

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

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

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**• 31 TAC §§115.111-115.113**

*(Editor's note: The text of the following sections proposed for repeal will not be published. The sections may be examined in the offices of the Texas Air Control Board or in the Texas Register office, Room 245, James Earl Rudder Building, 1019 Brazos Street, Austin.)*

The Texas Air Control Board (TACB) proposes to repeal §§115.111-115.113, concerning facilities for loading and unloading of volatile organic compounds in Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties. All sections within this undesignated head are proposed for repeal as follows: §115.111, concerning throughput and control requirements; §115.112, concerning exemptions; and §115.113, concerning compliance schedule and counties.

The repeal of this undesignated head is part of a series of substantial proposed revisions to Chapter 115, concerning control of air pollution from volatile organic compounds. Since the proposed changes are extensive, the staff has determined that it would be administratively more efficient to propose concurrently the repeal of Chapter 115 in its entirety and to add a new Chapter 115. This action is being proposed in order to update the regulation and to satisfy the Environmental Protection Agency (EPA) requirements for Phase I of the post-1987 state implementation plan.

Bennie Engelke, director of management and staff services, has determined that for the first five years that the repeal will be in effect there will be no fiscal implications as a result of enforcing or administering the repeal to state or local government or small businesses. There will be no adverse economic effect on small businesses.

Les Montgomery, P.E., director of the technical support and regulation development program, has determined that for each year of the first five years the repeals as proposed are in effect the public benefit anticipated as a result of enforcing the repeal as proposed will be to eliminate antiquated and unused provisions and confusing language. The public benefit of the concurrent adoption of new sections would be a better understanding and utility of the rules and the satisfaction of EPA requirements.

Public hearings on this proposal are scheduled for the following times and places: August 15, 1989, 10 a.m., Texas Air Control Board Auditorium, 6330 Highway 290 East, Austin; August 15, 1989, 7 p.m., City of Houston Pollution Control, Building Auditorium, 7411 Park Place Boulevard, Houston; August

16, 1989, 7 p.m., City Council Chambers, Second Floor, 2 Civic Center Plaza, El Paso; and August 17, 1989, 4 p.m., Arlington Public Library, 101 East Abram, Arlington.

Copies of the proposed sections for repeal are available at the central office of the TACB, 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 hearings. Written testimony received by the Regulation Development Section by 4 p.m. on August 18, 1989, at the TACB central office will be included in the hearing record.

The repeals 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.

*§115.111. Throughput and Control Requirements.*

*§115.112. Exemptions.*

*§115.113. Compliance Schedule and 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 14, 1989.

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Allen Eli Bell  
Executive Director  
Texas Air Control Board

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

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**Gasoline Bulk Plants in Harris County**

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**• 31 TAC §§115.121-115.123**

*(Editor's note: The text of the following sections proposed for repeal will not be published. The sections may be examined in the offices of the Texas Air Control Board or in the Texas Register office, Room 245, James Earl Rudder Building, 1019 Brazos Street, Austin.)*

The Texas Air Control Board (TACB) proposes the repeal of §§115.121-115.123, concerning gasoline bulk plants in Harris County. All sections within this undesignated head are proposed for repeal as follows: §115.121, concerning control requirements; §115.122, concerning exemptions; and §115.123, concerning compliance schedule and counties.

The repeal of this undesignated head is part of a series of substantial proposed revisions to Chapter 115, concerning control of air pollution from volatile organic compounds. Since the proposed changes are extensive, the staff has determined that it would be administratively more efficient to propose concurrently

the repeal of Chapter 115 in its entirety and to add a new Chapter 115. This action is being proposed in order to update the regulation and to satisfy the Environmental Protection Agency (EPA) requirements for Phase I of the post-1987 state implementation plan.

Bennie Engelke, director of management and staff services, has determined that for the first five years the repeal of these sections is in effect, there would be no fiscal implications for state and local governments, small businesses, or individuals and businesses affected by the repeal.

Les Montgomery, P.E., director of the 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 to eliminate antiquated and unused provisions and confusing language. The public benefit of the concurrent adoption of new sections would be a better understanding and utility of the rules and the satisfaction of EPA requirements.

Public hearings on this proposal are scheduled for the following times and places: August 15, 1989, 10 a.m., Texas Air Control Board Auditorium, 6330 Highway 290 East, Austin; August 15, 1989, 7 p.m., City of Houston Pollution Control Building Auditorium, 7411 Park Place Boulevard, Houston; August 16, 1989, 7 p.m., City Council Chambers, Second Floor, 2 Civic Center Plaza, El Paso; and August 17, 1989, 4 p.m., Arlington Public Library, 101 East Abram, Arlington.

Copies of the proposed sections for repeal are available at the central office of the TACB, 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 hearings. Written testimony received by the Regulation Development Section by 4 p.m. on August 18, 1989, at the TACB central office will be included in the hearing record.

The repeals 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.

*§115.121. Control Requirements.*

*§115.122. Exemptions.*

*§115.123. Compliance Schedule and 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.

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Allen Eli Bell  
Executive Director  
Texas Air Control Board

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### Filling of Gasoline Storage Vessels (Stage 1) for Motor Vehicle Fuel Dispensing Facilities in Brazoria, Dallas, El Paso, Galveston, Harris, and Tarrant Counties

- 31 TAC §§115.131, 115.132, 115.134, 115.135

The Texas Air Control Board (TACB) proposes the repeal of §§115.131 - 115.135, concerning filling of gasoline storage vessels (Stage I) for motor vehicle fuel dispensing facilities in Brazoria, Dallas, Galveston, Harris, and Tarrant Counties. All sections within this undesignated head are proposed for repeal as follows: §115.131, concerning control requirements; §115.132, concerning approved vapor balance system; §115.133, reserved; §115.134, concerning exemptions; and §115.135, concerning compliance schedule and counties.

The repeal of this undesignated head is part of a series of substantial proposed revisions to Chapter 115, concerning control of air pollution from volatile organic compounds. Since the proposed changes are extensive, the staff has determined that it would be administratively more efficient to propose concurrently the repeal of Chapter 115 in its entirety and to add a new Chapter 115. This action is being proposed in order to update the regulation and to satisfy the Environmental Protection Agency (EPA) requirements for Phase I of the post-1987 state implementation plan.

Bennie Engelke, director of management and staff services, has determined that for the first five years that the repeal will be in effect there will be no fiscal implications as a result of enforcing or administering the repeal to state or local government or small businesses. There will be no adverse economic effect on small businesses.

Les Montgomery, P.E., director of the technical support and regulation development program, has determined that for each year of the first five years the repeals as proposed are in effect the public benefit anticipated as a result of enforcing the repeal of these sections would be to eliminate antiquated and unused provisions and confusing language. The public benefit of the concurrent adoption of new sections would be a better understanding and utility of the rules and the satisfaction of EPA requirements.

Public hearings on this proposal are scheduled for the following times and places: August 15, 1989, 10 a.m., Texas Air Control Board Auditorium, 6330 Highway 290 East, Austin; August 15, 1989, 7 p.m., City of Houston, Pollution Control Building Auditorium, 7411 Park Place Boulevard, Houston; August 16, 1989, 7 p.m., City Council Chambers, Second Floor, 2 Civic Center Plaza, El Paso; and August 17, 1989, 4 p.m., Arlington Public Library, 101 East Abram, Arlington.

Copies of the proposed sections for repeal are available at the central office of the TACB, 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 hearings. Written testimony received by the Regulation Development Section by 4 p.m. on August 18, 1989, at the TACB central office will be included in the hearing record.

The repeals 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.

§115.131. *Control REquirements.*

§115.132. *Approved Vapor Balance System.*

§115.133. *Reserved.*

§115.134. *Exemptions.*

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 14, 1989.

TRD-8906285 Allen Eli Bell  
Executive Director  
Texas Air Control Board

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

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

- 31 TAC §§115.141-115.144

*(Editor's note: The text of the following sections proposed for repeal will not be published. The sections may be examined in the offices of the Texas Air Control Board or in the Texas Register office, Room 245, James Earl Rudder Building, 1019 Brazos Street, Austin.)*

The Texas Air Control Board (TACB) proposes the repeal of §§115.141-115.144, concerning water separation in Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties. All sections within this undesignated head are proposed for repeal as follows: §115.141, concerning facilities other than petroleum refineries; §115.142, concerning petroleum refineries; §115.143, concerning exemptions; and §115.144, concerning compliance schedule and counties.

The repeal of this undesignated head is part of a series of substantial proposed revisions to Chapter 115, concerning control of air pollution from volatile organic compounds. Since the proposed changes are extensive, the staff has determined that it would be administra-

tively more efficient to propose concurrently the repeal of Chapter 115 in its entirety and to add a new Chapter 115. This action is being proposed in order to update the regulation and to satisfy the Environmental Protection Agency (EPA) requirements for Phase I of the post-1987 state implementation plan.

Bennie Engelke, director of management and staff services, has determined that for the first five years that the repeal will be in effect there will be no fiscal implications as a result of enforcing or administering the repeal to state or local government or small businesses. There will be no adverse economic effect on small businesses.

Les Montgomery, P.E., director of the technical support and regulation development program, has determined that for each year of the first five years the repeals as proposed are in effect the public benefit anticipated as a result of enforcing the repeal as proposed will be to eliminate antiquated and unused provisions and confusing language. The public benefit of the concurrent adoption of new sections would be a better understanding and utility of the rules and the satisfaction of EPA requirements.

Public hearings on this proposal are scheduled for the following times and places: August 15, 1989, 10 a.m., Texas Air Control Board Auditorium, 6330 Highway 290 East, Austin; August 15, 1989, 7 p.m., City of Houston, Pollution Control Building Auditorium, 7411 Park Place Boulevard, Houston; August 16, 1989, 7 p.m., City Council Chambers, Second Floor, 2 Civic Center Plaza, El Paso; and August 17, 1989, 4 p.m., Arlington Public Library, 101 East Abram, Arlington.

Copies of the proposed sections for repeal are available at the central office of the TACB, 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 hearings. Written testimony received by the Regulation Development Section by 4 p.m. on August 18, 1989, at the TACB central office will be included in the hearing record.

The repeals 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.

§115.141. *Facilities Other Than Petroleum Refineries.*

§115.142. *Petroleum Refineries.*

§115.143. *Exemptions.*

§115.144. *Compliance Schedule and 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 14, 1989.