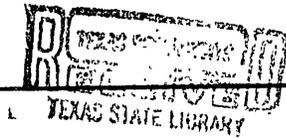


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to Emission Specifications).

§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 Recordkeeping 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



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: Feb-

ruary 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

§115.322. 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

and severity of tagged leaks awaiting turnaround.

(4) Except for safety pressure relief valves, no valves shall be installed or operated at the end of a pipe or line containing VOC, unless the pipe or line is sealed with a second valve, a blind flange, a plug, or a cap. The sealing device may be removed only while a sample is being taken or during maintenance operations, and when closing the line. The upstream valve shall be closed first.

(5) Pipeline valves and pressure relief valves in gaseous VOC service shall be marked in some manner that will be readily obvious to monitoring personnel.

§115.323. 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 §115.329 of this title (relating to Counties and Compliance Schedules)], the following alternate control techniques may apply.

(1) (No change.)

(2) The executive director of the Texas Air Control Board (TACB) may approve an alternate monitoring method if the refinery operator can demonstrate that the alternate monitoring method satisfies the conditions of §115.324(a)(8) of this title (relating to Inspection Requirements). Any request for an alternate monitoring method must be made in writing to the executive director.

(b) For all affected persons in Gregg, Nueces, and Victoria Counties, the following alternate control techniques may apply.

(1) Any alternate methods of demonstrating and documenting continuous compliance with the applicable control requirements or exemption criteria 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.

(2) The executive director of TACB may approve an alternate monitoring method if the refinery operator can demonstrate that the alternate monitoring method satisfies the conditions of §115.324(b)(8). Any request for an alternate monitoring method must be made in writing to the executive director.

§115.324. Inspection Requirements.

(a) For the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas [counties refer-

enced in §115.329 of this title (relating to Counties and Compliance Schedules)], the owner or operator of a petroleum refinery shall conduct a monitoring program consistent with the following provisions:

(1) -(3) (No change.)

(4) measure (with a hydrocarbon gas analyzer) the emissions from any component, except those exempted by §115.327(a)(1)-(2) [(2)-(3)] of this title (relating to Exemptions), whenever a potential leak is detected by sight, sound, or smell;

(5)-(8) (No change.)

(b) For Gregg, Nueces, and Victoria Counties, the owner or operator of a petroleum refinery shall conduct a monitoring program consistent with the following provisions:

(1) measure yearly (with a hydrocarbon gas analyzer) the emissions from all:

(A) pump seals;

(B) pipeline valves in liquid service;

(C) process drains; and

(D) all valves elevated more than two meters above any permanent structure;

(2) measure quarterly (with a hydrocarbon gas analyzer) the emissions from all:

(A) compressor seals;

(B) pipeline valves in gaseous service; and

(C) pressure relief valves in gaseous service;

(3) visually inspect, weekly, all pump seals;

(4) measure (with a hydrocarbon gas analyzer) the emissions from any component, except those exempted by §115.327(b)(2)-(3) of this title, whenever a potential leak is detected by sight, sound or smell;

(5) measure (with a hydrocarbon gas analyzer) emissions from any relief valve which has vented to the atmosphere within 24 hours;

(6) measure (with a hydrocarbon gas analyzer) immediately after repair, the emissions from any component that was found leaking;

(7) upon the detection of a

leaking component, shall affix to the leaking component a weatherproof and readily visible tag, bearing an identification number and the date the leak was located. This tag shall remain in place until the leaking component is repaired;

(8) The monitoring schedule of paragraphs (1)-(3) of this subsection may be modified as follows.

(A) After completion of the required annual and quarterly inspections for a period of at least two years, the operator of a refinery may request in writing to the Texas Air Control Board that the monitoring schedule be revised based on the percent of valves leaking. The percent of valves leaking shall be determined by dividing the sum of valves leaking during current monitoring and valves for which repair has been delayed by the total number of valves subject to the requirements. This request shall include all data that have been developed to justify the following modifications in the monitoring schedule.

(i) After two consecutive quarterly leak detection periods with the percent of valves leaking equal to or less than 2.0%, an owner or operator may begin to skip one of the quarterly leak detection periods for the valves in gas/vapor and light liquid service.

(ii) After five consecutive quarterly leak detection periods with the percent of valves leaking equal to or less than 2.0%, an owner or operator may begin to skip three of the quarterly leak detection periods for the valves in gas/vapor and light liquid service.

(B) If the executive director of TACB determines that there is an excessive number of leaks in any given process area, he may require an increase in the frequency of monitoring for that process area of the refinery.

§115.325. Testing Requirements.

(a) For all affected persons in the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas [counties referenced in §115.329 of this title (relating to Counties and Compliance Schedules)], compliance with this undesignated head (relating to Fugitive Emission Control in Petroleum Refineries) shall be determined by applying the following test methods, as appropriate:

(1)-(3) (No change.)

(b) For all affected persons in Gregg, Nueces, and Victoria Counties, compliance with this undesignated head shall be determined by applying the fol-

lowing test methods, as appropriate:

(1) Test Method 21 (40 Code of Federal Regulations 60, Appendix A) for determining volatile organic compound leaks. The leak detection equipment can be calibrated with methane, propane, or hexane, but the meter read-out must be as parts per million by volume (ppmv) hexane;

(2) determination of true vapor pressure using ASTM Test Method D323-82 for the measurement of Reid vapor pressure, adjusted for 68 Degrees Fahrenheit (20 Degrees Celsius) in accordance with API Publication 2517, Third Edition, 1989; or

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

§115.326. Recordkeeping Requirements.

(a) For the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas [counties referenced in §115.329 of this title (relating to Counties and Compliance Schedules)], the owner or operator of a petroleum refinery shall have the following recordkeeping requirements:

(1) (No change.)

(2) maintain a leaking-components monitoring log for all leaks of more than 10,000 ppmv of volatile organic compound (VOC) detected by the monitoring program required by §115.324(a) of this title (relating to Inspection Requirements). This log shall contain, at a minimum, the following data:

(A)-(I) (No change.)

(3)-(4) (No change.)

(b) For Gregg, Nueces, and Victoria Counties, the owner or operator of a petroleum refinery shall have the following recordkeeping requirements:

(1) submit to the executive director a monitoring program plan. This plan shall contain, at a minimum, a list of the refinery units and the quarter in which they will be monitored a copy of the log book format, and the make and model of the monitoring equipment to be used;

(2) maintain a leaking-components monitoring log for all leaks of more than 10,000 ppmv of VOC detected by the monitoring program required by §115.324(b) of this title. This log shall contain, at a minimum, the following data:

(A) the name of the process

unit where the component is located;

(B) the type of component (e.g., valve or seal);

(C) the tag number of the component;

(D) the date on which a leaking component is discovered;

(E) the date on which a leaking component is repaired;

(F) the date and instrument reading of the recheck procedure after a leaking component is repaired;

(G) a record of the calibration of the monitoring instrument;

(H) those leaks that cannot be repaired until turnaround; and

(I) the total number of components checked and the total number of components found leaking;

(3) retain copies of the monitoring log for a minimum of two years after the date on which the record was made or the report prepared;

(4) maintain all monitoring records for at least two years and make them available for review upon request by authorized representatives of the Texas Air Control Board United States Environmental Protection Agency, or local air pollution control agencies.

§115.327. Exemptions.

(a) For all affected persons in the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso and Houston/Galveston areas [counties referenced in §115.329 of this title (relating to Counties and Compliance Schedules)], the following exemptions shall apply.

(1) (No change.)

(2) Components which contact a process liquid containing volatile organic compounds (VOC) having a true vapor pressure equal to or less than 0.044 psia (0.3 kPa) at 68 Degrees Fahrenheit (20 Degrees Celsius) are exempt from the requirements of §115.324(a) of this title (relating to Inspection Requirements) if the components are inspected visually according to the inspection schedules specified within this same section.

(3) (No change.)

(4) Pressure relief devices con-

nected to an operating flare header, components in continuous vacuum service, storage tank valves, and valves that are not externally regulated (such as in-line check valves) are exempt from the monitoring requirement of §115.324(a) of this title.

(5) Compressors in hydrogen service are exempt from the requirements of §115.324(a) of this title if the owner or operator demonstrates that the percent hydrogen content can be reasonably expected to always exceed 50.0% by volume.

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

(1) Valves with a nominal size of two inches (5 cm) or less are exempt from the requirements of this undesignated head (relating to Fugitive Emission Control in Petroleum Refineries) provided allowable emissions at any refinery from sources affected by these sections after controls are applied with exemptions will not exceed by more than 5.0% such allowable emissions with no exemptions. Any person claiming an exemption for valves two inches (5 cm) nominal size or smaller under this subsection shall, at the time he provides his control plan, also provide the following information:

(A) identification of valves or classes of valves to be exempted;

(B) an estimate of uncontrolled emissions from exempted valves, and an estimate of emissions if controls were applied plus an explanation of how the estimates were derived; and

(C) an estimate of the total VOC emissions within the refinery from sources affected by §115.322(b) of this title (relating to Control Requirements), §115.324(b) of this title, and §115.326(b) of this title (relating to Recordkeeping Requirements) after controls are applied and assuming no exemptions for small valves, plus an explanation of how the estimate was derived.

(2) Components which contact a process fluid that contains less than 10% VOC by weight are exempt from the requirements of this undesignated head.

(3) Components which contact a process liquid containing VOC having a true vapor pressure equal to or less than 0.147 psia (1.013 kPa) at 68 Degrees Fahrenheit (20 Degrees Celsius) are exempt from the requirements of §115.324(b) of this title if the components are inspected visually according to the

inspection schedules specified within this same section.

(4) Petroleum refineries or individual process units in a temporary nonoperating status shall submit a plan for compliance with the provisions of this undesignated head, as soon as practicable, but no later than one month before the process unit is scheduled for start-up and be in compliance as soon as practicable, but no later than three months after start-up. All petroleum refineries affected by this subsection shall notify the Texas Air Control Board of any nonoperating refineries or individual process units when they are shut down and dates of any start-ups as they occur.

(5) Pressure relief devices connected to an operating flare header components in continuous vacuum service, storage tank valves, and valves that are not externally regulated (such as in-line check valves) are exempt from the monitoring requirement of §115.324(b) of this title.

(6) Compressors in hydrogen service are exempt from the requirements of §115.324(b) of this title if the owner or operator demonstrates that the percent hydrogen content can be reasonably expected to always exceed 50.0% by volume.

§115.329. Counties and Compliance Schedules. All affected persons in Chambers, Collin, Denton, Fort Bend, Hardin, Liberty, Montgomery, and Waller Counties shall be in compliance with §115.322(a) of this title (relating to Control Requirements), §115.323(a) of this title (relating to Alternate Control Requirements), §115.324(a) of this title (relating to Inspection Requirements), §115.325(a) of this title (relating to Testing Requirements), §115.326(a) of this title (relating to Recordkeeping Requirements), and §115.327(a) of this title (relating to Exemptions), as soon as practicable, but no later than July 31, 1993. [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 Fugitive Emission Control in Petroleum Refineries) 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, and Tarrant Counties affected by the provisions of §115.324(2)(B)-(C) of this title (relating to Inspection Require-

ments) and §115.327(2) of this title (relating to Exemptions) shall be in compliance with these sections as soon as practicable, but no later than July 31, 1992.]

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-9200947 Lane Hartssock
Deputy Director, Air Quality
Planning
Texas Air Control Board

Proposed date of adoption: May 15, 1992

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

◆ ◆ ◆
**Fugitive Emission Control in
Synthetic Organic Chemical,
Polymer, Resin, Methyl
Tert-Butyl Manufacturing
Processes**

• **31 TAC §§115.332-115.337,
115.339**

The Texas Air Control Board (TACB) proposes amendments to §§115.332-115.337, and 115.339, concerning fugitive emission control in synthetic organic chemical, polymer, resin, and methyl tert-butyl ether manufacturing processes. 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.

The proposed changes to §115.332, concerning control requirements; §115.333, concerning alternate control requirements; §115.334, concerning inspection requirements; §115.335, concerning testing requirements; §115.336, concerning recordkeeping requirements; and §115.337, concerning exemptions, expand by definition the applicability of the requirements and remove potentially confusing cross-references. The proposed changes to §115.334, concerning inspection requirements, also add methyl tert-butyl ether (MTBE) manufacturing facilities to the list of facilities which may request a revised monitoring schedule. The proposed changes to §115.337, concerning exemptions, also move to a more appropriate location within this section the exemption for components which contact a process liquid containing volatile organic compounds having a true vapor pressure equal to or less than 0.044 psia at 68 Degrees Fahrenheit. The proposed changes to §115.339, concerning counties and compliance schedules, specify applicable perimeter counties and previously-designated nonattainment counties, add a compliance date for the additional counties, and remove an obsolete paragraph.

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 affected component per required monitoring incident \$1.00 for fiscal years 1993-1996.

Lane Hartssock, 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.

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.

§115.332. Control Requirements. 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 §115.339 of this title (relating to Counties and Compliance Schedules)], no person shall operate a synthetic organic chemical, polymer, resin, or methyl tert-butyl ether (MTBE) manufacturing process, natural gas/gasoline processing operation, as defined in §115.10 of this title without complying with the following control requirements.

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

§115.333. Alternate Control Requirement. For all affected persons in the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston

areas [counties referenced in §115.343 of this title (relating to Counties and Compliance Schedules)], the following alternate control requirements shall [may] apply:

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

§115.334. Inspection Requirements. For all affected persons in the **Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas** [counties referenced in §115.349 of this title (relating to Counties and Compliance Schedules)], the following inspection requirements shall apply.

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

(3) The monitoring schedule of paragraph (1)(A)-(C) of this section may be modified as follows.

(A) After completion of the required annual and quarterly inspections for a period of at least two years, the operator of a synthetic organic chemical, polymer, [or] resin, or MTBE manufacturing facility may request in writing to the Texas Air Control Board that the monitoring schedule be revised based on the percent of valves leaking. The percent of valves leaking shall be determined by dividing the sum of valves leaking during current monitoring and valves for which repair has been delayed by the total number of valves subject to the requirements. This request shall include all data that have been developed to justify the following modifications in the monitoring schedule.

(i)-(ii) (No change.)

(B) (No change.)

§115.335. Testing Requirements. For the **Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas** [counties referenced in §115.339 of this title (relating to Counties and Compliance Schedules)], compliance with this undesignated head (relating to Fugitive Emission Control in Synthetic Organic Chemical, Polymer, Resin, and Methyl Tert-Butyl Ether Manufacturing Processes) shall be determined by applying the following test methods, as appropriate:

(1)-(3) (No change.)

§115.336. Recordkeeping Requirement. For the **Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas** [counties referenced in §115.339 of this title (relating to Counties and Compliance Schedules)], the owner or operator of a synthetic organic chemical, polymer, resin, or methyl tert-butyl ether manufacturing process shall have the following recordkeeping requirements.

(1)-(4) (No change.)

§115.337. Exemptions. For the **Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas** [counties referenced in §115.339 of this title (relating to Counties and Compliance Schedules)], the following exemptions shall apply.

(1) (No change.)

(2) Components which contact a process liquid containing volatile organic compounds (VOC) having a true vapor pressure equal to or less than 0.044 psia (0.3 kPa) at 68 Degrees Fahrenheit (20 Degrees Celsius) are exempt from the requirements of §115.334 of this title (relating to Inspection Requirements) if the components are inspected visually according to the inspection schedules specified within this same section.]

(2)[(3)] Synthetic organic chemical, polymer, resin [resins], and methyl tert-butyl ether (MTBE) manufacturing process units in a temporary nonoperating status shall submit a plan for compliance with the provisions of this undesignated head (relating to Fugitive Emission Control in Synthetic Organic Chemical, Polymer, Resin, and Methyl Tert-Butyl Ether Manufacturing Processes) within one month prior to start-up and be in compliance as soon as practicable, but no later than three months after start-up. All synthetic organic chemical, polymer, resin, and MTBE manufacturing processes affected by this section shall notify the Texas Air Control Board of any nonoperating process units when they are shut down and dates of any start-ups as they occur.

(3)[(4)] Processes at the same location, but unrelated to the production of synthetic organic chemicals, polymers, resins, and MTBE are exempt from the requirements of this undesignated head.

(4)[(5)] The following items are exempt from the monitoring requirements of §115.334 of this title (relating to Inspection Requirements):

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

(E) components which contact a process liquid containing VOC having a true vapor pressure equal to or less than 0.044 psia (0.3 kPa) at 68 Degrees Fahrenheit (20 Degrees Celsius), if the components are inspected visually according to the inspection schedules specified within §115.334 of this title.

§115.339. Counties and Compliance Schedules. All affected persons in **Brazoria, Chambers, Collin, Dallas, Denton, El**

Paso, Fort Bend, Galveston, Hardin, Jefferson, Liberty, Montgomery, Orange, Tarrant, and Waller Counties shall be in compliance with this undesignated head (relating to Fugitive Emission Control in Natural Gas/Gasoline Processing Operations) as soon as practicable, but no later than **July 31, 1993**. [All affected persons in Harris County shall be in compliance with this undesignated head (relating to Fugitive Emission Control in Natural Gas/Gasoline Processing Operations) in accordance with all compliance schedules which have expired prior to January 1, 1991, in accordance with §115.930 of this title (relating to Compliance Dates), except that all persons affected by the addition of methyl tert-butyl ether manufacturing processes to §115.332 of this title (relating to Control Requirements), §115.334(1) and (2) of this title (relating to Inspection Requirements), §115.335 of this title (relating to Testing Requirements), §115.336 of this title (relating to Recordkeeping Requirements), §115.337 of this title (relating to Exemptions) shall be in compliance with these sections as soon as practicable, but no later than July 31, 1992.]

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-9200948 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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Fugitive Emission Control in
Natural Gas/Gasoline Operations

• 31 TAC §§115.342-115.347,
115.349

The Texas Air Control Board (TACB) proposes amendments to §§115.342- 115. 347, and 115.349, concerning fugitive emission control in natural gas/gasoline processing operations. The proposed changes have been developed in response to a requirement by the United States Environmental Protection Agency (EPA) to extend ozone 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.

The proposed changes to §115.342, concerning control requirements; §115. 343, concerning alternate control requirements; §115 344, concerning Inspection Requirements; §115 345, concerning testing requirements;

§115.346, concerning recordkeeping requirements; and §115.347, concerning exemptions, expand by definition the applicability of the requirements and remove potentially confusing cross-references. The proposed changes to §115.349, concerning counties and compliance schedules, specify applicable perimeter counties and previously-designated non-attainment counties, add a compliance date for the additional counties, and remove an obsolete paragraph.

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 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.

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.

§115.342. Control Requirements. 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 §115.349 of this title (relating to Counties and Compliance Schedules)], no

person shall operate a natural gas/gasoline processing operation, as defined in §115.10 of this title without complying with the following control requirements.

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

§115.343. Alternate Control Requirements. For all affected persons in the **Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas** [counties referenced in §115.349 of this title (relating to Counties and Compliance Schedules)], the following alternate control requirements shall [may] apply:

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

§115.344. Inspection Requirements. For all affected persons in the **Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas** [counties referenced in §115.349 of this title (relating to Counties and Compliance Schedules)], the following inspection requirements shall apply.

(1)-(3) (No change.)

§115.345. Testing Requirements. For the **Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas** [counties referenced in §115.349 of this title (relating to Counties and Compliance Schedules)], compliance with this undesignated head shall be determined by applying the following test methods, as appropriate:

(1)-(3) (No change.)

§115.346. Recordkeeping Requirements. For the **Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas** [counties referenced in §115.349 of this title (relating to Counties and Compliance Schedules)], the owner or operator of a natural gas/gasoline processing operation shall have the following recordkeeping requirements.

(1)-(4) (No change.)

§115.347. Exemptions. For the **Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas** [counties referenced in §115.349 of this title (relating to Counties and Compliance Schedules)], the following exemptions shall apply.

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

(3) Natural gas/gasoline processing units in a temporary nonoperating status and which satisfy the conditions of paragraphs [subsections] (1)-(2) of this section are exempt from the requirements of this undesignated head (relating to Fugitive Emission Control in Natural Gas/Gasoline

Processing Operations). All natural gas/gasoline processing operations affected by this section [subsection] shall notify the Texas Air Control Board of any nonoperating process units when they are shut down and dates of any start-ups as they occur.

(4)-(6) (No change.)

§115.349. Counties and Compliance Schedules. All affected persons in **Brazoria, Chambers, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Hardin, Jefferson, Liberty, Montgomery, Orange, Tarrant, and Waller Counties** shall be in compliance with this undesignated head (relating to Fugitive Emission Control in Natural Gas/Gasoline Processing Operations) as soon as practicable, but no later than July 31, 1993. [All affected persons in Harris County shall be in compliance with this undesignated head (relating to Fugitive Emission Control in Natural Gas/Gasoline Processing Operations) in accordance with all compliance schedules which have expired prior to January 1, 1991, in accordance with §115.930 of this title (relating to Compliance Dates), except that all persons affected by §115.347(2) of this title (relating to Exemptions) and the deletion of exemptions for two-inch valves, shall be in compliance with these sections as soon as practicable, but no later than July 31, 1992.]

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-9200949 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 E. Solvent-Using
Processes
Degreasing Processes

• 31 §§115.412, 115.413,
115.415-115.417, 115.419

The Texas Air Control Board (TACB) proposes amendments to §§115.412, 115.413, 115.415-115.417, and 115.419, concerning degreasing processes. 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