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In This Issue...

Emergency Sections

Center for Rural Health Initiatives

3659–Executive Committee for the Center for Rural Health Initiatives

Proposed Sections

State Purchasing and General Services Commission

3665–Central Purchasing Division

Texas Incentive and Productivity Commission

3665–Productivity Bonus Program

Railroad Commission of Texas

3667–Transportation Division

3668–Gas Utilities Division

3675–Surface Mining and Reclamation Division

Center for Rural Health Initiatives

3675–Executive Committee for the Center for Rural Health Initiatives

Texas Air Control Board

3676–Control of Air Pollution From Volatile Organic Compounds

3680–Permits

Comptroller of Public Accounts

3681–Tax Administration

Withdrawn Sections

Texas Water Commission

3689–Underground and Aboveground Storage Tanks

Adopted Sections

State Purchasing and General Services Commission

3691–Central Purchasing Division

3692–Travel and Transportation Division

Texas Department of Mental Health and Mental Retardation

3697–Client (Patient) Care

3704–Volunteer Services and Public Information

Texas Workers' Compensation Commission

3708–Medical Benefits-General Medical Provisions

Texas Air Control Board

3708–Control of Air Pollution from Volatile Organic Compounds

Texas Water Commission

3730–Industrial Solid Waste and Municipal Hazardous Waste

Texas Department of Human Services

3731–Income Assistance Services

3731–Community Care for Aged and Disabled

Open Meetings

3733–Texas Department of Aviation

3733–Texas Education Agency

3734–Texas Council on Vocational Education

3734–Health and Human Services

CONTENTS CONTINUED INSIDE

Printing line–An operation consisting of a series of one or more printing processes and including associated drying areas.

Volatile organic compound (VOC)–Any compound of carbon or mixture of carbon compounds excluding methane, ethane, 1,1,1-trichloroethane (methyl chloroform), methylene chloride (dichloromethane), trichlorofluoromethane (CFC-11), dichlorodifluoromethane (CFC-12), chlorodifluoromethane (CFC-22), trifluoromethane (FC-23), trichlorotrifluoroethane (CFC-113), dichlorotetrafluoroethane (CFC-114), chloropentafluoroethane (CFC-115), dichlorotrifluoroethane (HCFC-123), tetrafluoroethane (HFC-134a), dichlorofluoroethane (HCFC-141b), chlorodifluoroethane (HCFC-142b), carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on June 25, 1991.

TRD-9107561 Lane Hartsock
Director, Planning and Development Program
Texas Air Control Board

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Proposal publication date: February 12, 1991

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

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Subchapter B. General Volatile Organic Compound Sources

Storage of Volatile Organic Compounds

• 31 TAC §§115.112, 115.114, 115.116, 115.119

The Texas Air Control Board (TACB) adopts amendments to §§115.112, 115. 114, 115.116, and 115.119. Sections 115.112, 115.114, and 115.119 are adopted with changes to the proposed text as published in the February 12, 1991, issue of the *Texas Register* (16 TexReg 830). Section 115.116 is adopted without changes and will not be republished.

The amendment to §115.112 adds a requirement to specify the minimum control efficiency on a vapor recovery system and eliminates an existing uncertainty associated with applicability of the rule by clarifying that all floating roof storage tanks are affected. The amendment to §115.114 increases the frequency of visual secondary seal inspections from annual to semiannual. The amendment to §115.116 corrects an exemption reference and adds a requirement to monitor carbon adsorption systems for breakthrough. The amendment to §115.119 updates the expired compliance date and adds a new compliance date for new requirements.

Public hearings were held on March 4, 1991, in Beaumont and El Paso and on March 5, 1991, in Houston and Arlington. Testimony was received from four commenters during the comment period. The United States Environmental Protection Agency (EPA) was supportive of the proposed revisions. Three commenters opposed the proposed amendments. They were the Texas Chemical Council (TCC), Mobil Oil Corporation (Mobil), and one individual.

Comments were received from TCC and an individual regarding the minimum control efficiency specified for vapor recovery systems. The individual recommended that the minimum control efficiency which was added to this regulation should be set at 95% instead of the proposed 90%. Staff supports the 90% efficiency number required by EPA as reasonably available control technology, which takes into account that costs of controls will rapidly escalate as control efficiency is increased. TCC simply commented that the compliance date for the rule might be difficult to meet. However, since the date set is within a time frame established by EPA, the staff is unable to change this date.

EPA and TCC provided comments regarding covers on emergency roof drains on internal floating roof storage tanks. EPA recommended that the existing rule not be changed because external floating roof storage tanks should continue to be affected by the rule. The TACB staff concurs and has deleted the reference to internal floating roof storage tanks.

An individual commented on §115.113. This rule was not proposed for revision and, therefore, the comments cannot be considered at this time. However, these comments may be considered in future rulemaking.

Comments were received from EPA, Mobil, and TCC regarding the proposed changes to seal inspections for storage tanks. EPA noted that reference to semiannual inspections and §115.112(a)(2)(F) in the introductory paragraph were inconsistent since §115.114(1), which was not proposed for revision, still referred to annual inspections. Mobil and TCC both felt that annual inspections on secondary seals are sufficient to maintain vapor control. To eliminate inconsistencies, the staff changed the wording to require only semiannual visual inspections of secondary seals, with the physical measuring of gap areas, as required by §115.114(1), being required only annually.

The amendments are adopted under the Texas Clean Air Act (TCAA), Texas Health and Safety Code (Vernon 1990), which provides the TACB with the authority to adopt rules consistent with the policy and purpose of the TCAA.

§115.112. Control Requirements.

(a) For all persons in the counties referenced in §115.119(a) of this title (relating to Counties and Compliance Schedules), the following requirements shall apply.

(1) No person shall place, store, or hold in any stationary tank, reservoir, or other container any volatile organic compound (VOC) unless such container is capable of maintaining working pressure sufficient at all times to prevent any vapor or gas loss to the atmosphere, or is equipped with at least the control device specified in Table I(a) for VOC other than crude oil and condensate, or Table II(a) for crude oil and condensate.

(2) For floating roof storage tanks subject to the provisions of paragraph (a)(1) of this subsection, the following requirements shall apply.

Table I(a).

REQUIRED CONTROL DEVICES FOR STORAGE TANKS FOR VOC OTHER THAN CRUDE OIL AND CONDENSATE

True Vapor Pressure of Compound at Storage Conditions	Nominal Storage Capacity	Emission Control Requirements
< 1.5 psia (10.3 kPa)	Any	None
≥ 1.5 psia (10.3 kPa) and < 11 psia (75.8 kPa)	≤ 1,000 gal (3,785 L*)	None
	> 1,000 gal (3,785 L) and ≤ 25,000 gal (94,635 L)	Submerged fill pipe or vapor recovery system
	> 25,000 gal (94,635 L) and ≤ 40,000 gal (151,416 L)	Internal or external floating roof (any type) or vapor recovery system
	> 40,000 gal (151,416 L)	Internal floating roof or External floating roof with primary seal (any type) and secondary seal or vapor recovery system
≥ 11 psia (75.8 kPa)	≤ 1,000 gal (3,785 L)	None
	> 1,000 gal (3,785 L) and ≤ 25,000 gal (94,635 L)	Submerged fill pipe or vapor recovery system
	> 25,000 gal (94,635 L)	Submerged fill pipe and vapor recovery system

*L = Liter

Table II(a).

REQUIRED CONTROL DEVICES FOR STORAGE TANKS
FOR CRUDE OIL AND CONDENSATE

True Vapor Pressure of Compound at Storage Conditions	Nominal Storage Capacity	Emission Control Requirements
< 1.5 psia (10.3.kPa)	Any	None
≥ 1.5 psia (10.3 kPa) and < 11 psia (75.8 kPa)	≤ 1,000 gal (3,785 L)	None
	> 1,000 gal (3,785 L) and ≤ 40,000 gal (151,416 L)	Submerged fill pipe or vapor recovery system
	> 40,000 gal (151,416 L)	Internal floating roof or External floating roof with primary seal (any type) and secondary seal or vapor recovery system
≥ 11 psia (75.8 kPa)	≤ 1,000 gal (3,785 L)	None
	> 1,000 gal (3,785 L) and ≤ 40,000 gal (151,416 L)	Submerged fill pipe or vapor recovery system
	> 40,000 gal (151,416 L)	Submerged fill pipe and vapor recovery system

(A)-(C) (No change.)

(D) Any emergency roof drain must be provided with a slotted membrane fabric cover that covers at least 90% of the area of the opening.

(E)-(F) (No change.)

(b) (No change.)

(c) Vapor recovery systems used as a control device on any stationary tank, reservoir, or other container shall maintain a minimum control efficiency of 90%.

§115.114. Inspection Requirements. For all persons in the counties referenced in §115.119(a) of this title (relating to Counties and Compliance Schedules), all secondary seals used to comply with §115.112(a)(1) of this title (relating to Control Requirements) shall be inspected according to the following schedules by the owner, operator, or authorized representative to insure compliance with §115.112(a)(2)(E) and (F) of this title (relating to Control Requirements).

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

(3) All secondary seals shall be visually inspected semiannually to insure compliance with §115. 112(a)(2)(E)-(F).

§115.119. 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 Storage of Volatile Organic Compounds) in accordance with the following schedules.

(1) All affected persons shall be in compliance with all compliance schedules which have expired prior to January 1, 1991, in accordance with §115.930 of this title (relating to Compliance Dates).

(2) All persons in Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Orange, or Tarrant Counties affected by the provisions of §115.112(c) of this title (relating to Control Requirements), §115.114(3) of this title (relating to Inspection Requirements), and §115. 116(3)(C) of this title (relating to Recordkeeping Requirements) 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 rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on June 25, 1991.

TRD-9107562 Lane Hartsock
Director, Planning and Development Programs
Texas Air Control Board

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

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Subchapter B. General Volatile Organic Compound Sources

Vent Gas Control

• 31 TAC §§115.122, 115.126, 115.129

The Texas Air Control Board (TACB) adopts amendments to §§115.122, 115. 126, and 115.129, with changes to the proposed text as published in the February 12, 1991, issue of the *Texas Register* (16 TexReg 830).

The amendment to §115.122 involves a provision stating that if exemption limits are exceeded, then the requirements of this section become applicable. The amendment to §115.126 adds requirements to monitor temperatures at catalytic incinerators or chillers and carbon adsorption systems for breakthrough. The amendment to §115.129 updates the expired compliance date and adds a new compliance date for new requirements.

Public hearings were held on March 4, 1991, in Beaumont and El Paso and on March 5, 1991, in Houston and Arlington. Testimony was received from seven commenters during the comment period. The United States Environmental Protection Agency (EPA) supported the proposed revisions, in general. Six commenters opposed the proposed amendments. They were the LTV Aerospace and Defense Company (LTV), General Dynamics Corporation (GD), Mobil Oil Corporation (Mobil), Texas Chemical Council (TCC), and two individuals.

The intent of the "once in, always in" provision is that once a facility is required to implement applicable control measures, the facility needs. to remain subject to controls even if emissions or throughput later fall below applicable exemption limits. In response to an EPA requirement, this provision was proposed for rules concerning vent gas control. Five commenters submitted remarks concerning these proposed amendments. Of the five, one simply indicated approval of the philosophy. Two commenters, Mobil and TCC, requested clarification on whether a facility which must be in compliance with control requirements must maintain the controls because of the amendments, and whether the controls are to be operated only during times when exemption levels would be exceeded. The staff agreed and modified the wording to more clearly establish that once a facility exceeds an exemption level and must utilize controls, the facility will be required to maintain the controls even if emissions or throughput are later sustained at a level below any applicable exemption limit.

Four commenters, LTV, GD, Mobil, and TCC, were concerned that the amendments would result in the loss of exemption status for "a single excursion," "the smallest violation," or due to upsets or maintenance activities. Although it is not entirely clear what is meant by a single excursion or a small violation, the staff agrees that EPA's intent with the provision is to require a source exceeding the applicable exemption level to implement controls. This, however, would not include uncontrollable, short-term upsets or planned maintenance activities. Additionally, Mobil and TCC wanted a definition of exceedance. The regulation previously held and continues to hold the implicit understanding that upsets and maintenance were to be handled by TACB rules dealing with these issues and not by this regulation, unless otherwise specifically stated. If an exceedance is not an upset, e.g., it is caused by an increase in production, then the source is subject to the control requirements. Each exceedance will need to be evaluated on a case-by-case basis to determine whether it was an upset. Therefore, the staff does not recognize the need to define the term.

LTV, GD, Mobil, and TCC also indicated concern that the amendments required immediate compliance with the control requirements upon exceedance of the exemptions. The staff position is that applicable control measures are to be in place prior to changes in operation or equipment that will result in increasing emissions or throughput. Additionally, LTV commented that the date of May 31, 1991 conflicted with other dates in the rules. In the modified wording for these proposed amendments, the date is removed because the intent is that this provision should be applicable upon the effective date of the rules. Furthermore, references to "once in, always in" in the compliance date section in each of the applicable undesignated heads is recommended for deletion. The staff believes that these compliance dates are unnecessary since the provision is to become applicable upon the effective date of the rules.

Comments were received from EPA and an individual regarding recordkeeping requirements for general vent gas sources. EPA noted that recordkeeping specified in §115.126(1) should be required for sources covered by §115. 121(3) as well as those covered by §115.121(2). This change was not proposed as part of the public hearing, and thus, cannot be accomplished at this time. However, these comments will be considered in future rulemaking. The individual wanted the TACB to clarify whether records required by this rule and similar records elsewhere in the regulation are to be made available to the public. As stated in the opening paragraph of §115.126, the records are to be made available to the TACB, EPA, and any local program having juris- diction. Much of the information in records is proprietary information, and the TACB cannot require a company to make this information available to the public upon request. However, the public does have access to non-proprietary information in the TACB permit and compliance files.

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