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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.

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
	≤ 1,000 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
≥ 1.5 psia (10.3 kPa) and	> 25,000 gal (94,635 L) and ≤ 40,000 gal (151,416 L)	Internal or external floating roof (any type) or vapor recovery system
< 11 psia (75.8 kPa)	> 40,000 gal (151,416 L)	Internal floating roof or External floating roof with primary seal (any type) <u>and</u> secondary seal or vapor recovery system
	≤ 1,000 gal (3,785 L)	None
≥ 11 psia (75.8 kPa)	> 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
	≤ 1,000 gal (3,785 L)	None
≥ 1.5 psia (10.3 kPa)	> 1,000 gal (3,785 L) and ≤ 40,000 gal (151,416 L)	Submerged fill pipe or vapor recovery system
	and < 11 psia (75.8 kPa)	> 40,000 gal (151,416 L)
≥ 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 on an internal floating roof storage tank 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.)

**§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 semi-annually [annually] by the owner, operator, or authorized representative to insure compliance with §115.112(a)(2)(E)-(F) of this title (relating to Control Requirements).

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

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

(1) The owner or operator of any storage vessel with an external floating roof which is exempted from the requirement for a secondary seal as specified in §115.117(a)(1), (6), and (7) [(5)] of this title (relating to Exemptions) and used to store volatile organic compounds (VOC) with a true vapor pressure greater than 1.0 psia (6.9 kPa) shall maintain records of the type of VOC stored and the average monthly true vapor pressure of the stored liquid.

(2) (No change.)

(3) For vapor recovery systems, the following information shall be recorded:

(A) (No change.)

(B) daily measurements of the inlet and outlet gas temperature of a chiller, or catalytic incinerator; [and]

(C) the exhaust gas VOC concentration of any carbon adsorption system to determine breakthrough; and

(D)[(C)] the date and reason for any maintenance and repair of the required control devices and the estimated quantity and duration of VOC emissions during such activities.

(4)-(5) (No change.)

**§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 concerning 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** [February 1, 1990], 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 of this title (relating to Control Requirements), §115.114 of this title (relating to Inspection Requirements), and §115.116 of this title (relating to Recordkeeping Requirements), shall be in compliance with these sections [this section] as soon as practicable but no later than **July 31, 1992** [December 31, 1990].

(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 February 4, 1991.

TRD-9101424

Lane Hartsack  
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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**Vent Gas Control**

• **31 TAC §§115.122, 115.126, 115.129**

The Texas Air Control Board (TACB) proposes amendments to §§115.122, 115.126, and 115.129, concerning vent gas control. 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 §115.122, concerning control requirements, involve a provision stating that if exemption limits are exceeded after May 31, 1991, requirements of this section become applicable. The proposed changes to §115. 126, concerning recordkeeping requirements, add requirements to monitor temperatures at catalytic incinerators or chillers and carbon adsorption

systems for breakthrough. The proposed revisions to §115.129, 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 services, has determined that for the first five-year period the proposed sections are in effect there will be no fiscal implications for state or 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 operating, monitoring, and recordkeeping requirements and is estimated as follows.

The annual cost for 1991-1995: per temperature monitoring unit is -0- for 1991 and \$50,000, per year for 1992-1995; per volatile organic compounds monitoring unit is -0- for 1991 and \$15,000, per year for 1992-1995.

Any costs continuing 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 to those incurred during 1992-1995.

Les Montgomery, P.E., director of program development, has determined that for each year of the first five year 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 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 office. Public comment, both oral and written, on the proposed changes is invited at the hearings. The TACB would appreciate receiving five copies of written 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), §382.017, 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.

**§115.122. Control Requirements.**

(a) For all persons in the counties referenced in §115.129(a) of this title (relating to Counties and Compliance Schedules), the following control requirements shall apply.

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