.

(12) Waste solvent shall not be disposed of or transferred to another party such that greater than 20 percent of the waste (by weight) will evaporate into the atmosphere.

(13) Exhaust ventilation shall not exceed 65 CFM per Ft<sup>2</sup> (20 M<sup>3</sup>/Min per M<sup>2</sup>) of degreaser open area, unless necessary to meet OSHA requirements. Ventilation fans shall not be used near the degreaser opening.

(14) Water shall not be visibly detectable in solvent exiting the water separator.

**.104. Conveyorized Degreasers.** No person shall operate or maintain a system utilizing a volatile organic compound for the conveyorized cleaning of objects without complying with the following operation procedures:

(1) Exhaust ventilation shall not exceed 65 CFM per Ft<sup>2</sup> (20 M<sup>3</sup>/Min per M<sup>3</sup>) of degreaser opening, unless necessary to meet OSHA requirements. Ventilation fans shall not be used near the degreaser opening.

(2) Parts shall not be positioned so that maximum drainage is obtained.

(3) Vertical conveyor speed shall be maintained at less than 11 Ft/Min (3.3 M/Min).

(4) Waste solvent shall not be disposed of or transferred to another part such that greater than 20 percent of the waste (by weight) can evaporate into the atmosphere. Waste solvent shall be stored only in covered containers.

(5) Leaks shall be repaired immediately or the degreaser shall be shut down.

(6) Water shall not be visibly detectable in the solvent exiting the water separator.

**.105. Compliance Schedule and Counties.**

(a) All affected persons within Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, McLennan, Orange, Tarrant, Travis, and Victoria Counties shall be in compliance with Rule 131.07.59.102 as soon as practicable but no later than December 31, 1979, and shall submit a final control plan for compliance to the Texas Air Control Board no later than March 31, 1979.

(b) All affected persons within Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, McLennan, Nueces, Orange, Tarrant, Travis, and Victoria Counties shall be in compliance with Rules 131.07.59.103 and .104 as soon as practicable but no later than December 31, 1980, and shall submit a final control plan for compliance to the Texas Air Control Board no later than June 30, 1979.

(c) All affected persons within Bexar, Dallas, El Paso, Galveston, Harris, Nueces, Tarrant, and Travis Counties

shall be in compliance with Rule 131.07.59.101 as soon as practicable but no later than December 31, 1980, and shall submit a final control plan for compliance to the Texas Air Control Board no later than June 30, 1979.

**.106. Exemptions.**

(a) Volatile organic solvent using processes affected by Rules 131.07.59.102-104 on any property in Brazoria, Ector, Gregg, Jefferson, McLennan, Orange, and Victoria Counties which have a potential to emit a combined weight of volatile organic compounds less than 550 pounds (249 kg) in any consecutive 24-hour period are exempt from the provisions of Subchapter 131.07.59.

(b) Volatile organic solvent using processes affected by Rules 131.07.59.102-104 on any property in Bexar, Dallas, El Paso, Galveston, Harris, Nueces, Tarrant, and Travis Counties which have a potential to emit a combined weight of volatile organic compounds less than 100 pounds (45 kg) in any consecutive 24-hour period are exempt from the provisions of Subchapter 131.07.59.

Doc. No. 786539

## Surface Coating Industries in Oxidant Nonattainment Areas 131.07.60

These rules are proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

**.101. Emission Limits.** No person may cause, suffer, allow, or permit volatile organic compound emissions from the surface coating of any materials affected by Rules 131.07.60.101(1) through (7) to exceed the emission limits as specified in those rules.

(1) Large appliance coating industry. The following emission limits shall apply:

Affected Facility	VOC Emission Limitation	
	Pounds per Gallon of Coating (minus water)	Kg per Liter of Coating (minus water)
Prime, single or topcoat application area, flashoff area, and oven	2.8	0.34

(2) Surface coating of cans. The following emission limits shall apply:

Affected Facility	VOC Emission Limitation	
	Pounds per Gallon of Coating (minus water)	Kg per Liter of Coating (minus water)
Sheet basecoat (exterior and interior) and over-varnish: two-piece can exterior (basecoat and over-varnish)	2.8	0.34
Two- and three-piece can interior body spray, two-piece can exterior end (spray or roll coat)	4.2	0.51
Three-piece can side-seam spray	5.5	0.66
End sealing compound	3.7	0.44

(3) Surface coating of coils. The following emission limits shall apply:

Affected Facility	VOC Emission Limitation	
	Pounds per Gallon of Coating (minus water)	Kg per Liter of Coating (minus water)
Prime and topcoat or single coat operation	2.6	0.31

(4) Surface coating of paper. The following emission limits shall apply:

Affected Facility	VOC Emission Limitation	
	Pounds per Gallon of Coating (minus water)	Kg per Liter of Coating (minus water)
Coating line	2.9	0.35

(5) Surface coating of fabrics. The following emission limits shall apply:

Affected Facility	VOC Emission Limitation	
	Pounds per Gallon of Coating (minus water)	Kg per Liter of Coating (minus water)
Fabric coating line	2.9	0.35
Vinyl coating line	3.8	0.45

(6) Surface coating of assembly line automobiles and light duty trucks. The following emission limits shall apply:

Affected Facility	VOC Emission Limitation	
	Pounds per Gallon of Coating (minus water)	Kg per Liter of Coating (minus water)
Prime application, flashoff area, and oven	1.9	0.23
Topcoat application, flashoff area, and oven	2.8	0.34
Final repair application, flashoff area, and oven	4.8	0.58

(7) Surface coating of metal furniture. Volatile organic compound emissions from metal furniture coating lines shall not exceed 3.0 pounds per gallon (0.36 kg/liter) of coating (minus water).

102. *Compliance Schedule and Counties.* All affected persons within Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, McLennan, Nueces, Orange, Tarrant, Travis, and Victoria Counties shall be in compliance with Subchapter 131.07.60 as soon as practicable but no later than December 31, 1981, and shall submit to the Texas Air Control Board a final control plan for compliance no later than December 31, 1979.

103. *Control Techniques.*

(a) If add-on controls such as incinerators or vapor recovery systems are used to comply with the emission limitation requirements, the volatile organic compound capture and abatement system shall be at least 80 percent efficient overall. All surface coating facilities shall submit design data for each capture system and emission control device which is proposed for use to the executive director for approval.

(b) If a person wishes to use low-solvent technology to meet any of the emission limits specified in Rules 131.07.60.101(1) through (7), and if such technology to be used for any particular application has not now been proven but is expected to be proven in a reasonable length of time, he may request a compliance date extension from the executive director. After consultation with appropriate local governmental agencies, the executive director may extend the compliance date to no later than December 31, 1982. Compliance date extensions will require progress reports every 90 days to show reasonable progress, as determined by the executive director, toward technology to meet the specified emission limitation. Compliance with the emission limitation for any specified surface coating application shall be 18 months after any progress report indicates the extended compliance date cannot be met with low-solvent technology. Final compliance date for any control plan shall be no later than December 31, 1982.

(c) A plant-wide emission reduction plan may be approved by the executive director if it can be demonstrated by the surface coating facility that any emissions in excess of

those allowed for a given coating line will be compensated by reducing other coating lines below the volatile organic compound emission limits or by reducing emissions from nonregulated sources within the surface coating facility.

104. *Exemptions.*

(a) Surface coating facilities on any property in Brazoria, Ector, Gregg, Jefferson, McLennan, Orange, and Victoria Counties which have a potential to emit a combined weight of volatile organic compounds less than 550 pounds (249 kg) in any consecutive 24-hour period are exempt from the provisions of Rules 131.07.60.101(1) through (7).

(b) Surface coating facilities on any property in Bexar, Dallas, El Paso, Galveston, Harris, Nueces, Tarrant, and Travis Counties which have a potential to emit a combined weight of volatile organic compounds less than 100 pounds (45 kg) in any consecutive 24-hour period are exempt from the provisions of Rules 131.07.60.101(1) through (7).

Doc. No. 786540

Alternate Methods of Control in Oxidant Nonattainment Areas 131.07.61

This rule is proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

101. *Procedure.*

(a) Any person affected by any section of this regulation may request the executive director to approve alternate methods of control. The executive director may approve such alternate methods of control if it can be demonstrated that such control will be substantially equivalent to the methods of control specified in this regulation.

(b) Direct-flame incineration for vent gas control in Subchapter 131.07.58 is not intended as an exclusive method of volatile organic compound emission control. In no event shall a vent gas stream be direct-flame incinerated without heat recovery if the incineration will have no practical effect in reducing the emission of air contaminants or will result in an actual degradation of air quality. In all such cases, application shall be made to the executive director for approval of an alternate method of control. The executive director may approve such alternate method if it represents the best alternative having due regard for intent of Subchapter 131.07.58 and the effect of the emissions on ambient air quality.

Doc. No. 786541

Volatile Organic Compound Exemption Status in Oxidant Nonattainment Areas 131.07.62

These rules are proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

101. *Specific Exemptions.* Methane, ethane, 1,1,1 trichloroethane (methyl chloroform), and trichlorotrifluoroethane (Freon 113) are exempted from control by Regulation V in Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, McLennan, Nueces, Orange, Tarrant, Travis, and Victoria Counties.

**102. Exemption Cancellation.** All specific organic compound exemptions previously granted prior to the effective date of this regulation in the counties listed in Rule 131.07.62.101 by the executive director of the Texas Air Control Board are cancelled on the effective date of this regulation. Any person previously granted an exemption for a waste gas stream prior to the effective date of this regulation may reapply for and must rejustify such exemption to the Texas Air Control Board.

**103. Compliance Schedule.** All persons affected by Rule 131.07.62.102 shall be in compliance with all applicable rules contained in Regulation V as soon as practicable but no later than December 31, 1981, and shall submit to the Texas Air Control Board a final control plan for compliance no later than December 31, 1979.

Doc. No. 786542

## Compliance in Oxidant Nonattainment Areas 131.07.63

These rules are proposed under the authority of Article 4477-5, Vernon's Annotated Texas Civil Statutes.

**101. Superseded Rules.** The provisions of this regulation supersede the provisions of Regulation V, which was adopted on April 10, 1973, and last modified on December 10, 1976. Persons must remain in compliance with the provisions of the superseded regulation until compliance is achieved with this superseding regulation.

**102. Control Plan Procedure.** A control plan for compliance shall be submitted to the Texas Air Control Board and shall detail the method to be followed to achieve compliance and specify the exact dates upon which the following steps shall be taken to achieve compliance. The following items shall be included in these plans:

- (1) dates by which contracts for emission control systems or process modifications will be awarded; or dates by which orders will be issued for the purchase of component parts to accomplish emission control or process modification;
- (2) date of initiation of on-site construction or installation of emission control equipment or process change;
- (3) date by which on-site construction or installation of emission control equipment or process modification is to be completed;
- (4) date by which final compliance is to be achieved;
- (5) any person who has not previously submitted a written report on the compliance status of all emission controls required by this regulation shall include a status report with the final control plan for compliance.

**103. Control Plan Deviation.** All persons affected by Rule 131.07.63.102 shall not deviate from the terms of such control plans including the date for final compliance and the dates for accomplishing the required steps in such plans. The executive director may, upon application of any person affected, change the date for final compliance and/or for accomplishing the required steps in a plan.

**104. Reporting Procedure.** After a final control plan for compliance has been submitted to the Texas Air Control Board, progress reports shall be required every 90 days for all control plans specified in Rule 131.07.63.102. The Texas Air

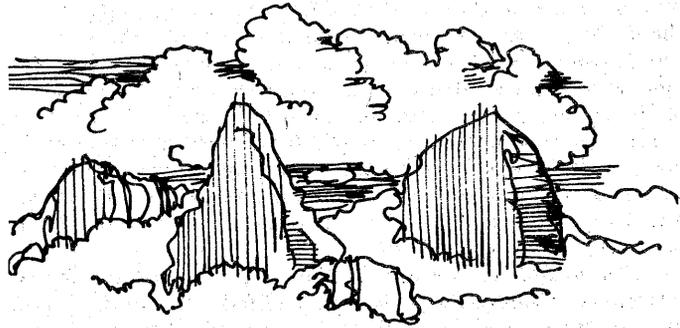
Control Board shall also be notified of the completion of each separate step in the control plan within five days after completion. All reports and notifications shall be submitted, in writing, by the person submitting the compliance control plan.

Issued in Austin, Texas, on October 3, 1978.

Doc. No. 786543      Bill Stewart, P.E.  
Executive Director  
Texas Air Control Board

Proposed Date of Adoption: November 10, 1978

For further information, please call (512) 451-5711, ext. 354.



## Texas Commission on Alcoholism Project Support Procedures Grants 303.05.01

The Texas Commission on Alcoholism is proposing to amend Rule 303.05.01.003, which deals with general procedures guidelines for grants. The proposed amendment adds language to Section (d), which establishes funding limits for local councils on alcoholism. The effect of the amendment would be to clarify funding levels of support for local councils governed by Sections 7 and 18 of Article 5561c, Texas Civil Statutes.

This amendment is proposed to enable the Texas Commission on Alcoholism to meet its obligations to coordinate, develop, and promote the establishment of constructive programs for treatment aimed at the reclamation, rehabilitation, and successful re-establishment in society of alcoholics. The commission does not view itself as able to directly provide all the services needed to overcome the problem of alcoholism in this state; however, it is committed to meeting as many needs as funds will allow. It has been determined that the present rule has been misinterpreted.

This proposed rule change will have no fiscal implications. It only involves clarification of the language of an existing grants procedure. This decision was rendered by the director of finance and the director of the Texas Commission on Alcoholism.