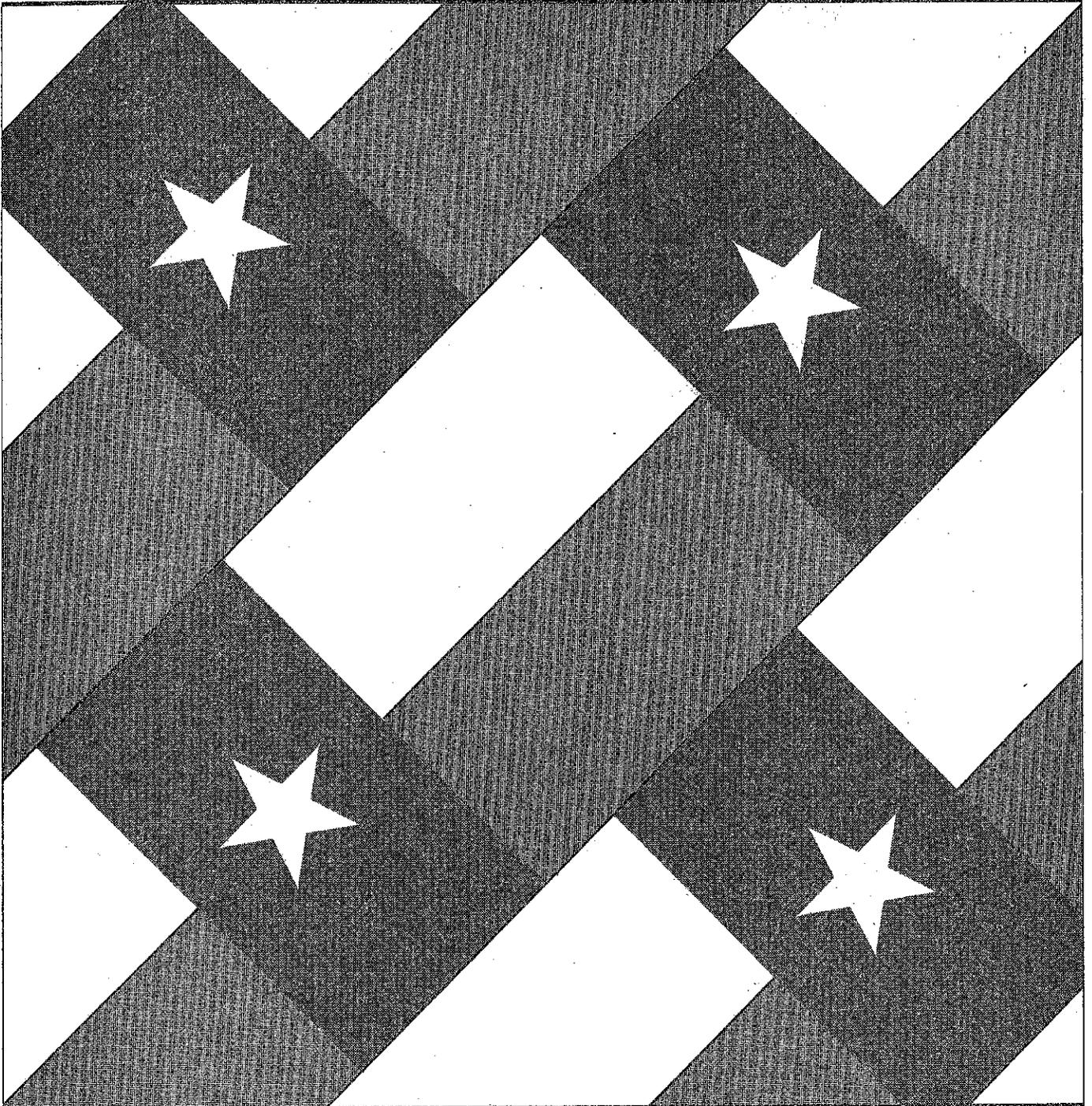


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Highlights

The **State Board of Insurance** adopts on an emergency basis amendments in a chapter concerning powers and duties.
Effective date - February 21 **page 721**

The **Comptroller of Public Accounts** adopts on

an emergency basis amendments concerning bingo regulation and tax.
Effective date - February 25 **page 722**

The **Texas Air Control Board** proposes amendments and new sections in a chapter concerning volatile organic compounds. Proposed date of adoption - July 31 **page 728**

**Office of
the Secretary
of State**

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cleaning facility located in Dallas, El Paso, and Tarrant Counties. The proposed subsection requires affected persons to submit a control plan for compliance with §115.221, concerning control requirements, by December 31, 1985, and to be in compliance with the section no later than December 31, 1987.

These amendments are part of a series of proposed revisions to Chapter 115 to provide in Dallas, El Paso, and Tarrant Counties the additional volatile organic compound (VOC) emission reductions needed to satisfy the U.S. Environmental Protection Agency (EPA) requirements for post-1982 state implementation plan (SIP) revisions.

Bennie L. Engelke, management and staff services director, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rule.

Steve Spaw, P.E., Central Regulatory Operations Program director, also 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 is improved air quality as a result of a reduction of 1,185 tons per year of VOC emissions in Dallas, El Paso, and Tarrant Counties after December 31, 1987. In addition, these and other VOC emission reductions proposed elsewhere are necessary to satisfy EPA requirements for post-1982 SIPs and to avoid possible growth sanctions in Dallas, El Paso, and Tarrant Counties.

The anticipated economic cost to individuals who are required to comply with the rules as proposed is \$0 in 1985 and 1986, \$574,000 in 1987, \$563,000 in 1988, and \$552,000 in 1989 for all facilities affected, adjusting for 5.4% annual inflation.

Public hearings on this proposal are scheduled at 2:30 and 6:30 p.m. on March 27, 1985, in the city council chambers, second floor, 2 Civic Center Plaza, El Paso; at 2:30 and 6:30 p.m. on March 27, 1985, in Room N-401, Convention Center, Room N401, 650 South Griffin Street, Dallas; and at 2:30 and 6:30 p.m. on March 28, 1985, in the city council chambers, 1000 Throckmorton Street, Fort Worth.

Copies of the proposed amendments are available at the central office of the Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723, and at all TACB regional offices. Public comment, both oral and written, on the proposed changes is invited at the hearings. The TACB would appreciate receiving five

copies of testimony prior to or at the hearing. Written testimony received by 4 p.m. on April 12, 1985, at the TACB Central Office will be included in the hearing record. Written comments should be sent to the Regulation Development Division, Texas Air Control Board, 6330 U.S. Highway 290 East, Austin, Texas 78723.

This amendment is proposed under Texas Civil Statutes, Article 4477-5, §3.09(a), which provide 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.

§115.223. Compliance Schedule and Counties.

(a) The provisions of §115.221 of this title (relating to Control Requirements) shall apply only within Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties. All affected persons shall submit to the Texas Air Control Board a control plan for compliance with these provisions no later than December 31, 1980, and shall be in compliance as soon as practicable, but no later than December 31, 1982.

(b) After December 31, 1987, §115.222(c) of this title (relating to Exemptions) shall no longer apply in Dallas, El Paso, and Tarrant Counties. All affected persons shall submit a control plan for compliance with the provisions of §115.221 of this title (relating to Control Requirements) no later than December 31, 1985, and shall be in compliance as soon as practicable, but no 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.

Issued in Austin, Texas, on
February 20, 1985.

TRD-851601 Bill Stewart, P.E.
Executive Director
Texas Air Control
Board

Proposed date of adoption:
July 31, 1985
For further information, please call
(512) 451-7511, ext. 354.

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**Control of Volatile Organic
Compound Leaks from Gasoline
Tank Trucks in Harris County**

★31 TAC §§115.261, 115.262, 115.264

The Texas Air Control Board (TACB) proposes amendments to §§115.261, 115.262, and 115.264, concerning control of volatile organic compound leaks

from gasoline tank trucks in Harris County. The proposed amendments extend these requirements to Dallas, El Paso, and Tarrant Counties and require compliance no later than December 31, 1987, with final control plan submittal no later than December 31, 1985.

The proposed amendments are part of a series of proposed revisions to Chapter 115 to provide in Dallas, El Paso, and Tarrant Counties the additional volatile organic compound (VOC) emission reductions needed to satisfy the U.S. Environmental Protection Agency (EPA) requirements for post-1982 state implementation plan (SIP) revisions.

Bennie L. Engelke, management and staff services director, has determined that for the first five-year period the rules will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rules.

Steve Spaw, P.E., Central Regulatory Operations Program director, has determined that for each year of the first five years the rules are in effect the public benefit anticipated as a result of enforcing the rules is improved air quality as a result of a reduction of 1,914 tons per year of VOC emissions in Dallas, El Paso, and Tarrant Counties after December 31, 1987. In addition, these and other VOC emission reductions proposed elsewhere are necessary to satisfy EPA requirements for post-1982 SIPs and to avoid possible growth sanctions in Dallas, El Paso, and Tarrant Counties. The anticipated economic cost to individuals who are required to comply with the rule as proposed is \$0 each year in 1985 and 1986, \$766,000 in 1987, \$771,000 in 1988, and \$779,000 in 1989 for all facilities affected, adjusting for 5.4% annual inflation.

Public hearings on this proposal are scheduled for 2:30 and 6:30 p.m. on March 27, 1985, in the city council chambers, second floor, 2 Civic Center Plaza, El Paso; 2:30 and 6:30 p.m. on March 27, 1985, in Room N401, Convention Center, 650 South Griffin Street, Dallas; and 2:30 and 6:30 p.m. on March 28, 1985, in the city council chambers, 1000 Throckmorton Street, Fort Worth.

Copies of the proposed amendments are available at the central office of the Texas Air Control Board, 6330 U.S. Highway 290 East, Austin, and at all TACB regional offices. Public comment, both oral and written, on the proposed changes is invited at the hearings. The TACB would appreciate receiving five copies of testimony prior to or at the hearing. Written testimony received by 4 p.m. on April 12, 1985, at the TACB central office will be included in the hearing record. Written

comments should be sent to the Regulation Development Division, Texas Air Control Board, 6330 U.S. Highway 290 East, Austin, Texas 78723.

The amendments are proposed under Texas Civil Statutes, Article 4477-5, §3.09(a), which provide the TACB 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.

§115.261. Emission Control Requirements. No person in **Dallas, El Paso, Harris, or Tarrant Counties** [County] shall allow a gasoline tank truck subject to this regulation to be filled or emptied unless the tank being filled or emptied has passed a leak-tight test within the past year as evidenced by a prominently displayed certification affixed near the U.S. Department of Transportation certification plate which:
(1)-(2) (No change.)

§115.262. Testing Requirements.

(a) The owner or operator of any gasoline tank truck which loads or unloads at any gasoline terminal, gasoline bulk plant, or motor vehicle fuel dispensing facility in **Dallas, El Paso, Harris, or Tarrant Counties** [County] shall cause each such tank truck tank to be tested annually to insure that the tank is vapor-tight.

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

§115.264. Compliance Schedule and Counties. All persons affected by §115.261 of this title (relating to Emission Control Requirements), §115.262 of this title (relating to Testing Requirements), and §115.263 of this title (relating to Recording Requirements) shall be in compliance as soon as practicable, but:

(1) in **Harris County** no later than December 31, 1982, and shall submit a final control plan for compliance to the Texas Air Control Board no later than March 31, 1981;

(2) in **Dallas, El Paso, and Tarrant Counties** no later than December 31, 1987, and shall submit a final control plan for compliance to the Texas Air Control Board no later than December 31, 1985.

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
February 20, 1985.

TRD-851602 Bill Stewart, P.E.
Executive Director
Texas Air Control Board

Proposed date of adoption:
July 31, 1985

For further information, please call
(512) 451-5711, ext. 354.

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Control of Reid Vapor Pressure of Gasoline in Collin, Dallas, Denton, Ellis, El Paso, Hood, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties

★31 TAC §§115.281-115.285

The Texas Air Control Board (TACB) proposes new §§115.281-115.285, concerning control of Reid vapor pressure of gasoline in Collin, Dallas, Denton, Ellis, El Paso, Hood, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties.

Proposed new §115.281, concerning control requirements, prohibits any person from placing, storing, holding, or transferring within the specified counties any gasoline with a Reid vapor pressure greater than nine pounds per square inch absolute (psia).

Proposed new §115.282, concerning seasonal requirements, limits the annual period for compliance with §115.281 to April 1-September 30 of each year.

Proposed new §115.283, concerning record-keeping requirements, requires the owner or operator of facilities affected by §115.281 to maintain records of the Reid vapor pressure for all gasoline transferred during the annual compliance period specified in §115.282 for a minimum period of two year.

Proposed new §115.284, concerning exemptions, exempts the fueling of implements of agriculture from the control requirements of §115.281 and the owner or operator of a motor vehicle fuel dispensing facility from the record-keeping requirements of §115.283.

Proposed new §115.285, concerning compliance schedule and counties, lists the counties affected by §§115.281-115.283 and requires submittal of a final compliance plan by December 31, 1985, with compliance no later than April 1, 1987.

The proposed new sections are part of a series of proposed revisions to Chapter 115 to provide in Dallas, El Paso, and Tarrant Counties the additional volatile organic compound (VOC) emission reductions needed to satisfy the U.S. Environmental Protection Agency (EPA) requirements for post-1982 state implementation plan (SIP) revisions.

Volatile Organic Compound emission reductions estimated from the control of the Reid vapor pressure of gasoline in these counties during the ozone season were computed using EPA area source and mobile three models and national average default values. As required by the EPA, base year Reid vapor pressure

of 11.4 psia was used for all affected counties. The TACB recognizes that different assumptions may be relevant for individual counties and that more locally specific data are available. Data for the Dallas/Fort Worth area indicate that the actual summertime Reid vapor pressure of gasoline is 10 to 10.5 psia. El Paso area data show values of approximately nine psia. Use of these lower actual Reid vapor pressures to calculate the emission reduction benefits from this proposed control measure would reduce the amount of emission reductions estimated. However, these lower actual pressures are not currently enforceable under state law and no method of calculating emissions at these pressures is currently available from or approved by the EPA. Therefore, the TACB is soliciting comments from interested parties to specifically identify the effect of EPA modeling approaches, default values, and other related information on emission reduction estimates.

Bennie L. Engelke, management and staff services director, has determined that for the first five-year period the rules will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rules.

Steve Spaw, P.E., Central Regulatory Operations Program director, also has determined that for each year of the first five years the rules are in effect the public benefit anticipated as a result of enforcing the rules is improved air quality as a result of a reduction of 16,935 tons per year of VOC emissions in Collin, Dallas, Denton, Ellis, El Paso, Hood, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties after December 31, 1987. In addition, these and other VOC emission reductions proposed elsewhere are necessary to satisfy EPA requirements for post-1982 SIPs and to avoid possible growth sanctions in Dallas, El Paso, and Tarrant Counties.

The anticipated economic cost to individuals who are required to comply with the rules as proposed is \$0 each year in 1985 and 1986, \$18.307 million in 1987, \$19.794 million in 1988, and \$21.402 million in 1989 for all facilities affected, adjusting for 5.4% annual inflation.

Public hearings on this proposal are scheduled for 2:30 and 6:30 p.m. on March 27, 1985, in the city council chambers, second floor, 2 Civic Center Plaza, El Paso; 2:30 and 6:30 p.m. on March 27, 1985, in Room N401, Convention Center, 650 South Griffin Street, Dallas; and 2:30 and 6:30 p.m. on March 28, 1985, in the city council chambers, 1000 Throckmorton Street, Fort Worth.