

Texas Register

Volume 16, Number 11, February 12, 1991

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the waste collected at the station including the identity of the waste generator.

(5) A facility registered as a medical waste collection station may not otherwise treat the waste unless permitted as a treatment facility.

§325.1009. Storage of Medical Waste.

(a) The storage of medical waste shall be in a secure manner and location which affords protection from theft, vandalism, inadvertent human or animal exposure, rain, water, and wind. The waste shall be managed so as not to provide a breeding place or food for insects or rodents, and not generate noxious odors.

(b) A permit for on-site storage of medical waste is not required for a generator who uses a medical waste storage facility only for the medical waste generated on-site or which has been registered as a medical waste collection facility.

(c) A permit for a medical waste storage facility is required if waste generated off-site is accepted for storage except under the conditions described in §325.1005(p)(3) of this title (relating to Transporters of Medical Waste) or the provisions of §325.1008 of this title (relating to Medical Waste Collection Stations).

(d) Transfer and storage facilities permitted to accept untreated medical waste must maintain a storage temperature of 45 degrees Fahrenheit or less for waste held more than 72 hours.

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 February 4, 1991.

TRD-9101418

Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of
Health

Proposed date of adoption: April 27, 1991

For further information, please call: (512) 458-7271

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

• 31 TAC §115.10

The Texas Air Control Board (TACB) proposes an amendment to §115.010, concerning definitions. The proposed changes have been developed in response to: a general

requirement in the 1990 amendments to the Federal Clean Air Act (FCAA) for reasonably available control technology correction; and a specific requirement by the United States Environmental Protection Agency to correct certain regulation deficiencies and inconsistencies as part of a nationwide program termed "leveling the playing field."

The proposed changes to §115.010 add definitions for coating, coating line, printing line, and pounds of volatile organic compounds (VOCs) per gallon of solids. These definitions are to clarify emission specifications and control requirements in the subchapters relating to surface coating processes and graphic arts. The definitions for leak, pounds of VOC per gallon of coating (minus water and exempt solvent), and VOC were modified to be consistent with terms now used by the EPA.

Bennie Engelke, director of management and staff services, has determined that for the first five-year period the proposed section is in effect, there will be no fiscal implications for state or local government or for small businesses. There is no anticipated economic cost for facilities that are required to comply with the section as proposed.

Les Montgomery, P.E., director of program development, also 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 of the FCAA.

Public hearings on this proposal are scheduled for the following times and places: March 4, 1991, 7 p.m., John Gray Institute, 8550 Florida Avenue, Beaumont; March 4, 1991, 7 p.m., City Council Chambers, Second Floor, 2 Civic Center Plaza, El Paso; March 5, 1991, 11 a.m., City of Houston Pollution Control Building Auditorium, 7411 Park Place Boulevard, Houston; March 5, 1991, 2 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 March 6, 1991, at the TACB central office will be included in the hearing record.

The amendment is proposed under the Texas Clean Air Act (TCAA), §382.107, the 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.

Coating—A material applied onto or impregnated into a substrate for protective, decorative, or functional purposes. Such materials include, but are not limited to, paints, varnishes, sealants, adhesives, thinners, diluents, inks, maskants and temporary protective coatings.

Coating line—An operation consisting of a series of one or more coating application systems and including associated flash-off areas, drying areas, and ovens wherein a surface coating is applied, dried, or cured.

Leak—A volatile organic compound concentration greater than 10,000 parts per million by volume (ppmv) or the dripping or exuding of process fluid based on sight, smell, or sound [having a true vapor pressure greater than 0.147 psia (1.013 kPa) at 68-F (20 degrees C)].

Pounds of volatile organic compound (VOC) per gallon of coating (minus water and exempt solvents)—Basis for emission limits for [of most] surface coating processes. Starting with one gallon of coating which contains a volume percentage of solids, a volume percentage of VOC, and a volume percentage of water, subtract the water and exempt solvents percentage and recalculate an equivalent gallon of VOC and solids. The resulting new volume fraction of VOC times the VOC density yield pounds of VOC per gallon of coating minus water and exempt solvents).

Pound of volatile organic compound (VOC) per gallon of solids—Basis for emission limits for surface coating process. Starting with one gallon of coating which contains a volume percentage of solids, a volume percentage of VOC, and a volume percentage of water, subtract the water and VOC percentage and recalculate an equivalent gallon of solids. The resulting new volume fraction of VOC times the VOC density yields pounds of VOC per gallon of solids.

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 proposal has been reviewed by legal counsel and

found to be within the agency's authority to adopt.

Issued in Austin, Texas, on February 4, 1991.

TRD-9101423

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

Proposed date of adoption: May 15, 1991

For further information, please call: (512) 451-5711, ext. 433

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Subchapter B. General Volatile
Organic Compounds Sources
Storage of Volatile Organic
Compounds

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

The Texas Air Control Board (TACB) proposes amendments to §115.112, §115.114, §115.116, and §115.119, concerning Storage of Volatile Organic Compounds (VOC). The proposed changes have been developed in response to: a general requirement in the 1990 amendments to the Federal Clean Air Act (FCAA) for reasonably available control technology correction; and a specific requirement by the United States Environmental Protection Agency to correct certain regulation deficiencies and inconsistencies as part of a nationwide program termed "leveling the playing field."

The proposed changes to §115.112, concerning control requirements, add a requirement to specify the minimum control efficiency on a vapor recovery system and eliminate an existing uncertainty associated with applicability of the rule by clarifying that internal floating roof storage tanks are affected. The proposed changes to §115.114, concerning inspection requirements, increase the frequency of secondary seal inspections from annual to semi-

annual. The proposed changes to §115.116, concerning recordkeeping requirements, correct an exemption reference and add a requirement to monitor carbon adsorption systems for breakthrough. The proposed changes to §115.119, concerning counties and compliance schedules, update expired compliance dates and add a new compliance date for new requirements.

Bennie Engelke, director of management and staff service, has determined that for the first five-year period the proposed sections are in effect there will be no fiscal implication for state and local government or for small businesses. The anticipated economic cost for persons and businesses that are required to comply with the sections as proposed is associated with the inspection, operating, monitoring, and recordkeeping requirements and is estimated as follows. The annual cost for 1991-1995: Per seal inspection is 0- for the 1991 and \$200 per year for the 1992-1995; per VOC monitoring unit is - 0- for 1991 and \$15,000 per year for 1992-1995.

Any costs continuing beyond 1995 would be continuing inspection, operating, monitoring, and recordkeeping costs. All estimate are stated in 1991 dollars with no adjustment for inflation and assume continuing cost equal to those incurred during 1992-1995.

Les Montgomery, P.E., director of program development, 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 rules which are more uniformly applicable nationwide and satisfaction of a requirement of the FCAA.

Public hearings on this proposal are scheduled for the following times and places: March 4, 1991, 7 p.m., John Gray Institute, 8550 Florida Avenue, Beaumont; March 4, 1991, 7 p.m., City Council Chambers, Second Floor, 2 Civic Center Plaza, El Paso; March 5, 1991, 11 a.m., City of Houston Pollution Control Building Auditorium, 7411 Park Place Boule-

vard, Houston; March 5, 1991, 2 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 office. 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 March 6, 1991, at the TACB central office will be included in the hearing record.

The amendments are proposed under the Texas Clean Air Act (TCAA), §382.107, the 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.

§115.112. 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. Vapor recovery systems used as a control device shall maintain a minimum control efficiency of 90%.

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