

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."

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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."

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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-