

Chamber of Commerce  
Board of Directors Room  
400 West 4th  
Odessa, Texas 76761

Texas Air Control Board Auditorium  
6330 Highway 290 East  
Austin

Houston Public Library  
Concourse-Level Meeting Room  
500 McKinney  
Houston, Texas 77002

Copies of the proposal are available at the Central Office of the Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723, and at all TACB regional offices. Public comment, both oral and written, on the proposal is invited at the hearings. Written testimony submitted by December 22, 1980, will be included in the hearing record. The Texas Air Control Board would appreciate receiving 20 copies of testimony prior to the hearings, where possible. Written comments should be sent to the hearing examiner, Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723.

## Chapter 111. Particulates

### Visible Emissions

The Texas Air Control Board proposes to amend TACB Regulation I by adding §111.28 to provide for the establishment of alternate opacity limits for facilities which, because of unique conditions, are unable to meet the opacity limitations presently specified, even though mass emissions are below the applicable mass emissions limitations. The proposed new section specifies the conditions under which such an alternate opacity limitation will be granted.

The Texas Air Control Board has determined that there are no fiscal implications to state or local units of government.

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

**§111.28. Alternate Opacity Limitations—Procedures.** The owner or operator of any facility who is unable to meet the opacity limitations of §111.21 of this title (relating to prohibition) with available and economically feasible control technology may apply to the Texas Air Control Board for approval of an alternate limit. Within 90 days after receipt of such an application, an adjudicative public hearing will be conducted in accordance with the requirements of §§103.31-103.34 (131.02.04.001-.004), and §§103.41-103.63 (131.02.05.001-.023) of this title. The application will be approved if the applicant provides in the hearing record evidence which, when considered with other evidence presented, substantiates to the board's satisfaction that emissions resulting from the alternate opacity limit will not result in an exceedance of any ambient air quality standard or other ambient air concentration limit prescribed by the TACB or exacerbate any existing exceedance or cause or contribute to a nuisance as defined in §101.4 of this title (relating to nuisance) and that:

(1) all applicable mass and concentration limitations are met; and

(2) the facility has failed to meet the applicable opacity limitation during performance tests which were conducted with air pollution control equipment needed to comply with TACB regulations operating in a manner consistent with good engineering practice for minimizing the opacity of the emissions; and

(3) it is technically or economically infeasible for the facility to comply with the established opacity limits.

Doc. No. 808391

## Chapter 114. Motor Vehicles

The Texas Air Control Board proposes to amend §114.2 (131.06.00.002) of this title (relating to exclusions and exemptions) of Regulation IV to provide an exemption for vehicles of Department of Defense (DOD) members who are transferred to or from overseas. This change will allow removal of the converters by local automobile service facilities prior to the vehicle being shipped overseas, provided that the converter is reinstalled when the vehicle is returned to the United States.

The change is necessary to assist DOD members in protecting catalytic converters from contamination by the use of leaded gasoline in overseas areas where unleaded gas is not available.

No significant adverse environmental impact is anticipated from this change since the vehicles involved are few in number and will only be operated a maximum of 10 days without the proper control equipment. No additional administrative or enforcement costs are anticipated as a result of this revision, either for the Texas Air Control Board or local air pollution control agencies.

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

**§114.2 (131.06.00.002). Exclusions and Exemptions.**

(a) This *chapter* [regulation] does not apply to motor vehicles or motor vehicle engines which are intended solely or primarily for use on a farm or ranch; or for legally sanctioned motor competitions; for research and development uses; or for instruction in a bona fide vocational training program where the use of a system or device would be detrimental to the purpose for which the vehicle or engine is intended to be used.

(b) *Vehicles belonging to members of the U.S. Department of Defense (DOD) participating in the DOD Privately Owned Vehicle Import Program are exempt from the provisions of §114.1 (.001) of this title (relating to maintenance and operation of air pollution control systems on devices used to control emissions from motor vehicles) if the following conditions are met:*

(1) *only the catalytic converter and the fuel filler restrictor inlet are removed from the vehicle;*

(2) *the vehicle is exported within five days after the emission control device(s) is removed;*

(3) *if the vehicle is returned to the United States, all systems or devices used to control emissions from the vehicle are restored to good operable condition within five days of importation.*

Doc. No. 808393

The Texas Air Control Board proposes to amend and repeal its regulations concerning air pollution control, Regulations V and VI.

Public hearings on this proposal are scheduled for December 11, 1980, at the following times and places:

7 p.m.  
Chamber of Commerce  
Board of Directors Meeting Room  
400 West 4th  
Odessa, Texas 76761

7 p.m.  
Texas Air Control Board Auditorium  
6330 Highway 290 East  
Austin, Texas 78723

6:30 p.m.  
Houston Public Library  
Concourse-Level Meeting Room  
500 McKinney  
Houston, Texas 77002

Copies of the proposal are available at the Central Office of the Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723, and at all TACB regional offices. Public comment, both oral and written, on the proposal is invited at the hearings. Written testimony submitted by December 22, 1980, will be included in the hearing record. The Texas Air Control Board would appreciate receiving 20 copies of testimony prior to the hearings, where possible. Written comments should be sent to the hearing examiner, Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723.

## Chapter 115. Volatile Organic Compounds

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

(Editor's note: The text of the following section proposed for repeal will not be published. The section may be examined in the offices of the Texas Air Control Board, 6330 Highway 290 East, Austin, or in the Texas Register Division offices, 503E Sam Houston Building, Austin.)

The Texas Air Control Board proposes to amend the subchapter concerning vent gas control in Aransas, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties by repealing §115.46 (131.07.05.106) of this title. The provisions of this section are being consolidated with those of §115.401(b) of this title in a revision to §115.401(b) proposed elsewhere in this *Register*.

The Texas Air Control Board has determined that there are no fiscal implications to state or local units of government.

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

§115.46 (131.07.05.106). *Alternate Vent Gas Control.*

Doc. No. 808394

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

(Editor's note: The text of the following section proposed for repeal will not be published. The section may be examined in the offices of the Texas Air Control Board, 6330 Highway 290 East, Austin, or in the Texas Register Division offices, 503E Sam Houston Building, Austin.)

The Texas Air Control Board proposes to amend the subchapter concerning alternate means of control in Aransas, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties by repealing §115.71 (131.07.07.101) of this title. The provisions of this section are being consolidated with those of §115.401(a) of this title in a revision to §115.401(a) proposed elsewhere in this *Register*.

The Texas Air Control Board has determined that there are no fiscal implications to state or local units of government.

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

§115.71 (131.07.07.101). *Procedure.*

Doc. No. 808395

### Water Separation in Bexar, Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties

The Texas Air Control Board proposes to amend the subchapter concerning water separation in ozone nonattainment areas, §115.144 (131.07.55.106) of this title, to delete reference to Ector County. The deletion of controls in Ector County is proposed because the ozone standard is now being attained in Ector County and thus the controls specified in the regulation are not needed to demonstrate attainment of the ozone standard. The TACB has recommended and EPA has proposed that the classification of Ector County be changed to "attainment."

The Texas Air Control Board has determined that there are no fiscal implications to state or local units of government.

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

§115.144 (131.07.55.106). *Compliance Schedule and Counties.* All persons in the counties shown below will be in compliance with *the provisions of §§115.141 and 115.142 (.101 and .103) of this title (relating to facilities other than petroleum refineries and petroleum refineries)* [this subchapter] as soon as practicable, but no later than the dates shown.

(Editor's note: See table, page 4484.)

Doc. No. 808397

Rule	Counties Where Rule Is Applicable	Final Compliance Date	Final Control Plan Submittal Date
§115.141 of this title (relating to Facilities Other Than Petroleum Refineries)	Bexar, Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Nueces, Orange and Victoria	12/31/73	previously submitted
	Tarrant	2/29/80	previously submitted
§115.142 (relating to Petroleum Refineries)	Bexar, Brazoria, Dallas, [Ector,] El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant and Victoria	12/31/82	12/31/79

### Process Unit Turnaround and Vacuum-Producing Systems in Petroleum Refineries in Bexar, Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties

The Texas Air Control Board proposes to amend the subchapter concerning process unit turnaround and vacuum-producing systems in petroleum refineries in ozone nonattainment areas, §115.153 (131.07.56.104) of this title to delete reference to Ector County. The deletion of controls in Ector County is proposed because the ozone standard is now being attained in Ector County and thus the controls specified in the regulation are not needed to demonstrate attainment of the ozone standard. The TACB has recommended and EPA has proposed that the classification of Ector County be changed to "attainment."

The Texas Air Control Board has determined that there are no fiscal implications to state or local units of government.

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

§115.153 (131.07.56.104). *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. 808398

### Vent Gas Control in Bexar, Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties

The Texas Air Control Board proposes to revise the title of the subchapter concerning vent gas control in ozone nonattainment areas to "Vent Gas Control in Bexar, Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties." This change is proposed for consistency with other subchapters in Chapter 115 (131.07). Also, an erroneous reference is being corrected in §115.162 (131.07.58.102) of this title.

The Texas Air Control Board has determined that there are no fiscal implications to state or local units of government.

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

§115.162 (131.07.58.102). *General Vent Gas Streams.* Except for process vent gas streams affected by the above §115.161 (101) of this title (relating to ethylene), 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 section 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 section 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 §115.401 [§115.201 (131.07.61.101)] of this title (relating to procedure).

(1) (3) (No change.)

Doc. No. 808399

### Surface-Coating Processes in Bexar, Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties

The Texas Air Control Board proposes to amend the title and contents of the subchapter concerning surface-coating processes in Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties, §§115.191-115.194 (131.07.60.101-.104) of this title, to delete reference to Ector County, to delete the exemption for nonuniformly distributed web coating, and to make other minor editorial changes. The deletion of controls in Ector County is proposed because the ozone standard is now being attained in Ector County and thus the controls specified in the regulation are not needed to demonstrate attainment of the ozone standard. The TACB has recommended and EPA has proposed that the classification of Ector County be changed to "attainment."

The deletion of the nonuniform web-coating exemption is proposed because the original blanket exemption is no longer appropriate. On July 11, 1980, TACB adopted subsection (b) of §115.422 which provides a procedure for obtaining final compliance extensions for specific facilities using processes where compliance is dependent on future development of low-solvent technology.

The Texas Air Control Board has determined that there are no fiscal implications to state or local units of government.

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

#### §115.192 (131.07.60.102). 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 §§115.191-115.194 (.101-.104) of this title (relating to surface-coating processes in **Bexar, Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties** [ozone nonattainment areas]), except for paragraphs (7)(B) and (8)(B) of §115.191 (.101) of this title (relating to emission limitations), 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) (d). (No change.)

#### §115.194 (131.07.60.104). 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 when uncontrolled will emit a combined weight of volatile organic compounds less than 550 pounds (250 kg) in any consecutive 24-hour period are exempt from the provisions of §115.191 (.101) of this title (relating to emission limitations).

(b) (No change.)

(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 section are exempt from

paragraphs (4), (5), and (6) of §115.191 (.101) of this title (relating to emission limitations) 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.]

(c)(d)] The following coating operations are exempt from the application of paragraph (9) of §115.191 (.101) of this title (relating to emission limitations):

(1)-(2) (No change.)

(3) **customized** top coating of automobiles and trucks, if production is less than 35 vehicles per day; and

(4) (No change.)

(d)(e)] The following coating operations are exempt from the application of paragraph (10) of §115.191 (.101) of this title (relating to emission limitations):

(1)-(3) (No change.)

(f) All affected persons in Ector County are exempt from the requirements of paragraphs (9) and (10) of §115.191 (.101) of this title (relating to emission limitations).]

Doc. No. 808401

### Fugitive Emission Control in Petroleum Refineries in Bexar, Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties

The Texas Air Control Board proposes to amend the subchapter concerning fugitive emission control in petroleum refineries in Bexar, Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties, §§115.251-115.255, to make a minor editorial change to clarify the intent of §115.252.

The Texas Air Control Board has determined that there are no fiscal implications to state or local units of government.

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

#### §115.252. Inspection Requirements.

(a) The owner or operator of a petroleum refinery shall conduct a monitoring program consistent with the following provisions:

(1)-(3) (No change.)

(4) Measure (with a hydrocarbon gas analyzer) the emissions from any pump seal from which liquids are observed dripping. In lieu of such a measurement, VOC concentrations **shall** [may] be assumed to **exceed** [be] 10,000 ppm.

(5)-(6) (No change.)

(b) (e) (No change.)

Doc. No. 808402

### Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks in Harris County

The Texas Air Control Board proposes to amend the subchapter relating to control of volatile organic compound leaks from gasoline tank trucks in Harris County, §§115.261-115.264, to make a minor revision in §115.262 to specify more clearly the intent of the section to require testing at both a gauge pressure of 18 inches of water and a vacuum of six inches of water.

The Texas Air Control Board has determined that there are no fiscal implications to state or local units of government.

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

*§115.262. Testing Requirements.*

(a) (No change.)

(b) Pressure in the tank must change no more than three inches of water (0.75 kPa) in five minutes when pressurized to a gauge pressure of 18 inches of water (4.5 kPa) **and when** [or] evacuated to a vacuum of six inches of water (1.5 kPa).

(c) (No change.)

Doc. No. 808403

### Alternate Means of Control

The Texas Air Control Board proposed to amend the subchapter concerning alternate means of control in Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties. §115.401, to delete reference to Ector County and to make the section applicable to all control requirements in Chapter 115 (131.07), including those formerly specified in §115.46 (131.07.05.106) and §115.71 (131.07.07.101) of this title. The deletion of controls in Ector County is proposed because the ozone standard is now being attained in Ector County and thus the controls specified in the regulation are not needed to demonstrate attainment of the ozone standard. The TACB has recommended and EPA has proposed that the classification of Ector County be changed to "attainment."

The Texas Air Control Board has determined that there are no fiscal implications to state or local units of government.

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

*§115.401. Procedure.*

(a) Any person affected by any control requirements of **Chapter 115 (131.07)** [§§115.101-115.424] of this title (relating to **volatile organic compounds** [storage of volatile organic compounds in Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties; facilities for loading and unloading of volatile organic compounds in Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties; gasoline bulk plants in Harris County; filling of gasoline storage vessels (Stage I) for motor vehicle fuel-dispensing facilities in Bexar, Brazoria, Dallas, Galveston, Harris, and Tarrant Counties; water separation in ozone nonattainment areas; process unit turnaround and vacuum-producing systems in petroleum refineries in ozone nonattainment areas; vent gas control in ozone nonattainment areas; specified solvent-using processes in Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties; surface-coating processes in Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties; graphic arts (printing) by rotogravure and flexographic processes in Bexar, Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties;

perchloroethylene dry cleaning systems in Bexar, Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties; pharmaceutical manufacturing facilities in Bexar, Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties; fugitive emission control in petroleum refineries in Bexar, Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties; and control of volatile organic compound leaks from gasoline tank trucks in Bexar, Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties]) 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 **specified** for vent gas control **in §§115.41-115.45 (131.07.05.101-.105) of this title (relating to vent gas control in Aransas, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties) and in §§115.161-115.163 (131.07.58.101, .102, and .104) of this title (relating to vent gas control in Bexar, Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties [ozone nonattainment areas])** 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 §§115.161-115.163 (131.07.58.101, .102, and .104) of this title (relating to vent gas control in ozone nonattainment areas) and the effect of emissions on ambient air quality].

Doc. No. 808404

### Volatile Organic Compound Exemption Status in Bexar, Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties

The Texas Air Control Board proposes to amend the subchapter concerning volatile organic compound exemption status in Bexar, Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties. §§115.411-115.413, to delete reference to Ector County. The deletion of controls in Ector County is proposed because the ozone standard is now being attained in Ector County and thus the controls specified in the regulation are not needed to demonstrate attainment of the ozone standard. The TACB has recommended and EPA has proposed that the classification of Ector County be changed to "attainment."

The Texas Air Control Board has determined that there are no fiscal implications to state or local units of government.

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

§115.411. *Specific Exemptions.* Methane, ethane, 1,1,1 tri chloroethane (methyl chloroform), and trichlorotrifluoroethane (Freon 113) are exempt from control by this regulation in Bexar, Brazoria, Dallas, [Ector.] El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties.

Doc. No. 808405

### Compliance in Bexar, Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties

The Texas Air Control Board proposes to amend the title of the subchapter concerning compliance in Bexar, Brazoria, Dallas, Ector, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties, to delete reference to Ector County. The deletion of controls in Ector County is proposed because the ozone standard is now being attained in Ector County and thus the controls specified in the regulation are not needed to demonstrate attainment of the ozone standard. The TACB has recommended and EPA has proposed that the classification of Ector County be changed to "attainment."

The Texas Air Control Board has determined that there are no fiscal implications to state or local units of government.

This amendment is proposed under the authority of Article 4477.5 Vernon's Texas Civil Statutes.

Issued in Austin, Texas, on November 3, 1980.

Doc. No. 808406 Bill Stewart, P.E.  
Executive Director  
Texas Air Control Board

Proposed Date of Adoption: After December public hearings  
For further information, please call (512) 451-5711, ext. 354.

## TITLE 37. PUBLIC SAFETY AND CORRECTIONS

### Part VIII. Commission on Fire Protection Personnel Standards and Education

#### Chapter 233. Standards Manual

##### Minimum Standards for Recruit Training Facilities

The Commission on Fire Protection Personnel Standards and Education is proposing adoption of §§233.121-233.128 (211.02.10.001-.008) of this title for the certification of recruit training facilities, as required by Article 4413(35), Vernon's Civil Statutes, Section 2(7). The agency has been cited since 1978 by the Legislative Budget Board budget examiner for failure to approve and certify schools for purposes of training fire protection personnel as mandated by the above article, since the lack of a certification process, together with a lack of guidelines to enable the staff to evaluate a school's program offers only tentative assurances that a fire fighter is receiving adequate training. Until the present time, no consensus had been reached in spite of numerous

public hearings and workshops that have been held in the attempt to arrive at a satisfactory conclusion.

These standards agreed upon by consumer interests represent a practical solution upon which certificates may be issued, and will present no fiscal impact upon the 90 plus department that conduct in-house training programs. This proposal has no fiscal implications for state or local units of government, above that necessary for the certification requirements as presently mandated.

Public comment is invited and may be sent to Garland W. Fulbright, executive director, Commission on Fire Protection Personnel Standards and Education, 510 South Congress, Suite 406, Austin, Texas 78704, within 30 days of publication.

These sections are proposed under the authority of Article 4413(35), Vernon's Civil Statutes.

##### §233.121 (211.02.10.001). *General Requirements.*

(a) Minimum requirements for certification as an approved recruit training facility shall include the facilities, apparatus, equipment, reference materials, and records to support a quality basic fire fighter education and training program. The resources must provide for classroom instruction, demonstrations, and practical exercises for the trainees to develop the knowledge and skills required for basic fire fighter certification.

(b) The facilities and training shall be performance oriented. "Hands-on" training with maximum practical participation by trainees should be an integral part of the training program. The evaluation process for each phase of training will emphasize performance testing to determine if the trainee has acquired the knowledge and skills to achieve the required level of competency. NFPA Standard 1001, Fire Fighter Professional Qualifications, provides valid and reliable criteria and should be used as a guide for performance testing.

(c) It must be clearly understood that the minimum standards for recruit training facilities are applicable only as the title implies and do not address the additional training facilities which are required for the continuing in-service training essential to the development and maintenance of a well-coordinated and effective fire service organization.

(d) An organization, installation, or facility may submit a written application for certification as an approved recruit training facility to the Commission on Fire Protection Personnel Standards and Education. Such application will include descriptions and addresses of physical facilities together with inventory of apparatus, equipment, and reference material to be utilized in conducting the basic fire fighter training curriculum as specified by the commission. It is not required that the equipment be permanently assigned nor kept at the training facility. Photographs of resources, annotated to reflect applicant and identity of the resource, may be included with such applications.

(e) The following minimum resources required for certification as an approved "recruit training facility" may be combined or separate utilizing one or more structures. In either event, the facilities and equipment must be available and used by the instructor and trainees.

##### §233.122 (211.02.10.002). *Facilities.*

(a) Training tower equivalent to two or more stories in height. The term "training tower" as used in these standards is a structure suitable for training in the practical applica-