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In This Issue...

Emergency Sections

State Board of Insurance

813–Life, Accident and Health Insurance and Annuities

Proposed Sections

Railroad Commission of Texas

817–Oil and Gas Division

Texas State Board of Examiners of Psychologists

818–Rules of Practice

Texas State Board of Examiners of Professional Counselors

821–Professional Counselors

Texas Department of Health

825–Communicable Diseases

826–Occupational Health and Radiation Control

826–Solid Waste Management

Texas Air Control Board

830–Control of Air Pollution from Volatile Organic Compounds

Withdrawn Sections

Railroad Commission of Texas

857–Transportation Division

Texas Department of Health

857–Home Health Care Agencies

857–Solid Waste Management

Adopted Sections

Texas Historical Commission

859–State Architectural Programs

859–Texas Main Street Project

Texas Board of Professional Land Surveying

859–General Rules of Procedures and Practices

861–Standard of Responsibility and Rules of Conduct

862–Continuing Education

State Committee of Examiners for Speech-Language Pathology and Audiology

862–Speech-Language Pathology and Audiology

Texas Department of Health

862–Maternal and Child Health Services

863–Chronically Ill and Disabled Children's Services Program

881-Hospital Licensing

882–Home Health Care Agencies

884–Long-term Care

Texas Workers' Compensation Commission

896–General Provisions-Scope of Liability for Compensation

Texas Parks and Wildlife Department

899–Wildlife

CONTENTS CONTINUED INSIDE

Les Montgomery, P.E., director of program development, 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 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 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.

§115.417. Exemptions. For the counties referenced in §115. 419 of this title (relating to Counties and Compliance Schedules), the following exemptions shall apply.

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

(3) Degreasing operations located on any property in any affected counties except Dallas, **El Paso**, Harris, and Tarrant which can emit, when uncontrolled, a combined weight of volatile organic compounds (VOC) less than 550 pounds (249.5 kg) in any consecutive 24-hour period are exempt from the provisions of §115.412 of this title (relating to Control Requirements).

[(4) Degreasing operations located on any property in Dallas, Harris, and Tarrant Counties which, when combined, would emit, when uncontrolled, a combined weight of VOC less than three pounds (1.4 kg) in any consecutive 24-hour period are exempt from the provisions of §115.412 of this title (relating to Control Requirements).]

(4)[(5)] Any convesorized degreaser with less than 20 ft2 (2 m2) of air/vapor interface is exempt from the requirement of §115.412(3) (A) of this title (relating to Control Requirements).

(5)[(6)] Any open-top vapor degreaser with an open area less than 10 feet2 (1 m2) is exempt from the refrigerated chiller or the carbon adsorber requirements in §115.412(2)(D)(ii) and (iv) of this title (relating to Control Requirements).

(6)[(7)] An owner or operator who operates a remote reservoir cold solvent cleaner which uses solvent with a true vapor pressure equal to or less than 0.6 psia (4.1 kPa) measured at 100 Degrees Fahrenheit (38 Degrees Celsius) and which has a drain area less than 16 in2 (100 cm2) and who properly disposes of waste solvent in enclosed containers is exempt from §115.412(1) of this title (relating to Control Requirements).

(7)[(8)] No degreasing operations located on any property shall be exempt from the requirements of §115.412 of this title (relating to Control Requirements) in accordance with the provisions of §115.419(3) of this title (relating to Counties and Compliance Schedules).

§115.419. 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 degreasing processes 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 Dallas, El Paso and Tarrant Counties affected by the provisions of §115.417(3) and (4) of this title (relating to Exemptions) shall be in compliance with this section as soon as practicable, but no later than July 31, 1992.

[(2) All affected persons shall be in compliance with the provisions of §115.416 of this title (relating to Recordkeeping Requirements):

[(A) in Dallas and Tarrant Counties as soon as practicable but no later than August 31, 1990; and

[(B) in Brazoria, El Paso, Galveston, Harris, Jefferson, and Orange Counties as soon as practicable but no later than December 31, 1990.

[(3) All affected persons in Dallas and Tarrant Counties required to implement controls as a result of the loss of exemption as specified in §115.417(8) of this title (relating to Exemptions) shall be in compliance as soon as practicable but no later than August 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 February 4, 1991.

TRD-9101435

Lane Hartsock
Director, Planning
Development Program
Texas Air Control Board

Earliest proposed date of adoption: May 15, 1991

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

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Subchapter E. Solvent-using Processes

Surface Coating Processes

• 31 TAC §§115.421-115.427, 115.429

The Texas Air Control Board (TACB) proposes amendments to §§115.421-115. 423, 115.425-115.427, 115.429, and new §115.424, concerning surface coating processes. 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 corrections and 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 changes to §115.421, concerning emission specifications, modify the basis of the allowable emissions from pounds volatile organic compounds (VOC) per gallon of coating (minus water) to pounds of VOC per gallon of solids for large appliance, furniture, coil, paper, fabric, vinyl, can, and miscellaneous metal parts and products coatings. The proposed allowable emissions are equivalent to those used in the previous version of the rule. The applicability of the limitations were changed from the application system to each coating line to provide for "line by line" compliance as required by EPA. Plastisol coatings were added to the limitations for vinyl coating. The phrase "and exempt solvents" was included with water when determining pounds per gallon of coating. In the section on automobile and lightduty truck coating, the assumed transfer efficiency was changed from 30% to 65% and the term "air spray applicator or equivalent" was changed to "all application equipment" to meet EPA requirements.

The proposed changes to §115.422, 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 revisions to §115. 423, concerning alternate control requirements, add clarifying language to several subsections. Most substantively, the method to test for capture efficiency of a vapor recovery system was added to paragraph (3), and a cautionary statement was added to paragraph (4) to indicate that EPA approval may be needed for alternate controls.

The proposed changes to §115.424, concerning inspection requirements, add clarifying language and require that samples of the coatings for analysis be supplied to TACB, federal, or local program inspectors at no cost. The proposed changes to §115.425, concerning testing requirements, and §115.426, concerning recordkeeping requirements, correct respective referenced citations. The requirement to continuously monitor carbon adsorption bed exhaust to

determine if breakthrough has occurred is also added to the latter section.

The proposed changes to §115.427, concerning exemptions, involve deleting an obsolete exemption and correcting all citation references. The EPA also requires that the documentation to qualify for an exemption be approved by both the executive director and EPA. Additional clarifying language was suggested by EPA. The proposed revisions to §115.429, concerning counties and compliance schedules, update expired compliance dates and add a new compliance date for the 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 monitoring and recordkeeping requirements and is estimated as follows. The annual cost for 1991-1995: per volatile organic compound monitoring unit is -0- for 1991 and $15,000 per year for 1992-1995. Any costs continuing beyond 1995 would be continuing 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.

Les Montgomery, P.E., director of program development, 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.

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 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.

§115.421. Emission Specifications. No person in the counties referenced in §115.429 of this title (relating to Counties and Compliance Schedules) may cause, suffer, allow, or permit volatile organic compound (VOC) emissions from the surface coating processes as defined in §115.010 of this title (relating to Definitions) affected by paragraphs (1)-(11) of this section to exceed the specified emission limits. These limitations are based on the daily weighted average of all coatings delivered to **each coating line** [the application systems], except for those in paragraph (10) of this section which are based on paneling surface area, and those in paragraph (11) of this section which are based on the VOC content of architectural coatings sold or offered for sale.

(1) Large appliance coating. VOC emissions from the application, flashoff, and oven areas during the coating of large appliances (prime and topcoat, or single coat) shall not exceed **4.5** [2.8] pounds per gallon of **solids** [coating (minus water)] delivered to the application system (**0.54** [0.34] kg/liter).

(2) Furniture coating. VOC emissions from metal furniture coating lines (prime and topcoat, or single coat) shall not exceed **5.1** [3.0] pounds per gallon of **solids** [coating (minus water)] delivered to the application system (**0.61** [0.36] kg/liter).

(3) Coil coating. VOC emissions from the coating (prime and topcoat, or single coat) of metal coils shall not exceed **4.0** [2.6] pounds per gallon of **solids** [coating (minus water)] delivered to the application system (**0.48** [0. 31] kg/liter).

(4) Paper coating. VOC emissions from the coating of paper (or specified tapes or films) shall not exceed **4.8** [2.9] pounds per gallon of **solids** [coating (minus water)] delivered to the application system (**0.57** [0.35] kg/liter) .

(5) Fabric coating. VOC emissions from the coating of fabric shall not exceed **4.8** [2.9] pounds per gallon of **solids** [coating (minus water)] delivered to the application system (**0.57** [0.35] kg/liter) .

(6) Vinyl coating. VOC emissions from the coating of vinyl fabrics or sheets shall not exceed **7.9** [3.8] pounds [(minus water)] per gallon of **solids** [coating] delivered to the application system (**0.95** [0.45] kg/liter). **Plastisol coatings should not be included in calculations.**

(7) Can coating. The following VOC emission limits shall be achieved, on the basis of solvent content per gallon of **solids** [coating (minus water)] delivered to the application system.

Affected Operation	VOC Emission Limitation pounds per gallon of solids	VOC Emission Limitation kg per liter of solids
sheet basecoat (exterior and interior) and over-varnish	4.5 [2.8]	0.54 [0.34]
two-piece can exterior (basecoat and over-varnish)	4.5 [2.8]	0.54 [0.34]
two- and three-piece can interior body spray, two-piece can exterior end (spray or roll coat)	9.8 [4.2]	1.17 [0.51]
three-piece can side-seam spray	22 [5.5]	2.64 [0.66]
end sealing compound	7.4 [3.7]	0.89 [0.44]

(8) Automobile and light-duty truck coating.

(A) The following VOC emission limits shall be achieved for all automobile and light-duty truck manufacturing, on the basis of solvent content per gallon of coating (minus water and exempt solvents) delivered to the application system [.] **or for primer surfacer and top coat application, compliance may be demonstrated on the basis of VOC emissions per gallon of solids deposited as determined by §115.425(3).**

VOC Emission Limitation

Operation (including application, flashoff, and oven areas)	Coating delivered (minus water and exempt solvent) lb/gal	kg/liter	Solids deposited lb/gal	kg/liter
prime application (body and front-end sheet metal)	1.2	0.15	N/A	N/A
primer surfacer application	2.8	0.34	15.1	1.81
topcoat application	2.8	0.34	15.1	1.81
final repair application	4.8	0.58	*	*

* As an alternative to the emission limitation of 4.8 pounds of VOC per gallon of coating applied for final repair, if a source owner does not compile records sufficient to enable determination of a daily weighted average VOC content, compliance with the final repair emission limitation may be demonstrated each day by meeting a standard of 4.8 pounds of VOC per gallon of coating (**minus** [less] water **and exempt solvents**) on an occurrence weighted average basis. Compliance with such alternative emission limitation shall be determined in accordance with the procedure specified in §115.425(3) of this title (relating to Testing Requirements).

(B) VOC emissions from the coatings or solvents used in automobile **and truck** refinishing shall be based on an assumed 30 transfer efficiency from **all application equipment** [an air spray applicator or equivalent], unless otherwise specified in an alternate means of control approved by the executive director in accordance with §115.910 of this title (relating to Alternate Means of Control), and shall not exceed the following limits, as delivered to the application system:

(i)-(vii) (No change.)

(C) The assumed transfer efficiency of subparagraph (B) of this paragraph shall become 65% in accordance with the schedule set forth in §115.429(2)(A) of this title (relating to Counties and Compliance Schedules.

(D)[(C)] Additional control requirements for automobile **and truck** refinishing operations are referenced in §115.422 of this title (relating to Control Requirements).

(9) Miscellaneous metal parts and products coating.

(A) VOC emissions from the coating of miscellaneous metal parts and products shall not exceed the following limits for each surface coating type:

(i) **10.2** [4.3] pounds per gallon (**1.23** [0.52] kg/liter) of **solids** [coating (minus water)] delivered to the application system as a clear coat, or as an interior protective coating for pails and drums;

(ii) **6.7** [3.5] pounds per gallon (**0. 81** [0.42] kg/liter) of **solids** [coating (minus water)] delivered to the application system that utilizes air or forced air driers;

(iii) **6.7** [3.5] pounds per gallon (**0.81** [0.42] kg/liter) of **solids** [coating (minus water)] delivered to the application system as an extreme performance coating, **including chemical milling maskants;**

(iv) **5.1** [3.0] pounds per gallon (**0.61** [0.36] kg/liter) of **solids** [coating (minus water)] delivered to the application system for all other coating applications that pertain to miscellaneous metal parts and products; and

(v) **6.7** [3.5] pounds per gallon (**0.81** [0.42] kg/liter) of **solids** [coating (minus water)] delivered to the application system as a prime coat for the exterior of aircraft in Dallas and Tarrant Counties.

(B) (No change.)

(C) All VOC emissions from **non-exempt** solvent washings shall be included in determination of compliance with the emission limitations in subparagraph (A) of this paragraph unless the solvent is directed into containers that prevent evaporation into the atmosphere.

(10)-(11) (No change.)

§115.422. Control Requirements. For the counties referenced in §115.429(2)(A) of this title (relating to Counties and Compliance Schedules) : [,]

(1) **any** automobile refinishing **operation** [operations] shall minimize volatile organic compound (VOC) emissions during equipment cleanup by the following procedures:

(A)[(1)] install and operate a system which totally encloses spray guns, cups, nozzles, bowls, and other parts during washing, rinsing, and draining procedures;

(B)[(2)] recycle all wash solvents from an enclosed reservoir which

must be kept closed at all times except when being refilled with fresh solvent solution; **and**

(C)[(3)] dispose of all waste solvents and associated cleaning materials in closed containers; [.]

(2) any surface coating operation exempted under the provisions of §115.427 of this title (relating to Exemptions) shall be subject to the provisions of paragraph (1)(A), (B), and (C) of this section if the exemption limits are exceeded after May 31, 1991.

§115.423. Alternate Control Requirement. For all affected persons in the counties referenced in §115.429 of this title (relating to Counties and Compliance Schedules), the following alternate control techniques may apply.

(1) (No change.)

(2) Any alternate methods of demonstrating and documenting continuous compliance with the applicable control requirements or exemption criteria **such as use of improved transfer efficiency** 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.

(3) If a vapor recovery system is used to control emissions from coating operations, the capture and abatement system shall be capable of achieving and maintaining emission reductions equivalent to the emission limitations of §115.421 of this title (relating to Emission Specifications) and an overall control efficiency of at least 80% of the VOC emissions from those coatings. The owner or operator of any surface coating facility shall submit design data for each capture system and emission control device which is proposed for use to the executive director for approval. **Capture efficiency testing shall be performed in accordance with §115. 425(2)(D) of this title (relating to Testing Requirements).**

(4) For any surface coating process or processes at a specific property, the executive director may approve requirements different from those in §115.421(9) of this title (relating to Emission Specifications) based upon his determination that such requirements will result in the lowest emission rate that is technologically and economically reasonable. When he makes such a determination, the executive director shall specify the date or dates by which such different requirements shall be met and shall specify any requirements to be met in the interim. If the emissions resulting from such different requirements equal or exceed 25 tons a year for a property, the determinations for that property shall be reviewed every two years. **Executive director approval does not necessarily constitute satisfaction of all federal requirements nor eliminate the need for approval by the United States Environmental Protection Agency in cases where specified criteria for determining equivalency have not been clearly identified in applicable sections of this chapter.**

§115.424. Inspection Requirements. For the counties referenced in §115.429 of this title (relating to Counties and Compliance Schedules), the following testing requirements shall apply.

(1) All surface coating processes or operations affected by §115.421 of this title (relating to Emissions Specifications) must provide samples, without charge, upon request by representatives of the Texas Air Control Board (TACB), United States Environmental Protection Agency (EPA), or local air pollution control agency.

(2) All wholesalers and retailers affected by §115. 421 of this title (relating to Emission Specifications) must provide samples, without charge, upon request by representatives of the TACB, EPA, or local air pollution control agency.

(3) The representative or inspector requesting the sample will determine the amount of coating needed to test the sample to determine compliance.

§115.425. Testing Requirements. For the counties referenced in §115.429 of this title (relating to Counties and Compliance Schedules), the following testing requirements shall apply.

(1) (No change.)

(2) Compliance with §115.423(3)[(2)] of this title (relating to Alternate Control Requirements) shall be determined by applying the following test methods, as appropriate:

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

(3) Compliance with the alternative emission limits in §115.421(8)(A) of this title (relating to Emissions Specifications) shall be determined by applying the following test methods, as appropriate:

(A) (No change.)

(B) the procedure contained in this paragraph for determining daily compliance with the alternative emission limitation in §115.421(8)(A) of this title (relating to Emission Specifications) for final repair. Calculation of occurrence weighted average for each combination of repair coatings (primer, specific basecoat, clearcoat) shall be determined by the following procedure.

(i) The characteristics identified as follows, which are represented in the following equations by the variables shown, are established for each repair material as sprayed.

	Primer	Basecoat	Clearcoat
VOC (lb/gal) -	Vp	Vb	Vc
Vol. solids of coating - minus water and exempt solvents (%)	Sp	Sb	Sc
Target dry film build (mils) -	Tp	Tb	Tc

(ii) (No change.)

(iii) The occurrence weighted average (Q) in pounds of VOC per gallon of coating (minus water **and exempt solvents**) as applied for each potential combination of repair coatings is calculated as follows.

$$Q = \frac{(Up \times Vp) + (Ub \times Vb) + (Uc \times Vc)}{(Up) + (Ub) + (Uc)}$$

§115.426. Recordkeeping Requirements. For the counties referenced in §115.429(2)(C) of this title (relating to Counties and Compliance Schedules), the following recordkeeping requirements shall apply.

(1) (No change.)

(2) The owner or operator of any surface coating facility which utilizes a vapor recovery system approved by the executive director in accordance with §115.423(3)[(2)] of this title (relating to Alternate Control Requirements) shall:

(A) install and maintain monitors to accurately measure and record operational parameters of all required control devices as necessary to ensure the proper functioning of those devices in accordance with design specifications, including:

(i) (No change.)

(ii) the total amount of VOC recovered by carbon adsorption or other solvent recovery systems during a calendar month; [and]

(iii) **continuous monitoring of carbon adsorption bed exhaust to determine if breakthrough has occurred; and**

(iv)[(iii)] the dates and reasons for any maintenance and repair of the required control devices and the estimated quantity and duration of VOC emissions during such activities;

(B)-(C) (No change.)

(3) In accordance with the schedule referenced in 115.429(2)(C) of this title (relating to Counties and Compliance Schedules), records shall be maintained sufficient to document the applicability of the conditions for exemptions referenced in §115.427[(6)] of this title (relating to Exemptions).

§115.427. Exemptions. For the counties referenced in §115. 429 of this title (relating to Counties and Compliance Schedules), the following exemptions shall apply.

(1)-(5) (No change.)

[(6) Surface coating operations located at any facility in Dallas and Tarrant Counties which when uncontrolled will emit a combined weight of VOC of less than 100 pounds (45.4 kg) per day, except aircraft exterior prime coating controlled by §115.421(9)(A)(v) of this title (relating to Emission Specifications) and automobile refinishing controlled by §115.421(8)(B) and (C) of this title (relating to Emission Specifications) shall be exempt from the provisions of §115.421 of this title (relating to Emission Specifications).]

(6)[(7)] In accordance with the schedule referenced in §115. 429(2)(D)[(C)] of this title (relating to Counties and Compliance Schedules), the following exemptions shall apply to surface coating operations in Dallas, El Paso, Harris, and Tarrant Counties, except for aircraft prime coating controlled by §115.421(9)(A)[(H)](v) of this title (relating to Emission Specifications) and automobile **and truck** refinishing controlled by §115.421(8)(B) and (C) of this title (relating to Emission Specifications).

(A) Surface coating operations on a property which when uncontrolled will emit a combined weight of VOC of less than three pounds per hour and 15 pounds in any consecutive 24-hour period shall be exempt from the provisions of §115.421 of this title (relating to Emission Specifications) and §115.423 of this title (relating to Alternate Control Requirements).

(B) Surface coating operations on a property which when uncontrolled will emit a combined weight of VOC of less than 100 pounds in any consecutive 24-hour period shall be exempt from the provisions of §115.421 **and §115. 423** of this title (relating to Emission Specifications **and Alternate Control Requirements**) if documentation is provided **to and approved by both the executive director of the Texas Air Control Board and the Environmental Protection Agency,** to demonstrate that necessary coating performance criteria **and control equipment is not technically or economically feasible and** cannot be achieved with coatings which satisfy applicable emission specifications.

[(C) Surface coating operations on a property which when uncontrolled will emit a combined weight of VOC of less than 100 pounds in any consecutive 24-hour period shall be exempt from the provisions on §115.423 of this title (relating to Alternate Control Requirements).]

(7)[(8)] The following coatings are exempt from the application of this undesignated head concerning surface coating processes:

(A)-(D) (No change.)

§115.429. 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 surface coating processes in accordance with the following schedules:

(1) 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); and

(2) The following additional compliance schedules.

(A) All persons affected by changes from gallon of coating to gallon of solids and the addition of exempt solvents for calculating VOC content in §115.421 of this title (relating to Emissions Specifications) shall be in compliance with this section as soon as practicable but not later than July 31, 1992.

(B)[(A)] All affected persons in Dallas and Tarrant Counties shall be in compliance with §115.421(8)(C) and (D) [(B) and (C)] of this title (relating to Emission Specifications) as soon as practicable but no later than **July 31, 1992** [December 31, 1989].

[(B) All affected persons in Dallas and Tarrant Counties shall be in compliance with §115.421(11) of this title (relating to Emission Specifications) as soon as practicable but no later than December 31, 1989.]

(C) All affected persons **in Brazoria, Dallas, El Paso, Galveston,**

Harris, Jefferson, Orange, and Tarrant Counties shall be in compliance with **§115.422(2) of this title (relating to Control Requirements)** and §115.426(2)(A)(iii) of this title (relating to Recordkeeping Requirements) **as soon as practicable but no later than July 31, 1992.**[:]

[(i) in Dallas and Tarrant Counties as soon as practicable but no later than August 31, 1990; and

[(ii) in Brazoria, El Paso, Galveston, Harris, Jefferson, and Orange Counties as soon as practicable but no later than December 31, 1990.]

(D) All persons **in Dallas, El Paso, Harris, and Tarrant Counties** required to implement controls as a result of exceeding the exemption levels referenced in §115.427(6) of this title (relating to Exemptions) shall be in compliance with §115.421 of this title (relating to Emissions Specifications) **as soon as practicable but no later than July 31, 1992.**[:]

[(i) in Dallas and Tarrant Counties as soon as practicable but no later than August 31, 1990; and

[(ii) in El Paso and Harris Counties as soon as practicable but no later than December 31, 1990.

[(E) All affected persons in Tarrant County shall be in compliance with §115.421(8)(A) of this title (relating to Emission Specifications) as soon as practicable but no later than September 30, 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 February 4, 1991.

TRD-9101436 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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Graphic Arts (Printing By Rotogravure and Flexographic Processes

- **31 TAC §§115.432, 115.435-115.437, 115.439**

The Texas Air Control Board (TACB) proposes amendments to §§115.432, 115.435-115.437, and 115.439, concerning graphic arts (printing by rotogravure and flexographic processes). 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 §115.432, concerning control requirements, involves a provision stating that if exemption limits are exceeded after May 31, 1991, requirements of this section become applicable. Clarification is also added to indicate that capture system refers to each printing line. The proposed change to §115.435, concerning testing requirements, add a reference to federal performance test procedures. The proposed changes to §115.436, concerning recordkeeping requirements, add a requirement to monitor carbon adsorption systems for breakthrough. The proposed revision to §115.437, concerning exemptions, makes the 100 tons per year exemption to be based on maximum production capacity. The proposed revision 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 implication 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 is associated with the monitoring and recordkeeping requirements and is estimated as follows. The annual cost for 1991-1995: per volatile organic compound monitoring unit is -0- for 1991 and $15,000 per year for 1992-1995. Any costs continuing beyond 1995 would be continuing 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.

Les Montgomery, P.E., director of program development, 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 Chamber, 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 amendments are proposed under the 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.

§115.432. Control Requirements. For the counties referenced in §115.439 of this title (relating to Counties and Compliance Schedules): [,]

(1) no person shall operate or allow the operation of a packaging rotogravure, publication rotogravure, or flexographic printing **line** [facility] that uses solvent-containing ink unless volatile organic compound (VOC) emissions are limited by one of the following:

(A)[(1)] application to the substrate of low solvent ink with a volatile fraction containing 25% by volume or less of VOC solvent and 75% by volume or more of water and exempt solvent;

(B)[(2)] application to the substrate of high solids solvent-borne ink containing 60% by volume or more of non-volatile material (minus water and exempt solvent); or

(C)[(3)] operation of a carbon adsorption or incineration system to reduce the VOC emissions from an effective capture system by at least 90% by weight. The design and operation of the capture system **for each printing line** must be consistent with good engineering practice and shall be required to provide for an overall reduction in VOC emissions, as demonstrated to the satisfaction of the executive director, upon request, of at least the following weight percentages:

(i)[(A)] 75% for a publication rotogravure process;

(ii)[(B)] 65% for a packaging rotogravure process; or

(iii)[(C)] 60% for a flexographic printing process.

(D) Capture efficiency testing of the capture system must be conducted in accordance with §115.435 of this title (relating to Testing Requirements);

(2) any graphic arts facility exempted under the provisions of §115.437 of this title (relating to Exemptions) shall be subject to the provisions of paragraph (1)(A), (B), or (C) of this section if the exemption limits are exceeded after May 31, 1991.

§115.435. Testing Requirements. For the counties referenced in §115.439 of this title (relating to Counties and Compliance Schedules), compliance with §115.432 of this title (relating to Control Requirements) in Dallas and Tarrant Counties shall be