

amendment with changes to grant additional specific exemptions for certain coating operations using high performance coatings applied under conditions where emission control is unreasonable. This action will be taken only if sufficient information is presented as testimony to enable the Texas Air Control Board to determine if a request for exemption is approvable by the executive director and if the Texas Air Control Board determines that the likely effective date of the adopted rule changes will not allow sufficient time for a request for exemption to be made and acted upon in time to approve such a request before the final date of December 31, 1982 for complying with the provisions of §115.191(9).

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 more cost effective reasonably available control technology. There will be no additional economic costs to individuals who are required to comply with the rule as proposed.

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.

§115.191. *Emission Limitations.* No person may cause, suffer, allow, or permit volatile organic compound emissions from the surface coating processes (defined in §101.1 of this title (relating to Definitions)) affected by paragraphs (1)-(10) of this section to exceed the specified emission limits, which are based on a daily weighted average, except for those in paragraph (10) of this section which are based on paneling surface area.

(1)-(8) (No change.)

(9) Miscellaneous metal parts and products coating.

(A) Volatile organic compound emissions from the coating (prime and topcoat, or single coat) of miscellaneous metal parts and products shall not exceed the following limits for each surface coating type:

(i) 4.3 pounds per gallon (0.52 kg/liter) of coating (minus water) applied as a clear coat; or as an interior protective coating for pails and drums.

(ii)-(iv) (No change.)

(B)-(C) (No change.)

(10) (No change.)

§115.193. *Exemptions.*

(a)-(b) (No change.)

(c) The following coating operations are exempt from the application of §115.191(9) of this title (relating to Emission Limitations):

(1)-(2) (No change.)

(3) customized top coating of automobiles and trucks, if production is less than 35 vehicles per day; [and]

(4) (No change.)

(5) exterior of fixed offshore structures; and

(6) other high performance coatings which are applied under conditions for which control is determined by the executive director to be unreasonable.

(d) (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.

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

TRD-824697 Bill Stewart, P.E.  
Executive Director  
Texas Air Control Board

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ext. 354.

### Fugitive Emission Control in Petroleum Refineries in Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties

#### 31 TAC §§115.251-115.255

The Texas Air Control Board proposes amendments to §§115.251-115.255, under the undesignated heading Fugitive Emission Control in Petroleum Refineries in Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties.

The amendment to §115.251, concerning control requirements, is proposed to clarify the definition of a leak.

Amendments to §115.252, concerning inspection requirements, are proposed to clarify the definition of a leak and to exempt components in continuous vacuum service from certain monitoring requirements.

The amendment to §115.253, concerning recording requirements, is proposed to clarify the definition of a leak.

Amendments to §115.254, concerning exemptions, are proposed to exempt components which contact process fluids containing less than 10% volatile organic compounds (VOC) by weight; components which contact process liquids containing VOC having a true vapor pressure of less than 0.147 psia at 68° F; and petroleum refineries or individual process units in a temporary nonoperating status from certain requirements of this subchapter.

Amendments to §115.255, concerning counties and compliance schedule, clarify the original intent to have December 31, 1982, as the final compliance date for the requirements of §§115.251, 115.252, and

115.253. 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 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 fugitive VOC emissions without significantly affecting air quality. There are anticipated to be economic savings for those required to comply with the rules as proposed as compared to the cost of complying with the rules now in force.

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.

**§115.251. Control Requirements.** No person shall operate a petroleum refinery without complying with the following requirements.

(1) No component shall be allowed to leak volatile organic compounds (VOC) with a VOC concentration exceeding 10,000 parts per million by volume (ppmv) [(ppm)] as defined in §101.1 of this title (relating to Definitions). The leak detection equipment shall be calibrated so the meter readout is in terms of parts per million by volume (ppmv) hexane.

(2)-(5) (No change.)

**§115.252. Inspection Requirements.**

(a) The owner or operator of a petroleum refinery shall conduct a monitoring program consistent with the following provisions.

(1)-(3) (No change.)

(4) Measure (with a hydrocarbon gas analyzer) the emissions from any pump seal from which liquids having a true vapor pressure greater than 0.147 psia (1.013 kPa) at 68°F (20°C) are observed dripping. [In lieu of such a measurement, VOC concentrations shall be assumed to exceed 10,000 ppm.]

(5)-(6) (No change.)

(b) Pressure relief devices connected to an operating flare header, components in continuous vacuum service, inaccessible valves, storage tank valves, and valves that are not externally regulated (such as in-line check valves) are exempt from the monitoring requirement of subsection (a) of this section.

(c) The owner or operator of a petroleum refinery upon the detection of a component leaking more than 10,000 ppmv [ppm] of VOC shall affix to the leaking component a weatherproof and readily visible tag, bearing an identification number and the date the leak was located. This tag shall remain in place until the leaking component is repaired.

(d)-(e) (No change.)

**§115.253. Recording Requirements.**

(a) The owner or operator of a petroleum refinery shall maintain a leaking-components monitoring log for all leaks of more than 10,000 ppmv [ppm] of VOC detected by the monitoring program required by §115.252(c) of this title (relating to Inspection Requirements). This log shall contain, at a minimum, the following data:

(1)-(9) (No change.)

(b)-(c) (No change.)

**§115.254. Exemptions.**

(a) Values with a nominal size of two inches (5 cm) or less are exempt from the requirements of §115.251 of this title (relating to Control Requirements), §115.252 of this title (relating to Inspection Requirements), and §115.253 of this title (relating to Recording Requirements) provided allowable emissions at any refinery from sources affected by these sections after controls are applied with exemptions will not exceed by more than 5.0% such allowable emissions with no exemptions. Any person claiming an exemption for valves two inches (5 cm) nominal size or smaller under this section shall at the time he provides his control plan also provide the following information.

(1)-(3) (No change.)

(b) Components which contact a process fluid that contains less than 10% VOC by weight are exempt from the requirements of §115.251 of this title (relating to Control Requirements), §115.252 of this title (relating to Inspection Requirements), and §115.253 of this title (relating to Recording Requirements).

(c) Components which contact a process liquid containing VOC having a true vapor pressure less than 0.147 psia (1.013 kPa) at 68°F (20°C) are exempt from the monitoring requirements of paragraphs (1) and (2) of §115.252(a) of this title (relating to Inspection Requirements) if the components are inspected visually according to the inspection schedules specified within these same paragraphs.

(d) Petroleum refineries or individual process units in a temporary nonoperating status during the specified compliance dates in subsections (b) and (c) of §115.255 of this title (relating to Counties and Compliance Schedule) shall submit a plan for compliance with the provisions of §115.251 of this title (relating to Control Requirements), §115.252 of this title (relating to Inspection Requirements), §115.253 of this title (relating to Recording Requirements), and subsection (b) of §115.255 of this title (relating to Counties and Compliance Schedule) within six months after start-up and be in compliance as soon as practicable but no later than one year after start-up. All affected petroleum refineries shall notify the Texas Air Control Board of any nonoperating refineries or individual process units when they are shut-down and dates of any start-ups as they occur.

**§115.255. Counties and Compliance Schedule.**

(a)-(b) (No change.)

(c) All persons affected by §115.251 of this title (relating to Control Requirements), §115.252 of this title

(relating to Inspection Requirements), and §115.253 of this title (relating to Recording Requirements) shall be

in compliance as soon as practicable but no later than December 31, 1982.

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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Texas Air Control Board

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ext. 354.

## Fugitive Emission Control in Synthetic Organic Chemical, Polymer, and Resin Manufacturing Plants in Harris County

### 31 TAC §§115.271-115.275

The Texas Air Control Board proposes new §§115.271-115.275, concerning fugitive emission control in synthetic organic chemical, polymer, and resin manufacturing plants in Harris County.

These proposed new rules prescribe monitoring, maintenance, and record keeping requirements to reduce the fugitive emission of volatile organic compounds (VOC) into the atmosphere from certain plants in Harris County. These new rules are similar in many respects to §§115.251-115.255, concerning fugitive emission control in petroleum refineries, with proposed amendments except for the following: the exemption for storage tank valves is removed; operators of plants have the option to install certain emission control devices in lieu of monitoring; the monitoring schedule for certain valves may be revised after two quarterly inspections; and the compliance schedule is revised to set the final compliance date and the control plan submittal date as December 31, 1987, and December 31, 1984, respectively.

These proposed new rules 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 requirements for 1982 State Implementation Plan (SIP) revisions. These new rules 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 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 improved air quality as a result of a reduction of 16,250 tons per year of VOC emissions in Harris County after December 31, 1987. 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 possible economic cost to individuals who are required to comply with the rules as proposed will be as follows: none for 1983-1985; \$7,000-\$106,000 for 1986; and \$33,000-\$464,000 for 1987 for typical model units affected, adjusting for 10% annual inflation. For all plants affected by the proposed new rule, the net annualized cost will be \$820,00-\$7,420,000 in February 1981 dollars.

The 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.

**§115.271. Control Requirements.** No person shall operate a synthetic organic chemical, polymer, or resin manufacturing plant without complying with the following requirements:

(1) No component shall be allowed to leak volatile organic compounds (VOC) with a VOC concentration exceeding 10,000 parts per million by volume (ppmv) as defined in §101.1 of this title (relating to Definitions). The leak detection equipment shall be calibrated so the meter readout is in terms of parts per million by volume (ppmv) methane.

(2) Every reasonable effort shall be made to repair a leaking component, as specified in paragraph (1) of this section, within 15 days after the leak is found. If the repair of a component would require a unit shutdown which would create more emissions than the repair would eliminate, the repair may be delayed until the next scheduled shutdown.

(3) All leaking components, as defined in paragraph (1) of this section, which cannot be repaired until the unit is shutdown for turnaround shall be identified for such repair by tagging. The executive director at his discretion may require early unit turnaround or other appropriate action based on the number and severity of tagged leaks awaiting turnaround.

(4) Except for safety pressure relief valves, no valves shall be installed or operated at the end of a pipe or line containing volatile organic compounds unless the pipe or line is sealed with a second valve, a blind flange, a plug, or a cap. The sealing device may be removed only while a sample is being taken, or during maintenance operations.

(5) Pipeline valves and pressure relief valves in gaseous volatile organic compound service shall be marked in some manner that will be readily obvious to monitoring personnel.

**§115.272. Inspection Requirements.**

(a) The owner or operator of a synthetic organic chemical, polymer, or resin manufacturing plant shall conduct a monitoring program consistent with the following provisions.

(1) Measure yearly (with a hydrocarbon gas analyzer) the emissions from all:

- (A) pump seals;
- (B) pipeline valves in liquid service; and
- (C) process drains.

(2) Measure quarterly (with a hydrocarbon gas analyzer) the emissions from all:

- (A) compressor seals;
- (B) pipeline valves in gaseous service; and
- (C) pressure relief valves in gaseous service.

(3) Visually inspect, weekly, all pump seals.

(4) Measure (with a hydrocarbon gas analyzer) the emissions from any pump seal from which liquids having a true vapor pressure greater than 0.147 psia (1.013 kPa) at 68°F (20°C) are observed dripping.

(5) Measure (with a hydrocarbon gas analyzer) emissions from any relief valve which has vented to the atmosphere within 24 hours.

(6) Measure (with a hydrocarbon gas analyzer) immediately after repair, the emissions from any component that was found leaking.

(b) The following items are exempt from the monitoring requirements of subsection (a) of this section:

(1) pressure relief devices connected to an operating flare header, components in continuous vacuum service, inaccessible valves, and valves that are not externally regulated (such as in-line check valves);

(2) pressure relief valves that are downstream of a rupture disk which is intact;

(3) pumps in liquid service that are equipped with dual pump seals, barrier fluid system, seal degassing vents, and vent control systems kept in good working order; and

(4) compressors that are equipped with degassing vents and vent control systems kept in good working order.

(c) The owner or operator of a synthetic organic chemical, polymer, or resin manufacturing plant upon the detection of a component leaking more than 10,000 ppmv of VOC shall affix to the leaking component a weatherproof and readily visible tag, bearing an identification number and the date the leak was located. This tag shall remain in place until the leaking component is repaired.

(d) The monitoring schedule of subsection (a)(1)-(3) of this section may be modified as follows:

(1) After at least two complete annual checks, the operator of a plant may request in writing to the Texas Air Control Board that the monitoring schedule be revised. This request shall include data that have been developed to justify any modification in the monitoring schedule.

(2) After at least two complete quarterly checks of pipeline valves in gaseous service, the operator of a plant may request in writing to the Texas Air Control Board that the monitoring schedule for pipeline valves in gaseous service be revised. This request shall include data that have been developed to justify any modification in the monitoring schedule.

(3) If the executive director of the Texas Air Control Board determined that there is an excessive number of leaks in any given process area, he may re-

quire an increase in the frequency of monitoring for that process area of the plant.

(e) The executive director of the Texas Air Control Board may approve an alternative monitoring method if the plant operator can demonstrate that the alternate monitoring method is equivalent to the method required by this rule. Any request for an alternate monitoring method must be made in writing to the executive director.

#### §115.273. Recording Requirements.

(a) The owner or operator of a synthetic organic chemical, polymer, or resin manufacturing plant shall maintain a leaking-components monitoring log for all leaks of more than 10,000 ppmv of VOC detected by the monitoring program required by §115.272 of this title (relating to Inspection Requirements). This log shall contain, at a minimum, the following data:

(1) the name of the process unit where the component is located;

(2) the type of component (e.g., valve or seal);

(3) the tag number of the component;

(4) the date on which a leaking component is discovered;

(5) the date on which a leaking component is repaired;

(6) the date and instrument reading of the recheck procedure after a leaking component is repaired;

(7) a record of the calibration of the monitoring instrument;

(8) those leaks that cannot be repaired until turn-around; and

(9) the total number of components checked and the total number of components found leaking.

(b) Copies of the monitoring log shall be retained by the owner or operator for a minimum of two years after the date on which the record was made or the report prepared.

(c) Monitoring records shall be maintained for two years and be made available for review by authorized representatives of the Texas Air Control Board or local air pollution control agencies.

#### §115.274. Exemptions.

(a) Valves with a nominal size of two inches (5.0 cm) or less are exempt from the requirements of §115.271 of this title (relating to Control Requirements), §115.272 of this title (relating to Inspection Requirements), and §115.273 of this title (relating to Recording Requirements) provided allowable emissions at any plant from sources affected by these sections after controls are applied with exemptions will not exceed by more than 5.0% such allowable emissions with no exemptions. Any person claiming an exemption for valves two inches (5.0 cm) nominal size or smaller under this section shall at the time he provides his control plan also provide the following information:

(1) Identification of valves or classes of valves to be exempted.

(2) An estimate of uncontrolled emission from exempted valves and an estimate of emissions if controls were applied plus an explanation of how the estimates were derived.

(3) An estimate of the total VOC emissions within the plant from sources affected by §115.271 of this

title (relating to Control Requirements), §115.272 of this title (relating to Inspection Requirements), and §115.273 of this title (relating to Recording Requirements), after controls are applied and assuming no exemptions for small valves, plus an explanation of how the estimate was derived.

(b) Components which contact a process fluid that contains less than 10% VOC by weight are exempt from the requirements of §115.271 of this title (relating to Control Requirements), §115.272 of this title (relating to Inspection Requirements), and §115.273 of this title (relating to Recording Requirements).

(c) Components which contact a process liquid containing VOC having a true vapor pressure less than 0.147 psia (1.013 kPa) at 68°F (20°C) are exempt from the monitoring requirements of §115.272(a)(1)-(2) of this title (relating to Inspection Requirements) if the components are inspected visually according to the inspection schedules specified within these same paragraphs.

(d) Synthetic organic chemical, polymer, and resin manufacturing plants or individual process units in a temporary non-operating status during the specified compliance dates in §115.275 (b)-(c) of this title (relating to Counties and Compliance Schedule) shall submit a plan for compliance with the provisions of §115.271 of this title (relating to Control Requirements), §115.272 of this title (relating to Inspection Requirements), §115.273 of this title (relating to Recording Requirements), and §115.275(b) of this title (relating to Counties and Compliance Schedule) within six months after start-up and be in compliance as soon as practicable but no later than one year after start-up. All affected synthetic organic chemical, polymer, and resin manufacturing plants shall notify the Texas Air Control Board of any nonoperating or individual process units when they are shut-down and dates of any start-ups as they occur.

#### §115.275. *Counties and Compliance Schedule.*

(a) The provisions of §115.271 of this title (relating to Control Requirements), §115.272 of this title (relating to Inspection Requirements), and §115.273 of this title (relating to Recording Requirements) shall apply only within Harris County. All affected persons shall submit a final control plan to the Texas Air Control Board no later than December 31, 1984, and shall be in compliance with these provisions as soon as practicable but not later than December 31, 1987, with the exceptions noted in subsection (b) of this section.

(b) The owner or operator of an affected synthetic organic chemical, polymer, or resin manufacturing plant shall:

(1) Submit to the executive director a monitoring program plan as soon as practicable but no later than the date specified in subsection (a) of this section for submitting a final control plan. This plan shall contain, at a minimum, a list of the plant units and the quarter in which they will be monitored, a copy of the log book format, and the make and model of the monitoring equipment to be used.

(2) Complete the first weekly, quarterly, and annual monitoring as soon as practicable but not later than December 31, 1987.

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.

## Alternate Means of Control

### 31 TAC §115.401

The Texas Air Control Board proposes an amendment to §115.401, concerning procedure. The proposed amendment changes a reference to conform to the new numbers that would result from adoption of proposals published elsewhere.

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 as proposed.

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 to result from the amendment is improved clarity of the regulation. There are no increased costs resulting from the rule as proposed.

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.

#### §115.401. *Procedure.*

(a) (No change.)

(b) Direct-flame incineration specified for vent gas control in §§115.41-115.45 of this title (relating to Vent Gas Control in Aransas, Bexar, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties) and in §§115.161-115.164 [115.163] of this title (relating to Vent Gas Control in Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties) 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