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Subchapter C. Volatile Organic Compound Marketing Operations Control of Reid Vapor Pressure of Gasoline

• 31 TAC §§115.242, 115.243, 115.245-115.247

(Editor's note: The text of the following sections proposed for repeal will not be published. The sections may be examined in the offices of the Texas Air Control Board or in the Texas Register office, Room 245, James Earl Rudder Building, 1019 Brazos Street, Austin.)

The Texas Air Control Board (TACB) proposes to repeal §§115.242, 115.243, and 115.245-115.247, concerning control of Reid vapor pressure of gasoline. The proposed repeal of §115.242, concerning control requirements; §115.243, concerning alternate control requirements; §115.245, concerning testing requirements; §115.246, concerning recordkeeping requirements; and §115.247, concerning exemptions, involve removal of existing requirements which have been superseded by more stringent federal requirements which become effective on May 1, 1992.

Bennie Engelke, deputy director of administrative services, has determined that for the first five-year period the repeals are in effect there would be no fiscal implications for state or local governments. There are also no fiscal implications for facilities affected by the proposed repeals.

Lane Hartsock, deputy director of air quality planning, has determined that for each year of the first five years the repeals are in effect the public benefit anticipated as a result of enforcing the repeals will be the removal of rules which are no longer applicable because of federal rulemaking. Since the rules are not enforceable, the repeal will eliminate the possibility for confusion and misunderstanding.

Public hearings on this proposal are scheduled for the following times and places: February 24, 1992, 7 p.m., John Gray Institute, 8550 Florida Avenue, Beaumont; February 25, 1992, 7 p.m., City of El Paso, Council Chambers, Second Floor, 2 Civic Center Plaza, El Paso; February 25, 1992, 11 a.m., City of Houston, Poliution Control, Building Auditorium, 7411 Park Place Boulevard, Houston; and February 26, 1992, 6 p.m. City of Arlington, Council Chambers, 101 West Abram Street, Arlington.

Written comments not presented at the hearings may be submitted to the TACB central office in Austin through February 28, 1992. Material received by the Regulation Development Division by 4 p.m. on that date will be considered by the Board prior to any final action on the proposed revisions. Copies of the proposed revisions are available at the central office of the TACB located at 12124 Park 35 Circle, Austin, Texas 78753, and at all TACB regional offices. For further information, contact Eddie Mack at (512) 908-1488.

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

§115.242. Control Requirements.

§115.243. Alternate Control Requirements.

§115.245. Testing Requirements.

§115.246. Recordkeeping Requirements.

§115.247. Exemptions.

§115.249. Counties and Compliance Schedules.

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 January 17, 1992.

TRD-9200945 Lane Hartsock
Deputy Director, Air Quality Planning
Texas Air Control Board

Proposed date of adoption: May 15, 1992

For further information, please call: (512) 908-1451

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Process Unit Turnaround and Vacuum Producing Systems in Petroleum Refineries

• 31 TAC §§115.311-115.313, 115.315-115.317, 115.319

The Texas Air Control Board (TACB) proposes amendments to §§115.311-115. 313, 115.315, 115.316, and 115.319, and new §115.317 concerning process unit turnaround and vacuum-producing systems in petroleum refineries. The proposed changes have been developed in response to a requirement by the United States Environmental Protection Agency (EPA) to extend the controls that currently exist in certain ozone nonattainment areas to other previously- designated nonattainment areas. This program is referred to as "leveling the playing field. " The proposed changes have also been developed in response to a requirement by EPA to extend controls that currently exist in certain ozone nonattainment areas to newly-designated, adjacent nonattainment counties. This program is referred to as the "perimeter county catch-ups." The revisions are also intended to remove potentially confusing cross-references and to otherwise improve clarity. Additionally, existing requirements for Gregg, Nueces, and Victoria Counties have been moved into a separate subsection in each section. However, no new requirements are intended for these three counties.

The proposed new §115.317, concerning exemptions, restores an exemption to Gregg, Nueces, and Victoria Counties which previously had been inadvertently deleted. The proposed changes to §115.311, concerning emission specifications; §115.312, concerning control requirements; §115.313, concerning alternate control requirements; §115.315, concerning testing requirements; and §115. 316, concerning recordkeeping requirements, expand by definition the applicability of the requirements and remove potentially confusing cross-references. The proposed changes to §115.319, concerning counties and compliance schedules, specify applicable perimeter counties, add a compliance date for the new requirements and the additional counties, and remove obsolete paragraphs.

Bennie Engelke, deputy director of administrative services, has determined that for the first five-year period the sections are in effect there would be no fiscal implications for state or local governments. Economic costs to persons and businesses required to implement the proposed measures are associated with fugitive monitoring and recordkeeping requirements and are estimated as follows: per facility control unit $50,000 for fiscal years 1993-1996; per volatile organic compound monitoring unit $15,000 for fiscal years 1993-1996; and per temperature monitoring unit $15,000 for fiscal years 1993-1996.

Any costs continuing beyond 1996 would be continuing operating, maintenance, and recordkeeping requirements. All estimates are stated in 1992 dollars with no adjustments for inflation and assume continuing costs equal to those incurred during 1992-1996.

Lane Hartsock, deputy director of air quality planning, has determined that for the first five-year period the sections are in effect the public benefit anticipated as a result of implementing the sections will be rules high are more uniformly applicable in all Texas ozone nonattainment areas and satisfaction of EPA requirements.

Public hearings on this proposal are scheduled for the following times and places: February 24, 1992, 7 p.m., John Gray Institute, 8550 Florida Avenue, Beaumont, February 25, 1992, 7 p.m., City of El Paso, Council Chambers, Second Floor, 2 Civic Center Plaza, El Paso, February 25, 1992, 11 a.m., City of Houston, Pollution Control Building Auditorium, 7411 Park Place Boulevard, Houston, February 26, 1992, 6 p m., City of Arlington, Council Chambers, 101 West Abram Street, Arlington.

Written comments not presented at the hearings may be submitted to the TACB central office in Austin through February 28, 1992. Material received by the Regulation Development Division by 4 p.m. on that date will be considered by the board prior to any final action on the proposed revisions. Copies of

the proposed revisions are available at the central office of TACB located at 12124 Park 35 Circle, Austin, Texas 78753, and at all TACB regional offices. For further information, contact Eddie Mack at (512) 908-1488.

The amendments are proposed 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 purposes of the TCAA.

§115.311. Emission Specifications.

(a) For all affected person in the **Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston Areas as defined in §115.10 of this title (relating to Definitions) [counties referenced in 115.319 of this title (relating to Counties and Compliance Schedules)], the following emission specifications on vacuum-producing systems shall apply.**

(1) No person may be allowed to emit any VOC from a steam director or mechanical vacuum pump in a petroleum refinery, unless the vent stream is burned properly in accordance with §115.312(a)(2) of this title (relating to Control Requirements).

(2) No person may be allowed to emit any VOC from a hotwell with a contact condenser, unless the hotwell is covered and the vapors from the hotwell are burned properly in accordance with §115.312(a) (2) of this title.

§115.312. Control Requirements.

(a) For all affected persons in the **Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston** areas [counties referenced in §115.319 of this title (relating to Counties and Compliance Schedules)], the following control requirements shall apply.

(1) (No change.)

(2) Vent gas streams affected by §115.311(a) of this title (relating to Emission Specifications) must be burned properly at a temperature equal to or greater than 1,300 Degrees Fahrenheit (704 Degrees Celsius) in a smokeless flare or a direct-flame incinerator with a destruction efficiency of at least 90%.

(b) For all affected persons in Gregg, Nueces, and Victoria Counties, the following control requirements shall apply.

(1) Volatile organic compound (VOC) emissions from petroleum refineries shall be controlled during process unit shutdown or turnaround with the following procedure:

(A) recover and store all pumpable or drainable liquid; and

(B) reduce vessel gas pressure to five psia (34.5 kPa gauge) or less by recovery or combustion before venting to the atmosphere.

(2) Vent gas streams affected by §115.311(b) of this title must be burned properly at a temperature equal to or greater than 1,300 Degrees Fahrenheit (704 Degrees Celsius) in a smokeless flare or a direct-flame incinerator with a destruction efficiency of at least 90%.

§115.313. Alternate Control Requirements.

(a) For all affected persons in the **Beaumont/Port Arthur, Dallas/Fort Worth El Paso, and Houston/Galveston areas** [counties referenced in §115.319 of this title (relating to Counties and Compliance Schedules)], alternate methods of demonstrating and documenting continuous compliance with the applicable control requirements 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 demon- strated to be substantially equivalent.

(b) For all affected persons in Gregg, Nueces,, and Victoria Counties, alternate methods of demonstrating and documenting continuous compliance with the applicable control requirements in this section may be approved by the executive director in accordance with §115.910 of this title if emission reductions are demonstrated to be substantially equivalent.

§115.315. Testing Requirements.

(a) For all affected persons in the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas [counties referenced in §115.319 of this title (relating to Counties and Compliance Schedules)], compliance with §115. 311(a) of this title (relating to Emission Specifications) and §115. 312(a) of this title (relating to Control Requirements) shall be determined by applying the following test methods, as appropriate:

(1)-(7) (No change.)

(b) For all affected persons in Gregg, Nueces, and Victoria Counties, compliance with §115.311(b) of this title and §115. 312(b) of this title shall be determined by applying the following test methods, as appropriate:

(1) Test Method 22 (40 Code of Federal Regulations 60, Appendix A) for visual determination of fugitive emissions from material sources and smoke emissions from flares;

(2) additional control device requirements for flares described in 40 Code of Federal Regulations 60.18(f);

(3) Test Methods 1-4 (40 Code of Federal Regulations 60, Appendix A) for determining flow rate, as necessary;

(4) Test Method 18 (40 Code of Federal Regulations 60, Appendix A) for determining gaseous organic compound emissions by gas chromatography;

(5) Test Method 25 (40 Code of Federal Regulations 60, Appendix A) for determining total gaseous nonmethane organic emissions as carbon;

(6) Test Methods 25A or 25B (40 Code of Federal Regulations 60, Appendix A) for determining total gaseous organic concentrations using flame ionization or nondispersive infrared analysis; or

(7) minor modifications to these test methods approved by the executive director.

§115.316. Recordkeeping Requirements. For all affected persons in the **Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas** [counties referenced in §115.319 of this title (relating to Counties and Compliance Schedules)], the following recordkeeping requirements shall apply.

(1) Any person who operates a vacuum-producing system affected by §115.311(a) of this title (relating to Emission Specifications) shall keep the following records:

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

(2) Any person who conducts a process unit turnaround affected by §115.312(a) of this title (relating to Control Requirements) shall keep the following records:

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

(3) The results of any testing conducted in accordance with the provisions specified in §115.315(a) of this title (relating to Testing Requirements) shall be maintained at the affected facility.

(4) (No change.)

§115.317. Exemptions. For all affected persons in Gregg, Nueces, and Victoria Counties, any vacuum-producing system emitting a combined weight of volatile organic compounds equal to or less than 100 pounds (45.4 kg) in any consecutive 24-hour period is exempt from the requirements of §115. 311(b) of this title (relating

to Emission Specifications).

§115.319. Counties and Compliance Schedules All affected persons in the **Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston Areas** [Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties] shall be in compliance with this undesignated head (relating to Process Unit Turnaround and Vacuum-Producing Systems in Petroleum Refineries) in accordance with the following schedules.[:]

(1) All affected persons in Chambers, Collin, Denton, Fort Bend, Hardin, Liberty, Montgomery, and Waller Counties shall be in compliance with §115.311(a) of this title (relating to Emission Specifications), §115.312(a) of this title (relating to Control Requirements), §115.313(a) of this title (relating to Alternate Control Requirements), §115.315(a) of this title (relating to Testing Requirements), and 115.316 of this title (relating to Recordkeeping Requirements) as soon as practicable but no later than July 31, 1993.

[(1) all compliance schedules which have expired prior to January 1, 1991, in accordance with §115. 930 of this title (relating to Compliance Dates); and]

(2) All persons in Dallas, Jefferson, Orange and Tarrant Counties affected by the provisions of §115.316 of this title (relating to Recordkeepinq Requirements) shall be in compliance with this section as soon as practicable but no later than July 31, 1993.

[(2) all persons in Brazoria, El Paso, Galveston, or Harris Counties affected by the provisions of §115.316(1)(B) and (C) of this title (relating to Recordkeeping Requirements) shall be in compliance with this section as soon as practicable, but no later than December 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 January 17, 1992.

TRD-9200946 Lane Hartsock
Deputy Director, Air Quality Planning
Texas Air Control Board

Proposed date of adoption: May 15, 1992

For further information, please call: (512) 908-1451

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Subchapter D. Petroleum Refining and Petrochemical Processes

Fugitive Emission Control in Petroleum Refineries

• 31 TAC §§115.322-115.327, 115.329

The Texas Air Control Board (TACB) proposes amendments to §§115.322-115. 327, and 115.329, concerning fugitive emission control in petroleum refineries. The proposed changes have been developed in response to a requirement by the United States Environmental Protection Agency (EPA) to extend controls that currently exist in certain ozone nonattainment areas to newly-designated adjacent nonattainment counties. This program is referred to as the "perimeter county catch-ups." The revisions are also intended to remove potentially confusing cross-references and to otherwise improve clarity. Additionally, existing requirements for Gregg, Nueces, and Victoria Counties have been moved into a separate subsection in each section. However, no new requirements are intended for these three counties.

The proposed changes to §115 322, concerning control requirements; §115. 323, concerning alternate control requirements, §115.324, concerning inspection requirements, §115.325, concerning testing requirements; §115 326, concerning recordkeeping requirements; and §115.327, concerning exemptions, expand by definition the applicability of the requirements and remove potentially confusing cross-references. Proposed changes to §115.327 also restore an exemption for two-inch or smaller valves in Gregg, Nueces, and Victoria Counties which previously had been inadvertently deleted. The proposed changes to §115.329, concerning counties and compliance schedules, specify applicable perimeter counties, add a compliance date for the additional counties, and remove obsolete paragraphs.

Bennie Engelke, deputy director of administrative services, has determined that for the first five-year period the sections are in effect there would be no fiscal implications for state and local governments. Economic costs to persons and businesses required to implement the proposed measures are associated with fugitive monitoring and recordkeeping requirements and are estimated as follows: per affected component per required monitoring incident $1.00 for fiscal years 1993-1996.

Any costs continuing beyond 1996 would be continuing monitoring and recordkeeping costs. All estimates are stated in 1992 dollars with no adjustments for inflation.

Lane Hartsock, deputy director of air quality planning, has determined that for each year of the first five years the sections are in effect the public benefit anticipated as a result of implementing the sections will be rules which are more uniformly applicable in all Texas ozone nonattainment areas and satisfaction of EPA requirements.

Public hearings on this proposal are scheduled for the following times and places: February 24, 1992, 7 p.m., John Gray Institute, 8550 Florida Avenue, Beaumont; February 25, 1992, 7 p.m., City of El Paso, Council Chambers, Second Floor 2, Civic Center Plaza, El Paso; February 25, 1992, 11 a m., City of Houston, Pollution Control, Building Auditorium, 7411 Park Place Boulevard, Houston, February 26, 1992, 6 p.m., City of Arlington, Council Chambers, 101 West Abram Street, Arlington.

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The amendments are proposed 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 purposes of the TCAA

§115.322. Control Requirements.

(a) For the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas as defined in §115.10 of this title (relating to Definitions) [counties referenced in §115.329 of this title (relating to Counties and Compliance Schedules)], no person shall operate a petroleum refinery, as defined in §115.10 of this title, without complying with the following requirements.

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

(b) For Gregg, Nueces, and Victoria Counties, no person shall operate a petroleum refinery without complying with the following requirements.

(1) No component shall be allowed to have a volatile organic compound (VOC) leak as defined in §115.10 of this title.

(2) All technically feasible repairs to a leaking component, as specified in paragraph (1) of this subsection, shall be made within 15 days after the leak is found. If the repair of a component would require a unit shutdown which would create more emissions than the repair would eliminate, the repair may be delayed until the next scheduled shutdown.

(3) All leaking components, as defined in paragraph (1) of this subsection, which cannot be repaired until the unit is shut down for turnaround shall be identified for such repair by tagging. The executive director at his discretion may require early unit turnaround or other appropriate action based on the number