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ars now include non-senior high school and college students.

Bryan Sperry, executive director, has determined that for the first five-year period the sections are in effect there will be minimal fiscal implications for state or local government as a result of enforcing or administering the sections.

Mr. Sperry 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 enhanced opportunities for rural Texas communities to attract trained health care professionals and enhanced opportunities for Texas students willing to work in rural areas to pursue training in health professions. Since the rules govern a voluntary program, there will be no effect on small business, no anticipated economic cost to persons required to comply, and no impact on local employment.

Comments on the proposal may be submitted by August 2, 1991, to Leslie Friedlander, Center for Rural Health Initiatives, P.O. Box 1708, Austin, Texas 78767-1708, (512) 479-8891.

The new sections are proposed under Texas Civil Statutes, Article 4414b-1, §4(d), which authorize the Center for Rural Health Initiatives to administer the Outstanding Rural Scholar Recognition Program and Texas Civil Statutes, Article 4414b-1.1, §9, which authorize the executive committee of the Center for Rural Health Initiatives to adopt rules as necessary to implement the program.

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 June 24, 1991.

TRD-9107508

Liberty Ogbonna
Executive Assistant
Center for Rural Health
Initiatives

Earliest possible date of adoption: August 2, 1991

For further information, please call: (512) 479-8893

TITLE 31. NATURAL RESOURCES AND CONSERVATION

Part III. Texas Air Control Board

Chapter 115. Control of Air Pollution From Volatile Organic Compounds

Subchapter A. Definitions Definitions

• 31 TAC §115.10

The Texas Air Control Board (TACB) proposes an amendment to §115.10, concerning definitions. The proposed changes have been developed in response to a requirement by the United States Environmental Protection Agency (EPA) to correct certain regulation

deficiencies and inconsistencies to ensure compliance with applicable requirements for control and collection systems of volatile organic compounds.

The proposed changes to §115.10 add definitions for capture efficiency, capture system, carbon adsorber, carbon adsorption system, control device, and control system. These new definitions would ensure consistency with terminology now used by EPA.

Bennie Engelke, director of administrative services, has determined that for the first five-year period the section is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the section.

Lane Hartsock, director of the planning and development program, has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be rules which are more uniformly applicable nationwide and satisfaction of a requirement by EPA. There will be no effect on small businesses. There are also no fiscal implications for facilities affected by the definitions.

A public hearing on this proposal is scheduled for 7 p.m. on July 22, 1991, in the Auditorium of the TACB located at 12124 Park 35 Circle, Austin.

Copies of the proposed section are available from Dwayne Meckler at the central office of the TACB, 12124 Park 35 Circle, Austin, Texas 78753, and at all TACB regional offices. Public comment, both oral and written, on the proposed changes is invited at the hearing. The TACB would appreciate receiving five copies of testimony prior to or at the hearing. Written testimony received by the Regulation Development Section at the TACB central office by 4 p.m. on July 23, 1991, will be included in the hearing record.

The amendment is adopted under Texas Clean Air Act (TCAA), §382.017, Texas Health and Safety Code (Vernon 1990), which provides the TACB with the authority to adopt rules consistent with the policy and purposes of the TCAA.

§115.10. Definitions. Unless specifically defined in the Texas Clean Air Act (TCAA) or in the rules of the board, the terms used by the board have the meanings commonly ascribed to them in the field of air pollution control. In addition to the terms which are defined by the TCAA, the following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

Capture efficiency—The amount of volatile organic compounds collected by a capture system which is expressed as a percentage derived from the weight per unit time of VOC entering a capture system and delivered to control device divided by the weight per unit time of total VOC generated by a source of VOC.

Capture system—All equipment (including, but not limited to, hoods, ducts, fans, booths, ovens, dryers, etc.) that contains, collects, and transports an air pollutant to a control device.

Carbon adsorber—An add-on con-

trol device which uses activated carbon to adsorb volatile organic compounds from a gas stream.

Carbon Adsorption system—A carbon adsorber with an inlet and outlet for exhaust gases and a system to regenerate the saturated adsorbent.

Control device—Equipment (such as an incinerator or carbon adsorber) used to reduce, by destruction or removal, the amount of air pollutant(s) in an air stream prior to discharge to the ambient air.

Control system—A combination of one or more capture system(s) and control device(s) working in concert to reduce discharges of air pollutants to the ambient air.

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 June 25, 1991.

TRD-9107579

Lane Hartsock
Director, Planning and
Development Program
Texas Air Control Board

Proposed date of adoption: September 13, 1991

For further information, please call: (512) 908-1770

Subchapter B. General Volatile Organic Compound Sources Vent Gas Control

• 31 TAC §115.126, §115.129

The Texas Air Control Board (TACB) proposes amendments to §115.126, and §115.129, concerning vent gas control. The proposed changes have been developed in response to a requirement by the United States Environmental Protection Agency (EPA) to correct certain regulation deficiencies and inconsistencies as part of a nationwide program termed "leveling the playing field."

The proposed change to §115.126, concerning recordkeeping requirements, adds an additional reference to provide consistency in maintaining temperature, maintenance, and testing records for facilities required to comply with §115.121(a)(3). The proposed change to §115.129, concerning counties and compliance schedules, adds a reference to identify a compliance date for the additional recordkeeping requirements.

Bennie Engelke, director of administrative 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.

Lane Hartsock, director of the planning and 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 sections will be rules which are more uniformly applicable nationwide and satisfaction of a requirement

by EPA. There will be no effect on small businesses. Economic costs to persons and businesses required to implement the proposed changes would involve minor costs associated with additional recordkeeping requirements.

A public hearing on this proposal is scheduled for 7 p.m. on July 22, 1991, in the auditorium of the TACB located at 12124 Park 35 Circle, Austin.

Copies of the proposed sections are available from Dwayne Meckler at the central office of the TACB, 12124 Park 35 Circle, Austin, Texas 78753, and at all TACB regional offices. Public comment, both oral and written, on the proposed changes is invited at the hearing. The TACB would appreciate receiving five copies of testimony prior to or at the hearing. Written testimony received by the Regulation Development Section at the TACB central office by 4 p.m. on July 23, 1991, will be included in the hearing record.

The amendment is adopted under Texas Clean Air Act (TCAA), §382.017, Texas Health and Safety Code (Vernon 1990), which provides the TACB with the authority to adopt rules consistent with the policy and purposes of the TCAA.

§115.126 Recordkeeping requirements. For the counties referenced in §115.129(a)(2) of this title (relating to Counties and Compliance Schedules), the owner or operator of any facility which emits volatile organic compounds (VOC) 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, United States Environmental Protection Agency, or local air pollution control agency having jurisdiction in the area, upon request. These records shall include, but not be limited to, the following.

(1) Records for each vent required to satisfy the provisions of §115.121(a)(2) and (3) of this title (relating to Emission Specifications) shall be sufficient to demonstrate the proper functioning of applicable control equipment to design specifications, including:

(A)-(E) (No change.)

(2)-(3) (No change.)

§115.129. Counties and Compliance Schedules.

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

(1)-(2) (No change.)

(3) All persons in Harris County affected by the provisions of §115.126(1)(A)-(C) of this title (relating to Recordkeeping Requirements) for fa-

cilities required to comply with §115.121(a)(3) of this title (relating to Emission Specifications) shall be in compliance with these sections as soon as practicable, but no later than July 31, 1992.

(b) (No change.)

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 June 25, 1991.

TRD-9107580

Lane Hartscock
Director, Planning and
Development Program
Texas Air Control Board

Earliest possible date of adoption: September 13, 1991

For further information, please call: (512) 908-1770

Water Separation

• 31 TAC §115.136, §115.139

The Texas Air Control Board (TACB) proposes amendments to §115.136, and §115.139, concerning water separation. The proposed changes have been developed in response to a specific requirement by the United States Environmental Protection Agency (EPA) to correct certain regulation deficiencies and inconsistencies as part of a nationwide program termed "leveling the playing field."

The proposed change to §115.136, concerning recordkeeping requirements, adds a requirement to continuously monitor the exhaust gas temperature immediately downstream of a direct-flame incinerator. The proposed change to §115.139, concerning counties and compliance schedules, identifies a compliance date for the additional monitoring requirement.

Bonnie Engelke, director of administrative services, has determined that for the first five-year period the section is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the section.

Lane Hartscock, director of the Planning and 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 sections will be rules which are more uniformly applicable nationwide and satisfaction of a requirement by EPA. There will be no effect on small businesses. Economic costs to persons and businesses required to implement the proposed measures are associated with the temperature monitoring and recordkeeping requirements. The costs are estimated as follows: annual cost per temperature monitoring unit will be \$0 for fiscal year (fy) 1991 and \$15,000 for fys 1992-1995. Any costs beyond 1995 would be continuing annual operating, maintenance, and recordkeeping costs. All estimates are stated in 1991 dollars with no adjustment for inflation and assume continuing costs equal to those incurred during 1992-1995.

A public hearing on this proposal is scheduled for 7 p.m. on July 22, 1991, in the auditorium of the TACB located at 12124 Park 35 Circle, Austin.

Copies of the proposed section are available from Dwayne Meckler at the central office of the TACB; 12124 Park 35 Circle, Austin, Texas 78753, and at all TACB regional offices. Public comment, both oral and written, on the proposed changes is invited at the hearing. The TACB would appreciate receiving five copies of testimony prior to or at the hearing. Written testimony received by the Regulation Development Section at the TACB central office by 4 p.m. on July 23, 1991, will be included in the hearing record.

The amendment is adopted under Texas Clean Air Act (TCAA), §382.017, Texas Health and Safety Code (Vernon 1990), which provides the TACB with the authority to adopt rules consistent with the policy and purposes of the TCAA.

§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. Affected persons shall also continuously monitor exhaust gas temperature immediately downstream of a direct-flame incinerator, temperatures upstream and downstream of a catalytic incinerator or chiller, and the exhaust gas concentration of any carbon adsorption system to determine breakthrough.

§115.139. Counties and Compliance Schedules.

(a) 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 (relating to Water Separation) in accordance with the following schedules.

(1) (No change.)

(2) All persons in Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Orange, Tarrant Counties shall be in compliance with the continuous monitoring requirements to determine carbon adsorption system breakthrough and to measure temperatures [temperature] at direct-flame and catalytic incinerators or chillers contained in §115.136 of this title (relating to Recordkeeping Requirements), as soon as practicable, but no later than July 31, 1992.

(b) (No change.)