

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.

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

TRD-824690 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.

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

Record Keeping Requirements) shall submit a final control plan for compliance no later than December 31, 1979, and shall be in compliance as soon as practicable but no later than December 31, 1982, with the exception noted in subsection (c) of this section.

(c) All persons required by §115.101 of this title (relating to Control Requirements) to retrofit tanks with secondary seals shall submit a final control plan to the Texas Air Control Board no later than December 31, 1980, and shall be in compliance as soon as practicable but no later than December 31, 1982, with the provisions of §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 Record Keeping Requirements).

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-824691 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,
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Facilities for Loading and Unloading of Volatile Organic Compounds in Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties

31 TAC §115.111, §115.113

The Texas Air Control Board proposes amendments to §115.111, concerning throughput and control requirements, and §115.113, concerning compliance schedule and counties. In §115.111, the proposed amendments will affect gasoline terminals in Harris County with a daily throughput of 500,000 gallons or more. The affected terminals will be required to reduce emissions of volatile organic compound (VOC) vapors to a level not to exceed 0.33 pounds of VOC per 1,000 gallons of gasoline transferred, approximately half the emission rate presently allowed after December 31, 1982. In §115.113, proposed amendments add a final compliance date of December 31, 1986, and final control plan submittal date of December 31, 1983, for the new control requirements of §115.111 that apply to affected gasoline terminals in Harris County.

These proposed amendments are part of a series of draft revisions to Chapter 115 to provide in Harris County the additional VOC emissions reductions needed to satisfy U.S. Environmental Protection Agency (EPA) requirements for 1982 State Implementation Plan (SIP) revisions. These amendments are based on technical information contained in the Ra-

dian Corporation report, "Assessment of the Feasibility and Costs of Controlling VOC Emissions from Stationary Sources in Harris County, Texas," submitted to the Texas Air Control Board September 11, 1981.

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 proposed amendment.

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 rule will be improved air quality as a result of a reduction of 1,666 tons per year of VOC emissions in Harris County after December 31, 1986. In addition, these and other VOC emission reductions proposed elsewhere will help satisfy EPA requirements for 1982 SIP's and help to avoid possible growth sanctions in Harris County. The economic cost (credit) to individuals who are required to comply with the rules as proposed will be zero for 1983; \$16,000-\$35,000 for 1984; \$53,000-\$114,000 for 1985; \$116,000-\$251,000 for 1986; and (\$32,000)-\$7,000 for 1987 for each facility affected, adjusting for 10% annual inflation. For the 15 facilities affected by the proposed rule change, the net annualized cost will be \$550,000-\$2,330,000 in February 1981 dollars.

The amendments are 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.

§115.111. 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 storage conditions, unless the following emission control requirements are met by the dates specified in §115.113 of this title (relating to Compliance Schedule and Counties):

- (1) (No change.)
- (2) Gasoline terminal size and additional emission control requirements are as follows:

(A) 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.

(B) Volatile organic compound vapors from gasoline terminals located in Harris County and having 500,000 gallons (1,892,706 liters) or more throughput per day (averaged over any consecutive 30-day period) shall be reduced to a level not to exceed 0.33 pounds of volatile organic compounds per 1,000 gallons (40 mg/liter) of gasoline transferred.

- (C) Prior to December 31, 1982, affected