

have been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Ramon Dasch
February 16, 1982

These new sections are adopted under the authority of Texas Civil Statutes, Article 4477-5, §3.09(a), 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 TACB makes.

Issued in Austin, Texas, on February 23, 1982.

TRD-821738 Bill Stewart, P.E.
Executive Director
Texas Air Control Board

Effective date: March 17, 1982
Proposal publication date: August 4, 1981
For further information, please call (512) 451-5711,
ext. 354.

Compliance

31 TAC §111.91

The Texas Air Control Board adopts the repeal of §111.91 without changes to the proposed text published in the August 4, 1981, issue of the *Texas Register* (6 TexReg 2826).

The rule, relating to superseded rules, is unnecessary and probably confusing since effective dates for each amendment are specified at the end of the regulation. Action improves clarity of the rule but does not impact the way the rule functions.

No comments were received regarding adoption of the repeal.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Ramon Dasch
February 16, 1982

The repeal is adopted under Texas Civil Statutes, Article 4477-5, §3.09(a), 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 TACB makes.

Issued in Austin, Texas, on February 23, 1982.

TRD-821739 Bill Stewart, P.E.
Executive Director
Texas Air Control Board

Effective date: March 17, 1982
Proposal publication date: August 4, 1981
For further information, please call (512) 451-5711,
ext. 354.

31 TAC §111.92

The Texas Air Control Board adopts amendments to §111.92 without changes to the proposed text published in the August 4, 1981, issue of the *Texas*

Register (6 TexReg 2827), and subsequently corrected in the August 14, 1981, issue of the *Texas Register* (6 TexReg 2994).

In order to improve clarity and improve understanding, the amendment specifies where other compliance dates are noted in the regulation and specifies the effective date of the section as being December 31, 1973. The amendment has no effect on the substance of the rule.

No comments were received regarding the adoption of the amendments.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Ramon Dasch
February 16, 1982

The amendments are adopted under the authority of Texas Civil Statutes, Article 4477-5, §3.09(a), 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 TACB makes.

Issued in Austin, Texas, on February 23, 1982.

TRD-821740 Bill Stewart, P.E.
Executive Director
Texas Air Control Board

Effective date: March 17, 1982
Proposal publication date: August 4, 1981
For further information, please call (512) 451-5711,
ext. 354.

Chapter 115. Volatile Organic Compounds

The Texas Air Control Board adopts amendments to Chapter 115 without changes to the proposed text published in the August 7, 1981, issue of the *Texas Register* (6 TexReg 2871) and subsequently corrected in the August 14, 1981, issue (6 TexReg 2994) for the following undesignated heads and sections.

Counties in Other Than Ozone Nonattainment Areas

§115.1

Storage of Volatile Organic Compounds in Aransas, Bexar, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties
§115.11-115.13

The Texas Air Control Board amends the undesignated heads and sections listed above to add Bexar County to the Regulation V sections relating to certain counties in other than ozone nonattainment areas and to delete Bexar County from the Regulation V sections relating to ozone nonattainment counties. This action results from EPA redesignation of Bexar County from nonattainment to attainment. In addition, the TACB adopts numerous minor administrative changes to the subchapters and undesignated heads listed above which make metric equivalents more accurately reflect metric conversion from English units, clarify terms or

specifications, delete redundant or erroneous information, and make other minor editorial changes.

There will be no substantive change in the way any of the rules will function. Since EPA has redesignated Bexar County as attainment, persons in Bexar County will have to continue to meet the requirements contained in the sections of Regulation V relating to certain counties in other than ozone nonattainment areas rather than come into compliance with the more stringent requirements for ozone nonattainment areas.

No comments were received concerning the adoption of the amendments to the undesignated heads and sections listed.

This agency hereby certifies that the rules as adopted have been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Ramon Dasch
February 23, 1982

Counties in Other Than Nonattainment Areas

31 TAC §115.1

These amendments are adopted under the authority of Texas Civil Statutes, Article 4477-5, §3.09(a), 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 TACB makes.

Issued in Austin, Texas, on February 23, 1982.

TRD-821741 Bill Stewart, P.E.
Executive Director
Texas Air Control Board

Effective date: March 31, 1982
Proposal publication date: August 7, 1981
For further information, please call (512) 451-5711, ext. 354.

Storage of Volatile Organic Compounds in Aransas, Bexar, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties

31 TAC §§115.11-115.13

These amendments are adopted under the authority of Texas Civil Statutes, Article 4477-5, §3.09(a), 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 TACB makes.

Issued in Austin, Texas, on February 23, 1982.

TRD-821742 Bill Stewart, P.E.
Executive Director
Texas Air Control Board

Effective date: March 31, 1982
Proposal publication date: August 7, 1981
For further information, please call (512) 451-5711, ext. 354.

The Texas Air Control Board adopts amendments to Chapter 115 without changes to the proposed text published in the August 7, 1981, issue of the *Texas Register* (6 TexReg 2871) and subsequently corrected in the August 14, 1981, issue (6 TexReg 2994) for the following undesignated head and section.

Loading and Unloading Facilities in Aransas, Bexar, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties
§115.21, §115.22

The Texas Air Control Board amends the designated heads and sections listed above to add Bexar County to the Regulation V sections relating to certain counties in other than ozone nonattainment areas and to delete Bexar County from the Regulation V sections relating to ozone nonattainment counties. This action results from EPA redesignation of Bexar County from nonattainment to attainment. In addition, the TACB adopts several minor administrative changes to the subchapters listed above which make metric equivalents more accurately reflect metric conversion from English units and other minor editorial changes.

There will be no substantive change in the way any of the rules will function. Since EPA has redesignated Bexar County as attainment, persons in Bexar County will have to continue to meet the requirements contained in the sections of Regulation V relating to certain counties in other than ozone nonattainment areas rather than come into compliance with the more stringent requirements for ozone nonattainment areas.

One comment was received concerning the undesignated heads and sections listed above. Region VI of the U.S. Environmental Protection agency objected to the deletion of Bexar County from §§115.111-115.113 and §§115.131-115.135 and its addition to §§115.21 and 115.22 since federally promulgated requirements concerning gasoline marketing operations are still in effect in the absence of federally approved state regulations.

Final EPA approval of the redesignation of Bexar County as "attainment" has been published. Questions concerning gasoline marketing operations in ozone nonattainment areas, therefore, do not apply to Bexar County. It would be inconsistent to have Bexar County subject to the nonattainment area provisions concerning gasoline marketing operations while being classified as an attainment area and otherwise subject to the control requirements appropriate to certain counties in other than ozone nonattainment areas.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Ramon Dasch
February 23, 1982