

gasoline terminals other than those located in Gregg County shall remain in compliance with paragraph (1) of this section.

(D) After December 31, 1982, but before December 31, 1986, gasoline terminals located in Harris County and affected by paragraph (2)(B) of this section shall remain in compliance with paragraph (2)(A) of this section.

(3)-(5) (No change.)

§115.113. *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.

(See Table 2 following this chapter.)

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-824692 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 Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties

31 TAC §§115.141, 115.142, 115.144

The Texas Air Control Board proposes amendments to §§115.141, 115.142, and 115.144, contained under the undesignated heading Water Separation in Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties.

The amendments to §115.141, concerning facilities other than petroleum refineries, and §115.142, concerning petroleum refineries, will 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. Other amendments to §115.142 are proposed to remove the exemption for separators handling VOC material having a true vapor pressure of less than 0.5 psia (3.4 kPa). Measurement of the true vapor pressure of such low vapor pressure VOC material has been difficult, hampering enforcement by compliance personnel. However, the anticipated reductions in VOC emissions are not expected to be cost effective. If testimony is received concerning a reliable method to measure the true vapor pressure of the low vapor pressure VOC material separated that will be acceptable to com-

pliance personnel, the Texas Air Control Board will not adopt this proposed amendment.

In §115.144, concerning compliance schedule and counties, proposed amendments add a final compliance date of December 31, 1986, and final control plan submittal date of December 31, 1983, for those VOC water separators previously exempted. 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 implication to 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 rule as proposed will be the ability to enforce compliance on an equal basis. The economic cost to individuals who are required to comply with the rule as proposed is none in 1983; \$14,000 in 1984; \$42,000 in 1985; \$83,000 in 1986; and \$20,000 in 1987, on the basis of cost per typical VOC water separator.

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.

§115.141. *Facilities Other Than Petroleum Refineries.* 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 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)-(3) (No change.)

§115.142. *Petroleum Refineries.* 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 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)-(2) (No change.)

§115.144. *Compliance Schedule and Counties.* All persons in the counties listed as follows will be in compliance with the provisions of §115.141 of this title (relating to Facilities Other Than Petroleum Refineries) and §115.142 of this title (relating to Petroleum

Refineries) as soon as practicable but no later than the dates shown.

(See Table 3 following this chapter.)

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

31 TAC §115.161, §115.162

The Texas Air Control Board proposes amendments to the rules contained under the heading Vent Gas Control in Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties. The proposed amendment to §115.161, concerning ethylene from low-density polyethylene production revises the emission limit to one based on a 24-hour average since emissions normally fluctuate about an average value. The proposed amendment to §115.162, concerning general vent gas streams adds a reference to proposed new §115.163, concerning general vent gas streams in Harris County. The board simultaneously proposes to repeal the old §115.163, concerning compliance schedule and replace it with a new §115.164, concerning compliance schedule and counties. 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 anticipated as a result of enforcing the rule will be retention of currently applicable vent gas emission limit with no increased enforcement requirements. There is no anticipated additional economic cost to individuals who are required to comply with the rule as proposed.

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 pur-

poses of the Texas Clean Air Act and to amend any rule or regulation the Texas Air Control Board makes.

§115.161. 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/1,000 kg) of low-density polyethylene plant product averaged over any consecutive 24-hour period when sampled at least one time per working shift [(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.

§115.162. General Vent Gas Streams. Except for process vent gas streams affected by the provisions of §115.161 of this title (relating to Ethylene from Low-Density Polyethylene Production) and §115.163 of this title (relating to General Vent Gas Streams in Harris County), no person may allow a vent gas stream to be emitted 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 of this title (relating to Procedure).

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

31 TAC §115.163

The Texas Air Control Board (TACB) proposes repeal of existing §115.163, concerning compliance