

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.

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

TRD-824693 Bill Stewart, P.E.
Executive Director
Texas Air Control Board

Proposed date of adoption: July 14, 1982
For further information, please call (512) 451-6711,
ext. 354.

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

schedule. In the following submission, §115.163 is proposed for adoption in amended form as a new §115.164, concerning compliance schedule and counties, and new §115.163, concerning general vent gas streams in Harris County, is proposed.

Bennie Engelke, deputy director for Administrative Services, has determined that for the first five-year period there will be no fiscal implications to either state or local government as a result of the repeal.

Roger Wallis, deputy director for standards and regulations, has determined that for each of the first five years the rule as proposed is in effect, the public benefits anticipated as a result of enforcing the rule as proposed will be retention of the currently applicable compliance schedules for the presently affected counties. There is no anticipated additional economic cost to individuals who are required to comply with the rule. The adoption of new §115.164, contemporaneously filed, will effectively act to replace this rule.

The repeal of §115.163 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.

§115.163. *Compliance Schedule and Counties.*

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.

31 TAC §115.163, §115.164

The Texas Air Control Board (TACB) proposes new §115.163, concerning general vent gas streams in Harris County, and new §115.164, concerning compliance schedule and counties.

The addition of new §115.163 is proposed to require that, in Harris County, certain vent gas streams containing volatile organic compounds (VOC) be burned properly in a smokeless flare or a direct flame incinerator. Certain exemptions are proposed for low emission rates or concentration limits as previously contained in §115.162, concerning general vent gas streams. However, the exemptions are based on all VOC in the vent gas stream instead of on certain specified compounds in the vent gas stream. In addition, an exemption is proposed for vent gas streams containing acetylene emitted from carbon black manufacturing processes. Such streams will continue to be subject to the provisions of §115.162. This ex-

emption for certain carbon black manufacturing vent gas streams is based on economic analysis contained in the Radian Corporation report referenced in this submission. This report indicated that the imposition of vent gas controls would have a severe economic impact on the carbon black manufacturing industry in Harris County even though such controls would be cost effective on the basis of dollars per ton of VOC controlled. In Harris County, additional VOC reductions of about 6,425 tons per year are potentially achievable if the exemption for vent gas streams from carbon black manufacturing processes is not adopted. The Texas Air Control Board hopes to receive testimony concerning whether or not this exemption should be granted. The Texas Air Control Board specifically reserves the right not to grant this exemption from additional controls based on any information received as testimony.

The addition of new §115.164 is proposed to renumber the old §115.163 concerning compliance schedule and counties in order to add the new §115.163 concerning general vent gas streams in Harris County which is being proposed concurrently. All existing compliance deadlines and affected counties remain unchanged. However, a new final compliance date of December 31, 1986, and a new final control plan submittal date of December 31, 1983, are given for the new provisions of §115.163.

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

Roger Wallis, deputy director for standards and regulations, has determined that for each year of the first five years the rules as proposed are in effect, the public benefit anticipated as a result of enforcing the rules as proposed will be improved air quality as a result of a reduction of about 9,292 tons per year of VOC emissions in Harris County after December 31, 1986. In addition, these and other VOC emissions reductions proposed elsewhere will help satisfy EPA requirements for 1982 SIP's and help to avoid possible growth sanctions in Harris County. The possible economic cost to individuals who are required to comply with the rules as proposed will be: none in 1983; \$1,000-\$75,000 in 1984; \$3,000-\$246,000 in 1985; \$6,000-\$542,000 in 1986; and \$1,000-\$142,000 in 1987. This cost is for typical sources affected, adjusting for 10% annual inflation.

For all sources affected by the proposed rule change, the net annualized cost will be \$1.4-\$6.4 million in February 1981 dollars.

Also, the possible additional economic cost to individuals who are required to comply with the rules without the exemption for certain vent gas streams from carbon black manufacturing processes will be: none in 1983; \$2.1 million in 1984; \$7.0 million in 1985; \$15.3 million in 1986; and \$3.1 million in 1987. This cost is for the one carbon black manufacturing plant affected, adjusting for 10% annual inflation. The net annualized cost will be \$5.5 million in February 1981 dollars.

These new sections 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.

§115.163. General Vent Gas Streams in Harris County.

(a) Except for process vent gas streams affected by the provisions of §115.161 of this title (relating to Ethylene from Low-Density Polyethylene Production), no person may allow a vent gas stream to be emitted from any process vent located in Harris County containing volatile organic compounds 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).

(b) The following vent gas streams are exempt from the requirements of this section.

(1) A vent gas stream having a combined weight of volatile organic compounds equal to or less than 100 pounds (45.4 kg) in any consecutive 24-hour period.

(2) A vent gas stream having a combined weight of volatile organic compounds greater than 100 pounds (45.4 kg) in any consecutive 24-hour period but less than 250 pounds (113.4 kg) per hour averaged over any consecutive 24-hour period and having a true vapor pressure of volatile organic compounds less than 0.44 psia (3.0 kPa).

(3) A vent gas stream containing acetylene emitted from a carbon black manufacturing process. Such a stream shall be subject to the provisions of §115.162 of this title (relating to General Vent Gas Streams).

§115.164. Compliance Schedule and Counties.

(a) The provisions of §115.161 of this title (relating to Ethylene from Low-Density Polyethylene Production) and §115.162 of this title (relating to General Vent Gas Streams) shall apply in Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties.

(1) All affected persons within Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Nueces, Orange, and Victoria Counties shall be in compliance with §115.161 of this title (relating to Ethylene from Low-Density Polyethylene Production) and §115.162 of this

title (relating to General Vent Gas Streams) by May 31, 1975.

(2) All affected persons in Tarrant County shall be in compliance with §115.161 of this title (relating to Ethylene from Low-Density Polyethylene Production) and §115.162 of this title (relating to General Vent Gas Streams) by February 29, 1980.

(b) The provisions of §115.163 of this title (relating to General Vent Gas Streams in Harris County) shall apply in Harris County.

(1) All persons in Harris County affected by the provisions of §115.163 of this title (relating to General Vent Gas Streams in Harris County) shall submit a final control plan to the Texas Air Control Board no later than December 31, 1983, and shall be in compliance with this section as soon as practicable but no later than December 31, 1986.

(2) All persons in Harris County affected by the provisions of §115.163 of this title (relating to General Vent Gas Streams in Harris County) shall remain in compliance with the provisions of §115.162 of this title (relating to General Vent Gas Streams) until compliance is achieved with the provisions of §115.163 of this title (relating to General Vent Gas Streams in Harris County).

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

31 TAC §115.191, §115.193

The Texas Air Control Board (TACB) proposes amendments to §115.191, concerning emission limitations, and §115.193, concerning exemptions. In §115.191 a proposed amendment to §115.191(9)(A)(i) will allow pail and drum interior coatings to have an emission limit of 4.3 pounds of volatile organic compounds (VOC) per gallon of coating (minus water) even though such coatings are not a true clear coat because the shipping container industry does not have a low-VOC interior coating to withstand the harsh and toxic nature of many chemicals shipped in pails and drums. In §115.193 proposed amendments will exempt from the emission limitation provisions of §115.191(9) coating operations for the exterior of fixed offshore structures and other high performance coatings applied under conditions that are not easily controlled, subject to approval by the executive director. The Texas Air Control Board may adopt this proposed