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his agency hereby certifies that the proposal as been reviewed by legal counsel and found to be within the agency's authority to dopt.

issued in Austin, Texas, on May 27, 1988.

RD-8805437 Allen Ell Bell
Executive Director
Texas Air Control Board

Proposed date of adoption: September 16, 1988

For further information, please call: (512) 51-5711

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, Juices, Orange, Tarrant, and Victoria counties. The proposed amendments to §115.162 clarify that the exemption for vent gas streams with emissions exceeding 100 pounds per day of volatile organic compounds (VOC) are based on the concentration of VOC in the vent gas. Reference in the exemption to vents which exceed 250 pounds of VOC per hour is considered unnecessary and will be deleted. In addition, the proposed amendment specifies the test methods to be used to determine compliance with the applicable control limits and the recordkeeping which must be maintained at all affected facilities in Dallas and Tarrant counties. The proposed amendment to §115.164 require all affected facilities to begin maintaining necessary records no later than August 31, 1990. Additional proposed amendments to these sections will clarify and simplify the enforcement of current requirements. These proposed amendments are part of a series of revisions to Chapter 115 to insure the maximum effectiveness of controls adopted in conjunction with the Post-1982 State Implementation Plan (SIP) revisions for ozone in Dallas and Tarrant counties.

Annemie L. Engelke, director of management and staff services, has determined that for the first five-year period the sections as proposed are in effect, there would be no fiscal implications for the state or local units of government or for small businesses not expressly required to comply with these sections as proposed. Economic costs to individuals and businesses required to implement the proposed measures are associated only with the recordkeeping requirements and are estimated as follows: The annual cost per facility is estimated to be \$0 for fiscal year 1989, \$1,700 for fiscal year 1990, and \$5,000 per year for fiscal years 1991-1993.

James Montgomery, P.E., director of technical support and regulation development program, has determined that for each of the first five years the sections as proposed are in effect, the public benefit anticipated as a result of implementing the sections will be more effective and consistent enforcement of controls for reducing emissions of VOC in Dallas and Tarrant counties after August 31, 1990. In addition, these measures are necessary to satisfy commitments included in the SIP revisions

for Dallas and Tarrant counties.

Public hearings on this proposal are scheduled for the following times and places: June 29, 1988, 10 a.m., Texas Air Control Board Auditorium, 6330 Highway 290 East, Austin; June 29, 1988, 7 p.m., Downtown Central Library Auditorium, 1515 Young Street, Dallas; and June 30, 1988, 2 p.m., City Council Chambers, 1000 Throckmorton, Fort Worth.

Copies of the proposed sections are available at the central office of the Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78728, 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 July 1, 1988, 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 78728.

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.

§115.162. 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 degrees fahrenheit (704 degrees celsius) 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 with a true partial pressure of the volatile organic compounds specified in paragraphs (1) and (2) of this section less than 0.44 psia (30,000 ppm). [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 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) Except for process vent gas streams affected by the Provisions of §115.161 of this title (relating to Ethylene from Low-Density Polyethylene Production), no person may allow a vent gas stream to be emitted from any process vent located in Dallas, Harris, and Tarrant Counties containing volatile organic compounds unless the vent gas stream is burned properly at a temperature equal to or greater than 1300 degrees fahrenheit (704 degrees celsius) in a smokeless flare or a direct-flame incinerator with a destruction efficiency of 90% or greater 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).

(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[,] with a true partial pressure of volatile organic compounds less than 0.009 psia (612 ppm). [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 0.009 psia (0.06 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 with a true partial pressure of volatile organic compounds less than 0.006 psia (408 ppm). [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 with a true partial pressure of volatile organic compounds less than 0.44 psia (30,000 ppm). [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 with a true partial pressure of volatile organic compounds less than 0.009 psia (612 ppm). [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 0.009 psia (0.006 kPa).]

(c) Compliance with this section shall be determined by applying the following test methods, as appropriate:

(1) Test Method 22 (40 Code of Federal Regulations 60, Appendix A) for visual determination of fugitive emissions from material sources and smoke emissions from flares;

(2) additional control device requirements for flares described in 40 Code of Federal Regulations 60.18;

(3) Test Methods 1-4 (40 Code of Federal Regulations 60, Appendix A) for determining flow rate, as necessary;

(4) Test Method 18 (40 Code of Federal Regulations 60, Appendix A) for determining gaseous organic compound emissions by gas chromatography;

(5) Test Method 25 (40 Code of Federal Regulations 60, Appendix A) for determining total gaseous nonmethane organic emissions as carbon;

(6) Test Methods 25A or 25B (40 Code of Federal Regulations 60, Appendix A) for determining total gaseous organic concentrations using flame ionization or nondispersive infrared analysis; or

(7) equivalent test methods approved by the executive director.

(d) The owner or operator of any facility in Dallas or Tarrant Counties which emits volatile organic compounds through a stationary vent shall maintain records at the facility for at least two years and shall make such records available to representatives of the Texas Air Control Board or local air pollution control agency having jurisdiction in the area, upon request. Such records for each vent shall be sufficient to demonstrate compliance with applicable exemption levels and/or the proper functioning of required control equipment to design

specifications including the following:

(1) the combined weight of volatile organic compounds of each vent gas stream on a daily basis;

(2) the true partial pressure of volatile organic compounds in each vent gas stream on a daily basis;

(3) for vent gas streams required to be controlled under the provisions of this section;

(A) the exhaust gas temperature immediately downstream of a direct-flame incinerator, in degrees Celsius;

(B) the date and reason for any maintenance and repair of the required control devices and the estimated quantity and duration of volatile organic compound emissions during such activities; and

(4) the results of any testing of any vent conducted at an affected facility in accordance with the provisions specified in subsection (c) of this section.

§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)-(6) (No change.)

(7) All persons in Dallas and Tarrant Counties affected by the provisions of §115.163(d) of this title (relating to General Vent Gas Streams in Dallas, Harris, and Tarrant Counties) shall be in compliance as soon as practicable but no later than August 31, 1990.

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 May 27, 1988.

TRD-8805436

Allen Ell Ball
Executive Director
Texas Air Control Board

Proposed date of adoption: September 16, 1988

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

Specified Solvent-Using Processes

• 31 TAC §§115.171-115.176

The Texas Air Control Board (TACB) proposes amendments to §§115.171-115.176, concerning specified solvent-using processes in Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange,

Tarrant, and Victoria counties. The proposed amendment to §115.171 requires any state, municipal, or county agency which uses or specifies the use of cutback asphalt or asphalt emulsions to maintain records sufficient to document compliance with applicable requirements. The proposed amendment to §115.172 establishes a minimum control efficiency of 65% for emissions capture and control systems on cold solvent cleaning operations. The proposed amendment to §115.173 establishes a minimum control efficiency of 85% on refrigerated chillers or alternate capture and control systems on open-top vapor degreasing operations. The proposed amendment to §115.174 establishes a minimum control efficiency of 85% on refrigerated chillers or alternate capture and control systems on conveyORIZED degreasing operations. Proposed amendments to §§115.172-115.174 specify the test methods to be used to determine compliance with applicable control requirements and the recordkeeping which must be maintained at all affected facilities. The proposed amendment to §115.175 requires the owner or operator of an exempt remote reservoir cold solvent cleaner to properly dispose of solvent in enclosed containers. The proposed amendment also clarifies that, while exempted degreasing operations are not required to meet control and operating procedure requirements, they must still comply with appropriate recordkeeping requirements. The proposed amendment to §115.176 specifies that all affected solvent using operations in Dallas and Tarrant counties must begin maintaining necessary records no later than August 31, 1990. Additional proposed amendments to these sections will clarify and simplify the enforcement of current requirements. These proposed amendments are part of a series of revisions to Chapter 115 to insure the maximum effectiveness of controls adopted in conjunction with the Post-1982 State Implementation Plan (SIP) revisions for ozone in Dallas and Tarrant counties.

Bennie L. Engelke, director of management and staff services, has determined that for the first five-year period the sections as proposed are in effect, there would be no fiscal implications for the state and local units of government or for small businesses not expressly required to comply with the sections as proposed. The inspection requirements, test methods, and recordkeeping provisions proposed by these sections are in common practice within the affected industry and are not expected to result in additional capital or operational expense.

Les Montgomery, director of technical support and regulation development program, has determined that for each of the first five years the sections as proposed are in effect, the public benefit anticipated as a result of implementing the sections will be more effective and consistent enforcement of controls for reducing emissions of volatile organic compounds in Dallas and Tarrant counties after August 31, 1990. In addition, these measures are necessary to satisfy commitments included in the SIP revisions for Dallas and Tarrant Counties.

Public hearings on this proposal are scheduled for the following times and places: June 29, 1988, 10 a.m., Texas Air Control Boards Auditorium, 6330 Highway 290 East, Austin;