

streams associated with the formation, handling, and storage of solidified product.

(2) The following vent gas streams are exempt from the requirements of §115.121(a)(1) of this title (relating to Emission Specifications):

(A) a vent gas stream having a combined weight of the volatile organic compounds or classes of compounds specified in §115.121(a)(1)(B) and (C) of this title (relating to Emission Specifications) equal to or less than 100 pounds (45.4 kg) in any continuous 24-hour period; and

(B) a vent gas stream with a concentration of the volatile organic compounds or classes of compounds specified in §115.121(a)(1)(B) and (C) of this title (relating to Emission Specifications) less than 0.44 psia true partial pressure (30,000 ppm).

(3) The following vent gas streams in Dallas, Harris, and Tarrant counties are exempt from the requirements of §115.121(a)(2) of this title (relating to Emission Specifications):

(A) a vent gas stream having a combined weight of volatile organic compounds equal to or less than 100 pounds (45.4 kg) in any continuous 24-hour period;

(B) a vent gas stream specified in §115.121(a)(2) of this title (relating to Emission Specifications) and located in Harris County with a concentration of volatile organic compounds less than 0.44 psia true partial pressure (30,000 ppm); and

(C) a vent gas stream specified in §115.121(a)(2) of this title (relating to Emission Specifications) and located in Dallas or Tarrant counties with a concentration of volatile organic compounds less than 0.009 psia true partial pressure (612 ppm).

(4) The following vent gas streams in Harris County are exempt from the requirements of §115.121(a)(3) of this title (relating to Emission Specifications):

(A) a vent gas stream from any air oxidation synthetic organic chemical manufacturing process with a concentration of volatile organic compounds less than 0.009 psia true partial pressure (612 ppm); and

(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 concentration of volatile organic compounds less than 0.006 psia true partial pressure (408 ppm).

(b) For persons in the counties referenced in §115.129(b) of this title (relating to Counties and Compliance Schedules) the following exemptions apply.

(1) A vent gas stream from a low-density polyethylene plant is exempt from the requirements of §115.121(b)(1) of this title (relating to Emission Specifications) if no more than 1.1 pounds of ethylene per 1,000 pounds (1.1 kg/1000 kg) of product are emitted from all the vent gas streams associated with the formation, handling, and storage of solidified product.

(2) The following vent gas streams are exempt from the requirements of §115.121(b)(1) of this title (relating to Emission Specifications):

(A) a vent gas stream having a combined weight of the volatile organic compounds or classes of compounds specified in §115.121(b)(1)(B) and (C) of this title (relating to Emission Specifications) equal to or less than 100 pounds (45.4 kg) in any continuous 24-hour period;

(B) a vent gas stream having a concentration of the volatile organic compounds specified in §115.121(b)(1)(B) and (C) of this title (relating to Emission Specifications) less than 0.44 psia true partial pressure (3.0 kPa); and

(C) a vent gas stream from any process referenced in §115.121(b)(2) of this title (relating to Emission Specifications) emitting less than or equal to five tons (4,536 kg) of total uncontrolled volatile organic compounds in any one calendar year.

#### *§115.129. Counties and Compliance Schedules.*

(a) All affected persons within Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties shall be in compliance with this undesignated head (concerning Vent Gas Control) in accordance with the following schedules.

(1) all compliance schedules which have expired prior to the effective date of the adoption of this section, in accordance with §115.930 of this title (relating to Compliance Dates); and

(2) the following additional compliance schedules.

(A) All persons in Harris County affected by the provisions of §115.121(a)(3) of this title (relating to Emission Specifications) shall be in compliance with this section as soon as practicable but no later than January 27, 1990.

(B) All persons affected by the provisions of §115.126(a) of this title

(relating to Recordkeeping) shall be in compliance:

(i) in Dallas and Tarrant Counties as soon as practicable but no later than August 31, 1990; and

(ii) in Brazoria, El Paso, Galveston, Harris, Jefferson, and Orange counties as soon as practicable but no later than December 31, 1990.

(b) All affected persons within Aransas, Bexar, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties shall be in compliance with this undesignated head (concerning Vent Gas Control) in accordance with all compliance schedules which have expired prior to the effective date of the adoption of this section, in accordance with §115.930 of this title (relating to Compliance Dates).

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 19, 1989.

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Allan Eli Bell  
Executive Director  
Texas Air Control Board

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

### Subchapter B. General Volatile Organic Compound Sources Water Separation

#### • 31 TAC §§115.131-115.133, 115.135-115.137, 115.139

The Texas Air Control Board (TACB) proposes new §§115.131-115.133, §§115.135-115.137, and §115.139, concerning water separation, which combine the provisions of existing §§115.31-115.32, concerning water separation in Aransas, Bexar, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties, and §§115.141-115.144, concerning water separation in Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties. This new undesignated head will be included in a proposed new Subchapter B, concerning general volatile organic compound sources. While in most instances the proposal does not involve new requirements, the sections have been significantly reorganized to reduce the inconsistencies which have developed as a result of numerous independent revisions in the past. Several substantive changes, however, are also proposed in order to respond to the Environmental Protection Agency requirements of Phase I of the post-87 state implementation plan (SIP) revisions.

These changes are a 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 the existing Chapter 115 in its entirety and the addition of a new Chapter 115.

The proposed new §115.131, concerning emission specifications, establishes emission limits for volatile organic compounds (VOC) from affected sources. The proposed new §115.132, concerning control requirements, specifies the applicable equipment and procedural requirements. The proposed new §115.133, concerning alternate control requirements, provides for executive director approval for the use of alternate technology which will result in equivalent VOC emission reductions. The proposed new §115.135, concerning testing requirements, identifies federally approved test methods and procedures to be used to determine compliance with applicable controls or exemptions. The proposed new §115.136, concerning recordkeeping requirements, specifies the type of records to be kept to document satisfaction of exemption criteria or performance of applicable control devices. The proposed new §115.137, concerning exemptions, specifies the types of facilities which are exempted from the requirements of these sections. The proposed new §115.139, concerning counties and compliance schedules, requires all affected facilities to be in compliance in accordance with all expired and pending schedules. Furthermore, the operator of any exempt water separator in Brazoria, El Paso, Galveston, Harris, Jefferson, and Orange Counties must comply with applicable recordkeeping requirements by December 31, 1990.

Bennie Engelke, director of management and staff services, has determined that for the first five-year period the sections are in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the sections. Economic costs to individuals and businesses required to implement the proposed measures are associated only with recordkeeping requirements and are estimated as follows: annual cost per facility for fiscal year 1990 will be \$0, and for fiscal years 1991-1994 will be \$5,000.

Les Montgomery, director of the technical support and regulation development program 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 section is more effective and consistent enforcement associated with the control of VOC. In addition, these measures are necessary to address the requirements of Phase I of the post-87 SIP revisions.

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 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., 101 East Abram, Arlington.

Copies of the proposed section 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 change 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 25, 1989, at the TACB central office will be included in the hearing record.

The new sections 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. There is no anticipated economic cost to individuals who are required to comply with the sections as proposed.

#### *§115.131. Emission Specifications.*

(a) For persons in the counties referenced in §115.139(a) of this title (relating to Counties and Compliance Schedules) any volatile organic compound water separator equipped with a vapor recovery system in order to comply with §115.132(a) of this title (relating to Control Requirements) shall reduce emissions such that the volatile organic compounds in vent gases to the atmosphere will not exceed:

(1) a true partial pressure of 0.5 psia (3.4 kPa) at petroleum refineries;

(2) a true partial pressure of 1.5 psia (10.3 kPa) at facilities other than petroleum refineries; or

(3) for the counties referenced in §115.139(a)(2) of this title (relating to Counties and Compliance Schedules) a true partial pressure of 0.5 psia (3.4 kPa) at facilities other than petroleum refineries.

(b) For persons in the counties referenced in §115.139(b) of this title (relating to Counties and Compliance Schedules) any volatile organic compound water separator equipped with a vapor recovery system in order to comply with §115.132(b) of this title (relating to Control Requirements) shall reduce emissions such that the true partial pressure of the volatile organic compounds in vent gases to the atmosphere will not exceed a level of 1.5 psia (10.3 kPa).

#### *§115.132. Control Requirements.*

(a) For the counties referenced in §115.139(a) of this title (relating to Counties and Compliance Schedules) no person shall use any single or multiple compartment volatile organic compound water separator, except for facilities other than petroleum refineries in Gregg County, which separates materials containing volatile organic compounds obtained from any equipment which is processing, refining, treating, storing, or handling volatile organic compounds, unless each compartment is controlled in one of the following ways:

(1) the compartment has all openings sealed and totally encloses the liquid contents. All gauging and sampling devices shall be vapor-tight except during gauging or sampling;

(2) the compartment is equipped with a floating roof or internal floating

cover which will rest on the surface of the contents and be equipped with a closure seal or seals to close the space between the roof edge and tank wall. All gauging and sampling devices shall be vapor-tight except during gauging or sampling; or

(3) the compartment is equipped with a vapor recovery system which satisfies the provisions of, §115.131(a) of this title (relating to Emission Specifications).

(b) For the counties referenced in §115.139(b) of this title (relating to Counties and Compliance Schedules) no person shall use any single or multiple compartment volatile organic compound water separator which separates materials containing volatile organic compounds obtained from any equipment which is processing, refining, treating, storing, or handling volatile organic compounds, unless each compartment is controlled in one of the following ways

(1) the compartment has all openings sealed and totally encloses the liquid contents. All gauging and sampling devices shall be vapor-tight except during gauging or sampling;

(2) the compartment is equipped with a floating roof or internal floating cover which will rest on the surface of the contents and be equipped with a closure seal or seals to close the space between the roof or cover edge and tank wall. All gauging and sampling devices shall be vapor-tight except during gauging or sampling; or

(3) the compartment is equipped with a vapor recovery system which satisfies the provisions of §115.131(b) of this title (relating to Emission Specifications).

#### *§115.133. Alternate Control Requirements.*

(a) For all persons in the counties referenced in §115.139(a) of this title (relating to Counties and Compliance Schedules) alternate methods of demonstrating and documenting continuous compliance with the applicable control requirements or exemption criteria in this section may be approved by the executive director in accordance with §115.910 of this title (relating to Alternate Means of Control) if emission reductions are demonstrated to be substantially equivalent.

(b) For all persons in the counties referenced in §115.139(b) of this title (relating to Counties and Compliance Schedules) alternate methods of demonstrating and documenting continuous compliance with the applicable control requirements or exemption criteria in this section may be approved by the executive director in accordance with §115.910 of this title (relating to Alternate Means of Control) if emission reductions are demonstrated to be substantially equivalent.

**§115.135. Testing.** For the counties referenced in 115.139(a) of this title (relating to Counties and Compliance Schedules) compliance with §115.132(a) shall be determined by applying the following test methods, as appropriate:

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

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

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

(4) 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

(5) determination of true vapor pressure using ASTM Test Method D323-82 for the measurement of Reid vapor pressure, adjusted for actual storage temperature in accordance with API Publication 2517, Third Edition, 1989; or

(6) modifications to these test methods approved by the executive director.

**§115.136. Recordkeeping Requirements.** For the counties referenced in §115.139(a) of this title (relating to Counties and Compliance Schedules) any person who operates a single or multiple compartment volatile organic compound water separator without the controls specified in §115.132(a) of this title (relating to Control Requirements) shall maintain complete and up-to-date records sufficient to demonstrate continuous compliance with the applicable exemption criteria including, but not limited to, the names and true vapor pressures of all such materials stored, processed, or handled at the affected property, and any other necessary operational information.

**§115.137. Exemptions.**

(a) For the counties referenced in §115.139(a) of this title (relating to Counties and Compliance Schedules) the following exemptions shall apply.

(1) Volatile organic compound water separators used exclusively in conjunction with the production of crude oil or condensate are exempt from the provisions of §115.132(a) of this title (relating to Control Requirements).

(2) Any single or multiple compartment volatile organic compound water separator which separates less than 200 gallons (757 liters) a day of materials containing volatile organic compounds obtained from any equipment are exempt from

§115.132(a) of this title (relating to Control Requirements).

(3) Paragraphs (1) and (2) of this subsection shall no longer be applicable in Dallas and Tarrant counties as of the date specified in §115.139(a)(3) of this title (relating to Counties and Compliance Schedules).

(4) Any single or multiple compartment volatile organic compound water separator which separates materials having a true vapor pressure of volatile organic compounds less than 1.5 psia (10.3 kPa) obtained from any equipment in a facility other than a petroleum refinery are exempt from §115.132(a) of this title (relating to Control Requirements).

(5) Any single or multiple compartment volatile organic compound water separator, located in Dallas or Tarrant counties, which separates materials having a true vapor pressure of volatile organic compounds less than 0.5 psia (3.4 kPa) obtained from any equipment in a facility other than a petroleum refinery are exempt from §115.132(a) of this title (relating to Control Requirements).

(6) Any single or multiple compartment volatile organic compound water separator which separates materials having a true vapor pressure of volatile organic compounds less than 0.5 psia (3.4 kPa) obtained from any equipment in a petroleum refinery are exempt from §115.132(a) of this title (relating to Control Requirements).

(b) For the counties referenced in §115.139(b) of this title (relating to Counties and Compliance Schedules) the following exemptions shall apply.

(1) Volatile organic compound water separators used exclusively in conjunction with the production of crude oil or condensate are exempt from the provisions of §115.132(b) of this title (relating to Control Requirements).

(2) Any single or multiple compartment volatile organic compound water separator which separates less than 200 gallons (757 liters) a day of materials containing volatile organic compounds obtained from any equipment are exempt from §115.132(b) of this title (relating to Control Requirements).

(3) Any single or multiple compartment volatile organic compound water separator which separates materials having a true vapor pressure of volatile organic compounds less than 1.5 psia (10.3 kPa) obtained from any equipment are exempt from §115.132(b) of this title (relating to Control Requirements).

**§115.139. Counties and Compliance Schedules.**

(a) All affected persons within Brazoria, Dallas, El Paso, Galveston,

Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria /counties shall be in compliance with this undesignated head (concerning Water Separation) in accordance with the following schedules.

(1) All affected persons shall be in compliance with all compliance schedules which have expired prior to the effective date of the adoption of this section, in accordance with §115.930 of this title (relating to Compliance Dates).

(2) All persons in Dallas and Tarrant Counties affected by the provisions of §115.131(a)(2) of this title (relating to Emission Specifications) shall be in compliance with this section as soon as practicable but no later than August 31, 1990.

(3) All persons in Dallas and Tarrant Counties required to implement controls as a result of the removal of the exemptions specified in §115.137(a) (3) of this title (relating to Exemptions) shall be in compliance as soon as practicable but no later than August 31, 1990.

(4) All persons affected by the provisions of §115.136 of this title (relating to Recordkeeping) shall be in compliance:

(A) in Dallas and Tarrant Counties as soon as practicable but no later than August 31, 1990; and

(B) in Brazoria, El Paso, Galveston, Harris, Jefferson, and Orange Counties as soon as practicable but no later than December 31, 1990.

(b) All affected persons within Aransas, Bexar, Calhoun, Hardin, Matagorda, Montgomery, San Patricio, and Travis Counties shall be in compliance with this undesignated head (concerning Water Separation) in accordance with all compliance schedules which have expired prior to the effective date of the adoption of this section, in accordance with §115.930 of this title (relating to Compliance Dates).

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 Ell Bell  
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