

I (for VOC other than crude oil and condensate), or any other control device which will provide substantially equivalent control and is approved by the executive director in accordance with the provisions of §115.401 (relating to Procedure).

(See Table 1 following this chapter.)

§115.12. *Floating Roof Storage Tank Requirements.* For floating roof storage tanks subject to the provisions of §115.11 of this title (relating to Control Requirements), the following requirements shall apply.

(1) The roof shall rest or float upon the surface of the liquid contents and have a closure seal or seals to close the space between the roof or cover edge and tank wall.

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

(3) All tank gauging and sampling devices shall be vapor-tight except when gauging and sampling is taking place.

§115.13. *Exemptions.*

(a) Crude oil or condensate storage containers are exempt from the provisions of §115.11 of this title (relating to Control Requirements).

(b) Slotted sampling and gauge pipes installed in any floating roof storage tank are exempt from the provisions of §115.11 of this title (relating to Control Requirements).

(c) Storage tanks with nominal capacities between 1,000 gallons (3,785 liters) and 25,000 gallons (94,635 liters) are exempt from the requirements of §115.11 of this title (relating to Control Requirements) if construction began before May 12, 1973.

§115.14. *Compliance.* All persons required to be in compliance with previous versions of these rules adopted March 30, 1979, shall remain in compliance with these rules in this revised format.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on June 4, 1982.

TRD-824688 Bill Stewart, P.E.  
Executive Director  
Texas Air Control Board

Proposed date of adoption: July 14, 1982  
For further information, please call (512) 451-5711,  
ext. 354.

**Water Separation in Aransas, Bexar, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties**

31 TAC §115.31

The Texas Air Control Board proposes amendments to §115.31, concerning required control devices, to

exempt certain volatile organic compound (VOC) water separators on the basis of gallons of VOC separated rather than on the volume of VOC received in order to facilitate measurements to determine compliance. Additional minor editorial changes are also proposed.

Bennie Engelke, deputy director for administrative services, has determined that for the first five-year period the rule will be in effect, there will be no fiscal implications to either state or local government as a result of enforcing or administering the rule.

Roger Wallis, deputy director for standards and regulations, has determined that for each year of the first five years the rule as proposed is in effect, the public benefit as a result of enforcing the rule as proposed will be in the form of improved ability to determine compliance. There is no identifiable cost to the public.

This amendment is proposed under Texas Civil Statutes, Article 4477-5, which provides the Texas Air Control Board with the authority to make rules and regulations consistent with the general intent and purposes of the Texas Clean Air Act and to amend any rule or regulation the Texas Air Control Board makes.

§115.31. *Required Control Devices.* No person shall use any compartment of any single or multiple compartment volatile organic compound water separator, which compartment separates [receives] 200 gallons (757 liters) or more a day 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)-(3) (No change.)

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

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ext. 354.

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

31 TAC §115.41

The Texas Air Control Board (TACB) proposes amendments to §115.41, concerning vent gas control in Aransas, Bexar, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties. The proposed amendment concerning ethylene from low-density polyethylene production revises the emission limit to one based on a 24-hour average.

Bennie Engelke, deputy director for administrative services, has determined that for the first five-year period the rule will be in effect, there will be no fiscal implications to either state or local government as a result of enforcing or administering the rule.

Roger Wallis, deputy director for standards and regulations, has determined that the benefit that will accrue to the public and to the state as a result of enforcing the rule as proposed will be a more equitable emission limit since emissions normally fluctuate about an average value. Emissions should stay the same. However, the number of violations should be reduced since a short term exceedence will no longer be a technical violation. There is no identifiable cost to the public.

This amendment is proposed under Texas Civil Statutes, Article 4477-5, which provides the Texas Air Control Board with the authority to make rules and regulations consistent with the general intent and purposes of the Texas Clean Air Act and to amend any rule or regulation the Texas Air Control Board makes.

**§115.41. Ethylene From Low-Density Polyethylene Production.** No person may allow to be emitted more than 1.1 pounds of ethylene per 1,000 pounds (1.1 kg/1000 kg) of low-density polyethylene plant product averaged over any consecutive 24-hour period when sampled at least one time per working shift 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.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

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ext. 354.

### Storage of Volatile Organic Compounds in Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties

#### 31 TAC §115.105, §115.106

The Texas Air Control Board proposes amendments to §115.105, concerning exemptions and §115.106, concerning counties and compliance schedules. The proposed amendment to §115.105 exempts welded tanks storing crude oil with a true vapor pressure equal to or greater than 4.0 psia and less than 6.0 psia from

certain secondary seal requirements if specified primary seal requirements are met. The proposed amendment to §115.106 clarifies the original intent to have December 31, 1982, as the final compliance date for §§115.101-115.104. The exemption for welded tanks meets the U.S. Environmental Protection Agency (EPA) 5.0% demonstration requirement in all but Galveston County which would have a 6.0% increase in volatile organic compound (VOC) emissions, four tons per year above the 5.0% demonstration level. The cost of control devices required without the exemption would be in excess of \$9,000 per ton according to data received from Texas Mid-Continent Oil and Gas Association and Exxon Pipeline Company.

Bennie Engelke, deputy director for administrative services, has determined that for the first five-year period the rule will be in effect, there will be no fiscal implications to either state or local government as a result of enforcing or administering the rule.

Roger Wallis, deputy director for standards and regulations, has determined that for each year of the first five years the rule as proposed is in effect, the public benefit anticipated as a result of enforcing the rules as proposed will be more cost effective control of VOC emissions without significant deterioration in the current level of air quality. There is anticipated to be a net economic gain to individuals who are required to comply with the rule as proposed because of relief from requirements that are not cost effective. Changes now occurring in the standard calculation methods for storage tank emissions make cost calculations infeasible at this time.

This amendment is proposed under Texas Civil Statutes, Article 4477-5, which provides the Texas Air Control Board with the authority to make rules and regulations consistent with the general intent and purposes of the Texas Clean Air Act and to amend any rule or regulation the Texas Air Control Board makes.

**§115.105. Exemptions.** The following are exemptions to the requirements of §115.101 of this title (relating to Control Requirements) and §115.102 of this title (relating to Floating Roof Storage Tank Requirements).

(1)-(6) (No change.)

(7) Any welded tank storing crude oil having a true vapor pressure equal to or greater than 4.0 psia (27.6 kPa) and less than 6.0 psia (41.4 kPa) is exempt from any external secondary seal requirement of §115.101 of this title (relating to Control Requirements) if any of the following types of primary seals have been installed before the effective date of this rule:

- (A) a metallic-type shoe seal,
- (B) a liquid-mounted foam seal, or
- (C) a liquid-mounted liquid filled type seal.

**§115.106. Counties and Compliance Schedules.**

(a) (No change.)

(b) All persons affected by §115.101 of this title (relating to Control Requirements), §115.102 of this title (relating to Floating Roof Storage Tank Requirements), §115.103 of this title (relating to Inspection Requirements), and §115.104 of this title (relating to