

Proposed date of adoption:

November 30, 1987

For further information, please call

(512) 452-5711, ext. 354.

Chapter 115. Volatile Organic Compounds

Vent Gas Control

★31 TAC §§115.162-115.164

The Texas Air Control Board (TACB) proposes amendments to §§115.162-115.164, concerning vent gas control in Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties. The amendment to §115.163(b)(2) reduces the exemption limit for Harris County to require controls on general vent gas streams from air oxidation synthetic organic chemical manufacturing processes having a true partial pressure of volatile organic compounds (VOC) of more than 0.009 pounds per square inch atmospheric (psia). The amendment also reduces these exemption limits to require controls on general vent gas streams from liquid phase polypropylene manufacturing processes, liquid phase slurry high-density polyethylene manufacturing processes, and continuous polystyrene manufacturing processes having a true partial pressure of VOC of more than 0.006 psia. The existing limit of 0.44 psia will remain in effect until the final compliance date of the proposed amendment. The amendment to §115.164 requires persons affected by the changes to §115.163(b)(2) to submit control plans to the TACB by no later than six months from the effective date of these sections and to be in final compliance no later than two years from that effective date. The amendments also replace all references to true vapor pressure with true partial pressure, as defined in concurrently proposed revisions to the TACB general rules, to more accurately describe the general vent gas streams to be affected by these sections.

The amendments are proposed to satisfy United States Environmental Protection Agency (EPA) requirements and state implementation plan (SIP) commitments for the implementation of reasonably available control technology as defined in the *Guideline Series, Control of Volatile Organic Compounds from Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry*, published in December 1984, and *Guideline Series, Control of Volatile Organic Compounds from Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins*, published in November 1983.

Bonnie L. Engelke, director of management and staff services, has determined

that for the first five-year period the proposed sections 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 sections.

Les Montgomery, P.E., director of technical support and regulation development program, also has determined that for each year of the first five years the sections are in effect the public benefit anticipated as a result of enforcing the sections will be improved air quality as a result of a reduction of VOC emissions in Harris County after December 31, 1989. In addition, these controls are necessary to satisfy SIP commitments. Failure to satisfy SIP commitments can result in decisions by EPA to implement one or more growth sanctions in Harris County. The anticipated economic cost to individuals who are required to comply with the proposed sections will be none in 1987, and \$1,000 each year in 1989-1991, per ton of VOC reduced for all facilities affected.

A public hearing on this proposal is scheduled for 7:30 p.m., September 3, 1987, at the Bureau of Air Quality Control, 7411 Park Place, Houston, Texas 77087.

Copies of the proposed amendments are available at the Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723, and at all TACB regional offices. Both oral and written public comment is invited at the hearing. The TACB would appreciate receiving five copies of testimony prior to or at the hearing. Written testimony received by 4 p.m., September 4, 1987, at the TACB central office will be included in the hearing record. Written comments should be sent to the Regulation Development Section, Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723.

The amendments are 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.

§115.162. 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 Dallas, Harris, and Tarrant Counties), 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 1300°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)-(2) (No change.)

(3) The following vent gas streams are exempt from the requirements of this section:

(A) (No change.)

(B) a vent gas stream having a combined weight of the volatile organic compounds or classes of compounds specified in paragraphs (1) and (2) of this section 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 partial [vapor] pressure of the volatile organic compounds specified in paragraphs (1) and (2) of this section less than 0.44 psia (3.0 kPa).

§115.163. General Vent Gas Streams in Dallas, Harris, and Tarrant Counties.

(a) (No change.)

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

(1) (No change.)

(2) in Harris County: [.]

(A) a vent gas stream from any air oxidation synthetic organic chemical manufacturing process; 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 a 24-hour period and having a true partial [vapor] pressure of volatile organic compounds less than 0.009 [0.44] psia (0.06 [3.0] kPa); or [.]

(B) a vent gas stream from any liquid phase polypropylene manufacturing process, any liquid phase slurry high-density polyethylene manufacturing process, and any continuous polystyrene manufacturing process 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 a 24-hour period and having a true partial pressure of volatile organic compounds less than 0.006 psia (0.04 kPa); or

(C) any other 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 a 24-hour period and having a true partial pressure of volatile organic compounds less than 0.44 psia (3.0 kPa);

(3) in Dallas and Tarrant Counties, 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 a 24-hour period and having a true partial [vapor] pressure of

volatile organic compounds less than 0.009 psia (0.06 kPa).

§115.164. Compliance Schedule and Counties.

(a) (No change.)

(b) The provisions of §115.163 of this title (relating to General Vent Gas Streams in Dallas, Harris, and Tarrant Counties) shall apply in Dallas, Harris, and Tarrant Counties.

(1) All persons in Harris County affected by the provisions of §115.163(B)(2)(C) [§115.163] of this title (relating to General Vent Gas Streams in Dallas, Harris, and Tarrant Counties [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(B)(2)(C) [§115.163] of this title (relating to General Vent Gas Streams in Dallas, Harris, and Tarrant Counties [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(b)(2)(C) [§115.163] of this title (relating to General Vent Gas Streams in Dallas, Harris, and Tarrant Counties [County]).

(3)-(4) (No change.)

(5) All persons in Harris County affected by the provisions of §115.163(b)(2)(A) or (B) of this title (relating to General Vent Gas Streams in Dallas, Harris, and Tarrant Counties) shall submit a final control plan to the Texas Air Control Board no later than six months from the effective date of this section, and shall be in compliance with this section as soon as practicable but no later than two years from the effective date of this section.

(6) All persons in Harris County affected by the provisions of §115.163(b)(2)(A) or (B) of this title (relating to General Vent Gas Streams in Dallas, Harris, and Tarrant Counties) shall remain in compliance with the provisions of §115.163(b)(2)(B) of this title (relating to General Vent Gas Streams in Dallas, Harris, and Tarrant Counties) until compliance is achieved with the provisions of §115.163(b)(2)(A) of this title (relating to General Vent Gas Streams in Dallas, Harris, and Tarrant 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.

Issued in Austin, Texas, on July 28, 1987.

TRD-8706303

Allen Ell Bell
Executive Director
Texas Air Control Board

Proposed date of adoption:
November 30, 1987

For further information, please call
(512) 452-5711, ext. 354.

★31 TAC §§115.281-115.285

The Texas Air Control Board (TACB) proposes new §§115.281-115.285, concerning fugitive emission control in natural gas/gasoline processing operations in Harris County. New §115.281, requires the detector, and repair of volatile organic compound (VOC) leaks exceeding 10,000 parts per million by volume (ppmv) from any component of a natural gas/gasoline processing operation. New §115.282 describes the leak monitoring schedule and tagging requirements for specified components located at operations affected by §115.281. This section also identifies those components exempted from periodic inspections and provides the procedure for modifying the monitoring schedule. New §115.283 requires the owner or operator of an operation affected by §115.281 to maintain a log for a minimum of two years of information regarding the identification and disposition of all leaks detected by the monitoring program. New §115.284 exempt valves with a nominal size of two inches or less under specific conditions, components which contact fluids that contain less than 1.0% VOC by weight, and components which contact liquids having a true vapor pressure equal to or greater than 0.147 psia at 68°F from the inspection, repair, monitoring, and recordkeeping requirements of §§115.281-115.283.

Also exempt from these provisions would be natural gas/gasoline processing operations in temporary nonoperating status, or which have a total design throughput of less than 10 million standard cubic feet of gas per day and do not have the capability to fractionate mixed natural gas liquids. New §115.285 specifies that only natural gas/gasoline processing operations in Harris County will be affected by §§115.281-115.284, and requires submittal of a final compliance plan within six months of the effective date of these revisions with compliance no later than one year from that effective date.

The new sections satisfy the United States Environmental Protection Agency (EPA) requirements and state implementation Plan (SIP) commitments for the implementation of reasonably available control technology as defined in the *Guideline Series, Control of Volatile Organic Compound Emissions from Natural Gas/ Gasoline Processing*, published in December, 1983.

Bennie L. Engelke, director of management and staff services, has determined that for the first five-year period the proposed sections 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 sections.

Les Montgomery, director of technical support and regulation development program, also has determined that for each

year of the first five years the sections are in effect the public benefit anticipated as a result of enforcing the sections will be improved air quality as a result of a reduction of VOC emissions in Harris County after December 31, 1988. In addition, these regulations are necessary to satisfy EPA requirements and SIP commitments in order to avoid possible growth sanctions in Harris County.

The possible economic cost to individuals who are required to comply with the sections will be \$68,000 in 1987, \$136,000 in 1988, \$141,000 in 1989, \$147,000 in 1990, and \$153,000 in 1991 for all facilities affected, adjusted for 5.0 percent annual inflation.

A public hearing on this proposal is scheduled for the following time and place: 7:30 p.m., September 3, 1987, at the Bureau of Air Quality Control, 7411 Park Place, Houston, Texas 77087.

Copies of the proposed new sections are available at the Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723, and at all TACB regional offices. Both oral and written public comment is invited at the hearing. The TACB would appreciate receiving five copies of testimony prior to or at the hearing. Written testimony received by 4 p.m. on September 4, 1987, at the TACB central office will be included in the hearing record. Written comments should be sent to the Regulation Development Section, Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723.

The new sections are 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 purpose of the Texas Clean Air Act and to amend any rule or regulation the Texas Air Control Board makes.

§115.281. Control Requirement. No person shall operate a natural gas/gasoline processing operation, as defined in §101.1 of this title (relating to Definitions), without complying with the following requirements.

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

(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 shut down 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.

§115.282. Inspection Requirements.

(a) The owner or operator of a natural gas/gasoline processing operation 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; and
(B) pipeline valves in liquid service.

(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 natural gas/gasoline processing operation 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 process 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 process 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 determines that there is an excessive number of leaks in any given process, he may require an increase in the frequency of monitoring for that process.

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

§115.283. Recordkeeping Requirements.

(a) The owner or operator of a natural gas/gasoline processing operation 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 §115.282 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 turnaround; 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.

§115.284. Exemptions.

(a) Valves with a nominal size of two inches (5.0 cm) or less are exempt from the requirements of §115.281 of this title (relating to Control Requirements), §115.282 of this title (relating to Inspection Requirements), and §115.283 of this title (relating to Recordkeeping 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 emissions 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 process from sources affected by §115.281 of this title (relating to Control Requirements), §115.282 of this title (relating to Inspection Requirements), and §115.283 of this title (relating to Recordkeeping 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 1.0% VOC by weight are exempt from the requirements of §115.281 of this title (relating to Control Requirements), §115.282 of this title (relating to Inspection Requirements), and §114.283 of this title (relating to Recordkeeping Requirements).

(c) Components which contact a process liquid containing VOC having a true vapor pressure equal to or less than 0.147 psia (1.013 kPa) at 68°F (20°C) are exempt from the requirements of §115.281 of this title (relating to Control Requirements), §115.282 of this title (relating to Inspection Requirements), and §115.283 of this title (relating to Recordkeeping Requirements), if the components are inspected visually according to the inspection schedules specified within these same sections.

(d) Natural gas/gasoline processing units in a temporary nonoperating status are

exempt from the requirements of §115.281 of this title (relating to Control Requirements), §115.282 of this title (relating to Inspection Requirements), §115.283 of this title (relating to Recordkeeping Requirements), and §115.285(b) of this title (relating to Counties and Compliance Schedule). All natural gas/gasoline processing operations affected by this subsection shall notify the Texas Air Control Board of any nonoperating process units when they are shut down and dates of any start-ups as they occur.

(e) Processes at the same location but unrelated to the production of natural gas/gasoline processing are exempt from the requirements of this undesignated head.

(f) Natural gas/gasoline processing units where the total design throughout at a property is less than 10 million standard cubic feet of gas per day and there is no capability to fractionate the mixed natural gas liquids are exempt from the requirements of this undesignated head.

§115.285. Counties and Compliance Schedule.

(a) The provisions of §115.281 of this title (relating to Control Requirements), §115.282 of this title (relating to Inspection Requirements), and §115.283 of this title (relating to Recordkeeping 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 six months from the effective date of this undesignated head and shall be in compliance with these provisions as soon as practicable but no later than one year from the effective date of this undesignated head.

(b) The owner or operator of an affected natural gas/gasoline processing operation 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 process 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 no later than the final compliance date specified in subsection (a) of this section.

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 July 28, 1987.

TRD-8706304

Allen Eli Bell
Executive Director
Texas Air Control Board

Proposed date of adoption:
November 30, 1987

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

Part IX. Texas Water Commission

Chapter 325. Certificates of Competency

[Subchapter A. Certificates of Competency]

★31 TAC §§325.1, 325.4,
325.6, 325.7, 325.9, 325.14

The Texas Water Commission proposes amendments to §§325.1, 325.4, 325.6, 325.7, 325.9, and 325.14; concerning definitions; classes and qualifications of certificates for operators; renewal of operator certificates; certificates for wastewater treatment facility operations companies; reports, applications, and renewals for wastewater treatment facility operations companies; and reciprocity; respectively.

These amendments are proposed in order to implement House Bill 1329, Acts of the 70th Legislature (1987), which amends the Texas Water Code, §26.0301 and §26.0291(c). In new §26.0301(e), the bill requires the commission to set a fee for the issuance or renewal of a certificate of competency. The fees collected under this provision shall be deposited in the state treasury to the credit of the waste treatment facility inspection fund.

Section 325.1 is amended to clarify the definition of the term wastewater treatment facility operations company so that companies which operate only one facility are included in the definition.

Section 325.4 is amended to include payment of the appropriate fee as a qualification for receiving a certificate of competency. The fees are \$20 annually and the entire fee for the certificate period must be paid prior to issuance or renewal, as detailed by new subsection (g). In subsection (b), the words graduation equivalency diploma are amended to read general educational development diploma to reflect the current term for the degree.

Section 325.6 is amended to include requirements that fees be paid when certificates are renewed, and to require reporting of changes in address or employment to the commission within 10 days of the change. A fee schedule is incorporated into this section that sets forth the fees for renewals of certificates.

Section 325.7 is amended to include a fee schedule for issuance and renewal of wastewater treatment facility operations companies' certificates. The fees will cover a two-year period.

Section §325.9 is amended to require operating companies to submit annual reports within one year and 30 days after issuance and renewal of their certificates.

Section 325.14 is amended to include payment of the appropriate fee as one of the prerequisites for recognizing an out-of-state certificate of competency.

William Monroe, chief fiscal officer, has determined that for the first five-year period the sections as proposed will be in effect, there will be fiscal implications as a result of enforcing or administering the sections. The effect on state government for the first five-year period the section will be in effect is an estimated increase in revenue of \$162,853 each year from 1988-1992. The increase in revenue will fund part of the Operator Certification Program. This sum reflects the total fees that are expected to be received from individual operators and operations companies on a yearly basis based on the number of operators and companies that obtained certificates in 1986. There will be no fiscal implications for local governments as a result of enforcing or administering the proposed sections, since the commission has analyzed these proposed sections on the assumption that individual operators working for local governments will pay their own fees. The cost of compliance with the sections for small businesses will be: \$75 for each year from 1988-1992 for companies with less than five facilities; \$150 for each year from 1988-1992 for companies with five to nine facilities; \$250 for each year from 1988-1992 for companies with 10-19 facilities; and \$400 for each year from 1988-1992 for companies with 20 or more facilities. The comparison of the cost of compliance between small and large businesses is based on the number of facilities that a company has, and not on the cost per employee, per hour of labor, or cost per \$100 of sales; as that information is not available to the agency.

Mr. Monroe also has determined that for each year of the first five years the sections as proposed are in effect, the public benefit anticipated as a result of enforcing the sections will be partial funding of the Operator Certification Program through the collection and deposit of funds in the state treasury. The anticipated economic cost to individuals required to comply with the proposed sections will be a fee of \$20 for each year from 1988-1992 which must be paid for issuance or renewal of certificates.

Comments on the proposed amendments may be submitted to Patricia Barnhard, Staff Attorney, Legal Division, P.O. Box 13087, Austin, Texas 78711-3087.

Comments should be submitted no later than 30 days after the date of publication of these proposed amendments.

The amendments are proposed under the Water Code, §5.103 and §5.105, which provides the Texas Water Commission with the authority to promulgate rules necessary to carry out the commission's powers under the Water Code; and the Water Code, §26.0301, as amended, which requires the commission to set a fee for the issuance or renewal of a certificate of competency.

§325.1. Definitions. The following