

(6) Secondary seals shall be of the rim-mounted type (the seal shall be continuous from the floating roof to the tank wall). The accumulated area of gaps that exceed 1/8 inch (0.32 centimeter) in width between the secondary seal and tank wall shall be no greater than 1.0 inches² per foot (21 centimeter²/meter) of tank diameter.

§115.103. Inspection Requirements. All secondary seals used to comply with the requirements of §115.101 of this title (relating to Control Requirements) shall be inspected annually to insure compliance with §115.102 (5)-(6) of this title (relating to Floating Roof Storage Tank Requirements).

(1) If the primary seal is vapor mounted, the secondary seal gap area shall be physically measured annually to insure compliance with §115.102 (6) of this title (relating to Floating Roof Storage Tank Requirements).

(2) If the tank is equipped with a metallic-type shoe or liquid-mounted primary seal, compliance with §115.102 (6) of this title (relating to Floating Roof Storage Tank Requirements) can be determined by visual inspection.

§115.104. Record Keeping Requirements. The owner or operator of any storage vessel with an external floating roof which is exempted from the requirement for a secondary seal as specified in §115.105 (6) of this title (relating to Exemptions) and used to store volatile organic compounds with a true vapor pressure greater than 1.0 psia (6.9 kPa) shall maintain records of the type of VOC stored and the average monthly true vapor pressure of the stored liquid. The results of yearly inspections required by §115.103 of this title (relating to Inspection Requirements) shall be recorded each year. All records shall be maintained for two years and be made available for review by authorized representatives of the Texas Air Control Board and/or local air pollution control agencies.

§115.105 (131.07.51.104). 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) Crude oil and condensate, prior to custody transfer, are exempt from all provisions of §115.101 of this title (relating to Control Requirements) if stored in tanks with a nominal capacity less than 210,000 gallons (794,936 liters).

(2) (No change.)

(3) Storage containers which have a capacity of less than 25,000 gallons (94,635 liters) located at motor vehicle fuel dispensing facilities are exempt from the requirements of §115.101 of this title (relating to Control Requirements).

(4) A welded tank with a metallic-type shoe primary seal which has a secondary seal from the top of the shoe seal to the tank wall (a shoe-mounted secondary seal) is exempt from the requirements of §115.101 of this title (relating to Control Requirements) for retrofit with a rim-mounted secondary seal if the shoe-mounted secondary seal is installed or scheduled for installation before August 22, 1980.

(5) (No change.)

(6) Any welded tank storing volatile organic compounds having a true vapor pressure less than 4 psia

(27.6 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 August 22, 1980:

(A)-(C) (No change.)

§115.106 (131.07.51.105). Counties and Compliance Schedules.

(a) 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), shall apply to Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties.

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

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

TRD-821749

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 heads and sections.

Facilities for Loading and Unloading of Volatile Organic Compounds in Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties
§115.111, §115.113

Filling of Gasoline Storage Vessels (Stage I) for Motor Vehicle Fuel Dispensing Facilities in Brazoria, Dallas, Galveston, Harris, and Tarrant Counties
§§115.131-115.135

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

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

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-821750 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.

Filling of Gasoline Storage Vessels (Stage I) for Motor Vehicle Fuel Dispensing Facilities in Brazoria, Dallas, Galveston, Harris, and Tarrant Counties

31 TAC §§115.131, 115.134, 115.135

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-821751 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 heads and sections.

Water Separation in Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties

§§115.141-115.144

Process Unit Turnaround and Vacuum Producing Systems in Petroleum Refineries in Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties.

§§115.152-115.153

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

§§115.161-115.163

Specified Solvent-Using Processes in Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties

§§115.171-115.176

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.