

mental Protection Agency, and local air pollution control agencies.

**§115.247. Exemptions.** For the counties referenced in §115.249 of this title (relating to Counties and Compliance Schedules), the following exemptions shall apply.

(1) Any stationary tank, reservoir, or other container used exclusively for the fueling of implements of agriculture is exempt from the requirements of §115.242 of this title (relating to Control Requirements).

(2) The owner or operator of a motor vehicle fuel dispensing facility is exempt from the requirements of §115.246 of this title (relating to Recordkeeping Requirements).

(3) Any tank, reservoir, storage vessel, or other stationary container with a nominal capacity of 500 gallons (1,893 liters) or less is exempt from the requirements of §115.242 of this title (relating to Control Requirements).

**§115.249. Counties and Compliance Schedules.** All affected persons in Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, and Tarrant Counties shall be in compliance with this undesignated head, concerning control of Reid vapor pressure of gasoline, no later than May 1, 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 July 19, 1989.

TRD-8906417 Allen Eli Bell  
Executive Director  
Texas Air Control Board

Proposed date of adoption: December 15, 1989

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

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**Subchapter D. Petroleum Refining and Petrochemical Processes**

**Process Unit Turnaround and Vacuum-Producing Systems in Petroleum Refineries**

• 31 TAC §§115.311-115.313, 115.315-115.317, 115.319

The Texas Air Control Board (TACB) proposes new §§115.311-115.313, 115.315-115.317, and 115.319, concerning process unit turnaround and vacuum-producing systems in petroleum refineries, which contain the provisions of existing §§115.151-115.153, concerning process unit turnaround and vacuum-producing systems in petroleum refineries 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 D, concerning petroleum refining and petrochemical processes. 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 §115.311, concerning emission specifications, establishes emission limits for volatile organic compounds (VOC) from affected sources. The proposed new §115.312, concerning control requirements, specifies the applicable equipment and procedural requirements. The proposed new §115.313, 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 §115.315, concerning testing requirements, identifies federally approved test methods and procedures to be used to determine compliance with applicable controls or exemptions. The proposed new §115.316, 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 §115.317, concerning exemptions, specifies the types of facilities which are exempted from the requirements of these sections. The proposed new §115.319, concerning counties and compliance schedules, requires all affected facilities to be in compliance in accordance with all expired and pending schedules. Furthermore, affected sources in Brazoria, El Paso, Galveston, and Harris 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 proposed sections are in effect there will be no fiscal implications for state and local governments or for small businesses. 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 will be \$0 in 1990; \$5,000 from 1991-1994.

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 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 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 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 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.

**§115.311. Emission Specifications.** For all affected persons in the counties referenced in §115.319 of this title (relating to Counties and Compliance Schedules), the following emission specifications on vacuum-producing systems shall apply.

(1) No person may be allowed to emit any volatile organic compound from a steam ejector or mechanical vacuum pump in a petroleum refinery unless the vent stream is burned properly in accordance with §115.312(2) of this title (relating to Control Requirements).

(2) No person may be allowed to emit any volatile organic compound from a hotwell with a contact condenser unless the hotwell is covered and the vapors from the hotwell are burned properly in accordance with §115.312(2) of this title (relating to Control Requirements).

**§115.312. Control Requirements.** For all affected persons in the counties referenced in §115.319 of this title (relating to Counties and Compliance Schedules), the following control requirements shall apply.

(1) Volatile organic compound emissions from petroleum refineries shall be controlled during process unit shutdown or turnaround with the following procedure:

(A) recover and store all pumpable or drainable liquid; and

(B) reduce vessel gas pressure to 5 psig (34.5 kPa gauge) or less by recovery or combustion before venting to the atmosphere.

(2) Vent gas streams affected by §115.311 of this title (relating to Emission Specifications) must be burned properly at a temperature equal to or greater than 1,300°F (704°C) in a smokeless flare or a direct-flame incinerator with a destruction efficiency of at least 90%.

**§115.313. Alternate Control Requirements.** For all affected persons in the counties referenced in §115.319 of this title (relating to Counties and Compliance Schedules), alternate methods of demonstrating and documenting continuous compliance with the applicable control requirements 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.

**§115.315. Testing Requirements.** For all affected persons in the counties referenced in §115.319 of this title (relating to Counties and Compliance Schedules), compliance with §115.311 of this title (relating to Emission Specifications) and §115.312 of this title (relating to Control Requirements) 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(F);

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

**§115.316. Recordkeeping Requirements.** For all affected persons in the counties referenced in §115.319 of this title (relating to Counties and Compliance Schedules), the following recordkeeping requirements shall apply.

(1) Any person who operates a vacuum-producing system affected by §115.

311 of this title (relating to Emission Specifications) shall keep the following records:

(A) the exhaust gas temperature immediately downstream of a direct-flame incinerator; and

(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.

(2) Any person who conducts a process unit turnaround affected by §115.312 of this title (relating to Control Requirements) shall keep the following records:

(A) the date of process unit shutdown and subsequent start-up following turnaround;

(B) the type of process unit involved in the turnaround; and

(C) an estimation of the concentration and total emissions of volatile organic compound emissions released to the atmosphere during the process turnaround.

(3) The results of any testing conducted in accordance with the provisions specified in §115.315 of this title (relating to Testing Requirements) shall be maintained at the affected facility.

(4) All records shall be maintained for two years and be made available for review upon request by authorized representatives of the Texas Air Control Board, United States Environmental Protection Agency, or local air pollution control agencies.

**§115.317. Exemptions.** For all affected persons in the counties referenced in §115.319 of this title (relating to Counties and Compliance Schedules), any vacuum-producing system emitting a combined weight of volatile organic compounds equal to or less than 100 pounds (45.4 kg) in any consecutive 24-hour period is exempt from the requirements of §115.311 of this title (relating to Emission Specifications).

**§115.319. Counties and Compliance Schedules.** All affected persons in Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties shall be in compliance with this undesignated head, concerning process unit turnaround and vacuum-producing systems in petroleum refineries in accordance with the following schedules:

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

(2) all persons in Brazoria, El Paso, Galveston, or Harris Counties affected by the provisions of §115.316 of this title (relating to Recordkeeping Requirements) shall be in compliance with this section as soon as practicable but no later than December 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 July 19, 1989.

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Allen Ell Bell  
Executive Director  
Texas Air Control Board

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

## Fugitive Emission Control in Petroleum Refineries

### • 31 TAC §§115.322-115.327, 115.329

The Texas Air Control Board (TACB) proposes new §§115.322-115.327 and 115.329, concerning fugitive emission control in petroleum refineries, which contain the provisions of existing §§115.251-115.255, concerning fugitive emission control in petroleum refineries 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 D, concerning petroleum refining and petrochemical processes. 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 §115.322, concerning control requirements, specifies the applicable equipment and procedural requirements. The proposed new §115.323, concerning alternate control requirements, provides for executive director approval for the use of alternate technology which will result in equivalent volatile organic compound (VOC) emission reductions. The proposed new §115.324, concerning inspection requirements, specifies applicable inspection procedures and schedules. The proposed new §115.325, concerning testing requirements, identifies federally approved test methods and procedures to be used to determine compliance with applicable