

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

The Texas Air Control Board is adopting repeals in its chapter regarding control of volatile carbon compound emissions. Notice of the proposed repeals was published in the October 13, 1978, issue of the *Texas Register* (3 TexReg 3610). These rules have been superseded by comprehensive new rules. The changes in control requirements made necessary under the Federal Clean Air Act as amended in August of 1977 are so pervasive that amendments to the existing rules were impractical.

The repeals of the following rules in the subchapters indicated are adopted under the authority of Section 3.09 of Texas Civil Statutes, Article 4477-5, Texas Clean Air Act.

- Counties 131.07.01.001
- Storage of Volatile Carbon Compounds  
131.07.02.001-.003
- Volatile Carbon Compounds—Loading and Unloading  
Facilities 131.07.03.001-.002
- Volatile Carbon Compounds—Water Separation  
131.07.04.001-.002
- Waste Gas Disposal 131.07.05.001-.006
- Alternate Means of Control 131.07.06.001
- Exemption 131.07.07.001
- Compliance 131.07.08.001-.003
- Effective Date 131.07.09.001
- Additional Carbon Compound Emission Controls  
131.07.10.001-.004

Doc. Nos. 792193-792211 (inclusive odd numbers)

### Counties in Other than Ozone Nonattainment Areas 131.07.01

This rule is adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

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

Doc. No. 792194

### Storage of Volatile Organic Compounds in Aransas, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties 131.07.02

These rules are adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

*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) An internal or external floating roof (as defined in General Rules) which will rest on the surface of the liquid contents and is equipped with a closure seal or seals to close the space between the roof or cover and tank wall. There shall be no visible holes, tears, or other openings in the seal or seal fabric. 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 which began construction after May 12, 1973, 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 the preceding rule (Rule .101), or is fitted with a vapor recovery system as described in paragraph (2) of that rule.

#### *103. Exemptions.*

(a) Crude oil or condensate storage containers are exempt from the above rules (Rules .101 and .102).

(b) Slotted sampling and gauge pipes installed in any floating-roof storage tank are exempt from the first rule (Rule .101).

Doc. No. 792196

### Volatile Organic Compounds Loading and Unloading Facilities in Aransas, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties 131.07.03

These rules are adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

#### *101. Throughput and Control Requirements.*

(a) No person shall permit the loading or unloading to or from any loading facility having 20,000 gallons (75,708 liters) or more throughput per day of volatile organic compounds having a true vapor pressure equal to or greater than 1.5 psia (10.3 kPa) averaged over any consecutive 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, or ac-

comply 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 shall be 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, for ships and barges, and for facilities loading or unloading only liquefied petroleum gas (regulated by the Safety Rules of the Liquefied Petroleum Gas Division of the Texas Railroad Commission) are exempt from the above rule (Rule .101).

Doc. No. 792198

## Volatile Organic Compound—Water Separation in Aransas, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties 131.07.04

These rules are adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

**101. Required Control Devices.** 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 or cover 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 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 the above rule (Rule .101).

Doc. No. 792200

## Vent Gas Control in Aransas, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties 131.07.05

These rules are adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

**101. Ethylene.** 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) from all vent gas streams associated with the formation, handling, and storage of solidified product unless the vent gas streams are burned at a temperature equal to or greater than 1,300°F. (704°C.) in a smokeless flare or a direct-flame incinerator or are controlled by an approved substantially equivalent alternate method.

**102. General Vent Gas Streams.** Except for process vent gas streams affected by the above rule (Rule .101), no person shall emit a vent gas stream from any process vent containing one or more of the specific volatile organic compounds listed in paragraph (1) of this rule or one or more compounds which are members of one or more of the classes of volatile organic compounds listed in paragraph (2) of this rule 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 131.07.07.101.

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

(2) Emissions of the following classes of volatile organic compounds shall be regulated under this rule: 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 this rule:

(A) A vent gas stream having a combined weight of the volatile organic compounds or classes of compounds specified in paragraphs (1) and (2) of this rule 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 paragraphs (1) and (2) of this rule 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 paragraphs (1) and (2) of this rule less than 0.44 psia (3.0 kPa).

**103. Vent Gas Streams from Catalyst Regeneration, Basic Oxygen Furnace, and Fluid-Coking Units.** No person shall emit in any one calendar year more than five tons (4,536 kg) of total volatile organic compounds 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. Vent Gas from Iron Cupolas.** 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. Vent Gas from 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 Vent Gas Control.** Rules .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 this 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 this subchapter (131.07.05) and the effect of the emissions on ambient air quality.

Doc. No. 792202

### Storage of Crude Oil or Condensate in Hardin, Matagorda, Montgomery, and San Patricio Counties 131.07.06

These rules are adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

**.101. Required Control Devices.** 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 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 pressures sufficient at all times to prevent vapor or gas loss to the atmosphere or is equipped with one of the following vapor-loss control devices, properly maintained and operated:

- (1) An internal or external roof (as defined in the General Rules) which will rest on the surface of the liquid contents and is equipped with a closure seal or seals to close the space between the roof or cover 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 nonmethane volatile organic compound vapors in vent gases emitted to the atmosphere will not exceed a level of 1.5 psia (10.3 kPa).

**.102. Exemptions.** Slotted sampling and gauge pipes installed in any floating roof storage tank are exempt from Rule .101.

Doc. No. 792204

### Alternate Means of Control in Aransas, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties 131.07.07

This rule is adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

**.101. Procedure.** Any person affected by any control requirement of Subchapters 131.07.01-.09 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 Regulation V.

Doc. No. 792206

### Aransas, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties 131.07.08

This rule is adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

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

Doc. No. 792208

### Compliance in Aransas, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties 131.07.09

This rule is adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

**.101. Compliance Schedule and Counties.** Except for the following, all persons shall be in compliance with Subchapters 131.07.01-.08 on the effective date of this superseding regulation, which replaces Regulation V as adopted on April 10, 1973, and last modified on December 10, 1976:

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

Doc. No. 792210

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

These rules are adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

**.101. Required Control Devices.** No person shall place, store, or hold in any stationary tank, reservoir, or other container any volatile organic compound (VOC) unless such container is capable of maintaining working pressure sufficient at all times to prevent any vapor or gas loss to the atmosphere, or is equipped with one or more of the approved alternate control devices (defined in General Rules) specified in Table I (for VOC other than crude oil and condensate) or Table II (for crude oil and condensate), or any other control device which will provide substantially equivalent control and is approved by the executive director.

(1) Table I.

Approved Alternate Control Devices for VOC Other Than Crude Oil and Condensate

True Vapor Pressure of Stored Compound	Nominal Storage Capacity	Emission Control Options
less than 1.5 psia (10.3 kPa)	no requirement	no requirement
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 or double 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

(2) Table II.

Approved Alternate Control Devices for Crude Oil and Condensate

True Vapor Pressure of Stored Compound	Nominal Storage Capacity	Emission Control Options
less than 1.5 psia (10.3 kPa)	no requirement	no requirement
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 42,000 gallons (158,987 liters)	submerged fill pipe and internal floating roof, external floating roof with single or double 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 42,000 gallons (158,987 liters)	submerged fill pipe and vapor recovery system

**.102. Floating Roof Storage Tank Requirements.** For those storage tanks subject to the provision of Rule .101, the following requirements shall apply:

(1) 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 or be equipped with a cover, seal, or lid. Any 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.

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

(3) 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.

(4) 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.

(5) There shall be no visible holes, tears, or other openings in the seal or seal fabric.

**.104. Exemptions.**

(a) Crude oil and condensate, prior to custody transfer, are exempt from the first rule (Rule .101) 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 floating roof storage tank are exempt from the second rule (Rule .102).

(c) Storage containers which have a capacity of less than 25,000 gallons (94,635 liters) located at motor vehicle fuel dispensing facilities are exempt from the requirements of these rules (.101-.105).

**.105. Compliance Schedule and Counties.** The provisions of this subchapter shall apply to Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties. All affected persons shall submit a final control plan for compliance no later than December 31, 1979, and persons shall be in compliance as soon as practicable but no later than December 31, 1982, with the following exception. 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, Nueces, Orange, and Tarrant Counties shall be in compliance with requirements for external floating roofs, internal floating roofs, or vapor recovery systems by February 29, 1980.

Doc. No. 792212

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

These rules are adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

**.101. Throughput and Control Requirements.** No person shall permit the loading or unloading to or from any facility having 20,000 gallons (75,708 liters) or more throughput per day (averaged over any consecutive 30-day period) of volatile organic compounds with a true vapor pressure equal to or greater than 1.5 psia (10.3 kPa) under actual conditions, unless the following emission control requirements are met by the dates specified in Rule .104:

(1) Volatile organic compound vapors from loading and unloading facilities other than gasoline terminals shall be processed by a vapor recovery system as defined by the General Rules.

(2) Volatile organic compound vapors from 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, 1982, affected gasoline terminals other than those located in Ector or Gregg Counties shall remain in compliance with paragraph (1) of this rule (Rule .101).

(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.

**103. Exemptions.** All loading and unloading facilities for crude oil and condensate, for ships and barges, and for facilities loading or unloading only liquified petroleum gas (regulated by the Safety Rules of the Liquified Petroleum Gas Division of the Texas Railroad Commission) are exempt from Rule .101.

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

Rule Paragraphs	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, El Paso, Galveston, Harris, Jefferson, Nueces, Orange, and Victoria	December 31, 1973	previously submitted
		Tarrant	February 29, 1980	previously submitted
131.07.52.101(2) and 131.07.52.101(3)	Gasoline terminals	Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, Orange, Nueces, Tarrant, and Victoria	December 31, 1982	December 31, 1979

Doc. No. 792213

### Gasoline Bulk Plants in Harris County 131.07.53

These rules are adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

**101. Control Requirements.**

(a) 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, and pumps, or in the transport vessel's pressure-vacuum relief valves. The only atmospheric emission during gasoline transfer shall be through the storage tank's pressure-vacuum relief valve. The maximum allowable loss of volatile organic compounds due to product transfer shall be 1.2 pounds 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. The transport vessel must be kept vapor-tight at all times (except when gauging) until the captured vessels are discharged properly during the transport vessel's next refill.

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

(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, and pumps, or in the delivery truck's pressure-vacuum relief valves. The only atmospheric emission during gasoline transfer shall be through the storage tank pressure-vacuum relief valves. The maximum allowable loss of volatile organic compounds shall be 1.2 pounds per 1,000 gallons (140 mg/liter) of gasoline transferred. All gauging and sampling devices shall be vapor-tight except during gauging and sampling.

**102. Exemptions.** Gasoline bulk plants which have a gasoline throughput less than 4,000 gallons (15,142 liters) per day averaged over any consecutive 30-day period are exempt from Subsection (c) of the above rule (Rule .101).

**103. Compliance Schedule and Counties.** The requirements of this subchapter apply only within Harris County. All affected persons within that county shall be in compliance with this subchapter as soon as practicable but no later than December 31, 1982, and shall submit a final control plan for compliance to the Texas Air Control Board no later than December 31, 1979.

Doc. No. 792214

### Filling of Gasoline Storage Vessels (Stage I) for Motor Vehicle Dispensing Facilities 131.07.54

These rules are adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act,

**101. Control Requirements.** No person shall transfer or allow the transfer of gasoline from any delivery vessel into a stationary storage container with a nominal capacity greater than 1,000 gallons (3,785 liters) which is located at a motor vehicle fuel dispensing facility 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 of volatile organic compounds to atmosphere to not more 1.2 pounds 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 the preceding rule (Rule .101), the balance system will be assumed to meet the specified emission limitations if the following conditions are met:

- (1) that a vapor-tight return line is connected before gasoline can be transferred into the storage container;
- (2) that no gasoline leaks exist anywhere in the liquid transfer system;
- (3) that the vapor return line's cross-sectional area is at least 1/2 of the product drop line's cross-sectional area;
- (4) that the only atmospheric emission during gasoline transfer into the storage container is through a

storage container vent line equipped either with (1) an orifice of 1/2- to 3/4-inch internal diameter or (2) a pressure-vacuum relief valve set to open at a pressure of eight ounces per square inch; and

(5) that the delivery vessel is kept vapor-tight at all times (except for 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 .105.

**.103. Alternate Vapor Balance Systems.** Other vapor balance arrangements may be accepted if proof of the emission level required in Rule .101 is provided to the Texas Air Control Board. Approval of any alternate vapor balance system shall be valid only when received from the executive director in writing.

**.104. Exemptions.** Transfers to the following stationary receiving containers are exempt from the requirements of Rule .101:

- (1) containers used exclusively for the fueling of implements of agriculture;
- (2) storage tanks equipped with external floating roofs, internal floating roofs, or their equivalent;
- (3) stationary containers of nominal capacity less than 2,000 gallons (7,570 liters) if installed before December 10, 1976;
- (4) stationary storage tanks located at a facility which dispenses less than 120,000 gallons of gasoline per year.

**.105. Compliance Schedule and Counties.** The provisions of this subchapter shall apply in Bexar, Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Nueces, Orange, Tarrant, and Travis Counties.

(1) All affected persons in Bexar, Brazoria, Galveston, and Harris Counties shall be in compliance by August 31, 1978, except for the vent-line restriction requirement of Rule .102(4), for which compliance is extended to December 31, 1981.

(2) All affected persons 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, except for the vent-line restriction requirement of Rule .102(4), for which compliance is extended to December 31, 1981.

Doc. No. 792215

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

These rules are adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

**.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 during gauging or sampling.

(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).

**.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 during gauging or sampling.

(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 or cover and the tank wall. All gauging and sampling devices shall be vapor-tight except during gauging and sampling.

**.105. Exemptions.** Volatile organic compound water separators used exclusively in conjunction with the production of crude oil or condensate are exempt from Rules .101 and .103.

**.106. Compliance Schedule and Counties.** All persons in the counties shown below will be in compliance with this subchapter as soon as practicable but no later than the dates 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, and Victoria	December 31, 1973	previously submitted
	Tarrant	February 29, 1980	previously submitted
131.07.55.103	Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria	December 31, 1982	December 31, 1979

Doc. No. 792216

## Process Unit Turnaround and Vacuum-Producing Systems in Petroleum Refineries in Ozone Nonattainment Areas 131.07.56

These rules are adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

**.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 pumpable or drainable 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 more than 100 pounds (45 kg) in any consecutive 24-hour period of any volatile 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 or a direct-flame incinerator, or is controlled by an approved substantially equivalent alternate method.

(b) No person shall emit more than 100 pounds (45 kg) in any consecutive 24-hour period of any volatile 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 or a direct-flame incinerator, or are controlled by an approved substantially equivalent alternate method.

**.104. Compliance Schedule and Counties.** The provisions of this subchapter shall apply to Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties. All affected persons therein shall be in compliance with this subchapter 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. 792217

## Vent Gas Control in Ozone Nonattainment Areas 131.07.58

These rules are adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

**.101. Ethylene.** 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) from all vent gas streams associated with the formation, handling, and storage of solidified product unless the vent gas streams 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 substantially equivalent alternate method.

**.102. General Vent Gas Streams.** Except for process vent gas streams affected by the above rule (Rule .101), no person shall emit a vent gas stream from any process vent containing one or more of the specific volatile organic compounds listed in paragraph (1) of this rule (Rule .102) or one or more

compounds which are members of one or more of the classes of volatile organic compounds listed in paragraph (2) of this rule 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 Subchapter 131.07.61.

(1) Emission of the following specific organic compounds shall be regulated under Rule .102: ethylene, butadiene, isobutylene, styrene, isoprene, propylene, alpha-methyl-styrene.

(2) Emission of the following classes of volatile organic compounds shall be regulated under Rule .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 this rule (Rule .102):

(A) a vent gas stream having a combined weight of the volatile organic compounds or classes of compounds specified in paragraphs (1) and (2) of this rule 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 or classes of compounds specified in paragraphs (1) and (2) of this rule 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 paragraphs (1) and (2) less than 0.44 psia (3.0 kPa).

**.104. Compliance Schedule and Counties.** The provisions of this subchapter shall apply in Bexar, Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties.

(1) All affected persons within Bexar, Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Nueces, Orange, and Victoria Counties shall be in compliance with the above rules (Rules .101 and .102) by May 31, 1975.

(2) All affected persons in Tarrant County shall be in compliance with the above rules by February 29, 1980.

Doc. No. 792219

## Specified Solvent-Using Processes in Ozone Nonattainment Areas 131.07.59

These rules are adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

**.101. Cutback Asphalt (as Defined under Specified Solvent-Using Process in the General Rules).** 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 8% of the total annual volume averaged over a two-year period of asphalt used or specified for use by any state, municipal, or county agency who uses or specifies the type of asphalt application.

**.102. Cold Solvent Cleaning (as Defined under Specified Solvent-Using Processes in the General Rules).**

(a) No person shall operate or maintain a system utilizing a volatile organic compound for the cold cleaning of ob-

jects without a cover, a 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% of the waste (by weight) can evaporate into the atmosphere. Waste solvents 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 Degreasing (as Defined under Specified Solvent-Using Processes in the General Rules).*

(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 degreased 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 it.

(6) Parts shall be allowed to dry within the degreaser freeboard area 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 surface area.

(9) The vapor level shall not drop more than four inches (10 cm) below the bottom condenser coil 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% of the waste (by weight) will evaporate into the atmosphere. Waste solvent shall be stored only in covered containers.

(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 Occupational Safety and Health Administration requirements. Ventilation fans or other sources of air agitation shall not be used near the degreaser opening.

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

*104. Conveyorized Degreasing (as Defined under Specified Solvent-Using Processes in the General Rules).* No person shall operate or maintain a system utilizing a volatile organic compound for the conveyorized cleaning of objects without complying with the following operating 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 Occupational Safety and Health Administration requirements. Ventilation fans shall not be used near the degreaser opening.

(2) Parts shall 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 party such that greater than 20% 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) The provisions of the first rule (Rule .101) shall apply only within Harris County. All affected persons shall be in compliance with the rule 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 December 31, 1979.

(b) The provisions of the second, third, and fourth rules (Rules .102-.104) shall apply only within Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties. All affected persons shall be in compliance with these rules 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 December 31, 1979.

*106. Exemptions.*

(a) Any process using volatile organic solvent located in Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Jefferson, Nueces, Orange, Tarrant, or Victoria County which has a potential to emit a combined weight of volatile organic compounds less than 550 pounds (249 kg) in any consecutive 24-hour period is exempt from the provisions of the above rules (Rules .102-.104).

(b) Any process using volatile organic solvent located in Harris County which has a potential to emit a combined weight of volatile organic compounds less than 100 pounds (45 kg) in any consecutive 24-hour period is exempt from the provisions of the above rules (Rules .102-.104).

Doc. No. 792220

## Surface Coating Processes in Ozone Nonattainment Areas 131.07.60

These rules are adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

*101. Emission Limitations.* No person may cause, suffer, allow, or permit volatile organic compound emissions from the surface coating processes (defined in the General Rules) affected by paragraphs (1) through (8) of this rule to exceed the specified emission limits, which are based on a daily weighted average.

(1) Large appliance coating. Volatile organic compounds emissions from the application, flashoff, and oven areas during the coating of large appliances (prime and top-

coat, or single coat) shall not exceed 2.8 pounds per gallon of coating (minus water) applied (0.34 kg/liter).

(2) Furniture coating. Volatile organic compound emissions from metal furniture coating lines (prime and topcoat, or single coat) shall not exceed 3.0 pounds per gallon of coating (minus water) applied (0.36 kg/liter).

(3) Coil coating. Volatile organic compound emissions from the coating (prime and topcoat, or single coat) of metal coils shall not exceed 2.6 pounds per gallon of coating (minus water) applied (0.31 kg/liter).

(4) Paper coating. Volatile organic compound emissions from the coating of paper (or specified tapes or films) shall not exceed 2.9 pounds per gallon of coating (minus water) applied (0.35 kg/liter).

(5) Fabric coating. Volatile organic compound emissions from the coating of fabric shall not exceed 2.9 pounds per gallon of coating (minus water) applied (0.35 kg/liter).

(6) Vinyl coating. Volatile organic compound emissions from the coating of vinyl fabrics or sheets shall not exceed 3.8 pounds (minus water) per gallon of coating applied (0.45 kg/liter).

(7) Can coating.

(A) On or before December 31, 1982, the following emission limits shall apply on the basis of solvent content (gallons of coating minus water).

Affected Operation	VOC Emission Limitation	
	Pounds per Gallon	Kg per Liter
sheet basecoat (exterior and interior) and over-varnish	4.0	0.49
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

Affected Operation	VOC Emission Limitation	
	Pounds per Gallon	Kg per Liter
three-piece can side-seam spray	5.5	0.66
end sealing compound	4.2	0.50

(B) After December 31, 1982, the following emission limits shall apply on the basis of solvent content (gallons of coating minus water).

Affected Operation	VOC Emission Limitation	
	Pounds per Gallon	Kg per Liter
sheet basecoat (exterior and interior) and over-varnish	2.8	0.34
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

(8) Automobile and light-duty truck coating.

(A) On or before December 31, 1982, the following emission limits shall apply:

Operation (including application flashoff, and oven areas)	VOC Emission Limitation	
	Pounds per Gallon	Kg per Liter
prime application	1.2	0.15
primer surfacer application	3.0	0.36
topcoat application	5.0	0.60
final repair application	6.5	0.78

(B) After December 31, 1982, the following emission limits shall apply:

Operation (including application flashoff, and oven areas)	VOC Emission Limitation	
	Pounds per Gallon	Kg per Liter
prime application	1.2	0.15
primer surfacer application	2.8	0.34
topcoat application	2.8	0.34
final repair application	4.8	0.58

.102. Compliance Schedule and Counties.

(a) All affected persons within Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties shall be in compliance with Subchapter 131.07.60, except for paragraphs (7)(B) and (8)(B) of Rule .101, 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.

(b) All affected persons within the counties listed in Subsection (a) of this rule shall be in compliance with Rule .101(7)(B) as soon as practicable but no later than December 31, 1985, and shall submit to the Texas Air Control Board a final control plan for compliance no later than December 31, 1979.

(c) All affected persons within the counties listed in Subsection (a) of this rule shall be in compliance with Rule .101(8)(B) as soon as practicable but no later than December 31, 1986, and shall submit to the Texas Air Control Board a final control plan for compliance no later than December 31, 1979.

.103. Control Techniques. 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% efficient overall. All surface coating facilities shall submit design data for each capture system and emission control device which are proposed for use to the executive director for approval.

.104. Exemptions.

(a) Surface coating operations located at any facility in Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Jefferson, Nueces, Orange, Tarrant, or Victoria County which has 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 Rule .101.

(b) Surface coating operations located at any facility in Harris County which has 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 Rule .101.

(c) Any surface coating operation which is located at an affected facility on any property in the counties listed in Subsections (a) and (b) of this rule are exempt from paragraphs (4), (5), and (6) of Rule .101 if such operation utilizes a web coating (printing) process in which the coating is not distributed uniformly across the web. This exemption applies to machines on which both coating and printing operations are performed.

Doc. No. 792221

## Alternate Means of Control in Ozone Nonattainment Areas 131.07.61

This rule is adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

### .101. Procedure.

(a) Any person affected by any control requirement of Subchapters 131.07.51-.63 may request the executive director to approve alternate methods of control. The executive director shall 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 emission control method for volatile organic compounds. 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 the intent of Subchapter 131.07.58 and the effect of emissions on ambient air quality.

Doc. No. 792222

## Volatile Organic Compound Exemption Status in Ozone Nonattainment Areas 131.07.62

These rules are adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

.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, Nueces, Orange, Tarrant, and Victoria Counties.

.102. *Exemption Cancellation.* All specific organic compound exemptions previously granted by the executive director prior to the effective date of this subchapter in the counties listed in the above rule (Rule .101) are cancelled on the effective date of this subchapter. Any person previously granted an exemption for a vent-gas stream prior to the effective date of this subchapter may reapply with evidence for its justification. The Texas Air Control Board may grant the specific vent-gas stream exemption if it can be demonstrated that the emissions from the stream will not make a significant contribution of air contaminants to the atmosphere.

.103. *Compliance Schedule.* All persons affected by the above rule (Rule .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 executive director a final control plan for compliance no later than December 31, 1979.

Doc. No. 792223

## Compliance in Ozone Nonattainment Areas 131.07.63

These rules are adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.

.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 Subchapters 131.07.51-.63 of this superseding regulation.

.102. *Control Plan Procedure.* A control plan for compliance shall be submitted to the executive director. The plan shall include a status report, unless a written report has been previously submitted, on the compliance status of all emission controls required by Regulation V, and a detailed description of the method to be followed to achieve compliance, specifying the exact dates by which the following steps will be taken to achieve compliance:

(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.

.103. *Control Plan Deviation.* No persons affected by the above rule (Rule .102) shall 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 accomplishing the required steps in a plan. Any control plan, however, that specifies a final compliance date subsequent to the date specified by any rules of Regulation V must be approved by the Texas Air Control Board under the provisions of Sections 3.21-.26 of the Texas Clean Air Act.

.104. *Reporting Procedure.* After a final control plan for compliance has been submitted to the executive director, progress reports shall be submitted every 90 days for all control plans specified in Rule .102. The executive director 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.

Doc. No. 792224

## Regulation VI—Control of Air Pollution by Permits for New Construction or Modification 131.08.00.003

This amendment is adopted under the authority of Article 4477-5, Vernon's Texas Civil Statutes, Texas Clean Air Act.