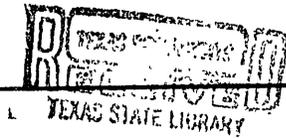


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affected persons in Brazoria, Dallas, El Paso, Galveston, Gregg, Harris, Jefferson, Nueces, Orange, Tarrant, and Victoria Counties shall be in compliance with this undesignated head (relating to Perchloroethylene Dry Cleaning Systems) in accordance with the following schedules:

(1) all compliance schedules which have expired prior to February 1, 1990, in accordance with §115.930 of this title (relating to Compliance Dates);

(2) all persons in Brazoria, Dallas, El Paso, Galveston, Harris, Jefferson, Orange, and Tarrant Counties affected by the provisions of §115.526 of this title (relating to Recordkeeping Requirements) shall be in compliance as soon as practicable but no later than August 31, 1990; and

(3) all persons required to implement controls as a result of the removal of the exemptions previously granted for inadequate space or insufficient steam capacity 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 January 17, 1992.

TRD-9200954

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

## ◆ ◆ ◆ Pharmaceutical Manufacturing Facilities

### • 31 TAC §§115.531-115.537, 115.539

The Texas Air Control Board (TACB) proposes amendments to §§115.531-115.537, and 115.539, concerning pharmaceutical manufacturing facilities. The proposed changes have been developed in response to a requirement by the U.S. 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 also have 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 changes to §115.531, concerning omission specifications, §115.532, concerning control requirements; §115.533, concerning alternate control requirements, §115.534, concerning inspection requirements; §115.535, concerning testing requirements, and §115.536, concerning Recordkeeping Requirements, expand by definition the applicability of current requirements to include the additional counties and remove potentially confusing cross-references. The proposed changes to §115.537, concerning exemptions, lower the 550 pounds per day exemption in Brazoria, Galveston, Jefferson, and Orange Counties to 15 pounds per day and remove potentially confusing cross-references. The proposed changes to §115.539, 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 will be no fiscal implications for state or local government or for small businesses. The anticipated economic cost to persons and businesses required to implement the proposed measures are associated with the expanded abatement, monitoring, and recordkeeping requirements and are estimated as follows: per facility control unit; \$0 for fiscal year (fy) 1992 and \$50,000 for fys 1993-1996; per volatile organic compound monitoring unit: \$0 for fy 1992 and \$15,000 for fys 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 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 enforcing 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 Auditori-

um, 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 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 amendments 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 TCAA.

### §115.531. Emission Specifications.

(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 §115.539 of this title (relating to Counties and Compliance Schedules)], the owner or operator of a synthesized pharmaceutical manufacturing facility shall satisfy the following emission specifications.

(1) (No change.)

(2) Air dryers and exhaust systems. VOC emissions from all air dryers and production equipment exhaust systems shall be reduced to not more than [at least] 33 lb/day (15 kg/day) or controlled in accordance with §115.532(a)(4) of this title (relating to Control Requirements).

(3) Loading facilities. VOC emissions from truck or railcar deliveries to storage tanks at loading facilities shall be controlled in accordance with §115.532(a)(4) of this title (relating to Control Requirements).

(b) For Gregg, Nueces, and Victoria Counties, the owner or operator of a synthesized pharmaceutical manufacturing facility shall satisfy the following emission specifications.

(1) Reactors, distillation units, crystallizers, centrifuges, and vacuum dryers. The emission of VOC from these sources shall be controlled by means of surface condensers from which the condenser outlet gas temperature must not exceed the following.

When VOC Vapor Pressure

At 68°F (20°C) Exceeds

5.8 psia (40 kPa)

2.9 psia (20 kPa)

1.5 psia (10 kPa)

1.0 psia ( 7 kPa)

0.5 psia (3.5 kPa)

Outlet gas

Maximum Temperature

-13°F (-25°C)

5°F (-15°C)

32°F ( 0°C)

50°F ( 10°C)

77°F ( 25°C)

(2) Air dryers and exhaust systems. VOC emissions from all air dryers and production equipment exhaust systems shall be reduced to not more than 33 lb/day (15 kg/day) or controlled in accordance with 115.532(b)(4) of this title (relating to Control Requirements).

(3) Loading facilities. VOC emissions from truck or railcar deliveries to storage tanks at loading facilities shall be controlled in accordance with 115.532(b)(4).

*§115.532. Control Requirements.*

(a) For the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas [counties referenced in §115.539 of this title (relating to Counties and Compliance Schedules), the owner or operator of a synthesized pharmaceutical manufacturing facility shall provide the following specified controls.

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

(4) Air dryers, production equipment exhaust systems, and loading facilities. Sources affected by §115.531(a) of this title (relating to Emission Specifications) shall be controlled by a system with a reduction efficiency of at least 90% of the uncontrolled emissions.

(5) Pharmaceutical manufacturing facility. Any pharmaceutical manufacturing facility that becomes subject to the provisions of paragraphs (1)-(4) of this subsection by exceeding provisions of §115.537(a) of this title (relating to Exemptions) will remain subject to the provisions of this subsection, even if throughput or emissions later fall below exemption limits.

(b) For Gregg, Nueces, and Victoria Counties, the owner or operator of a synthesized pharmaceutical manufacturing facility shall provide the following specified controls.

(1) Tanks.

(A) All in-process tanks that contain VOC at any time shall be kept covered, except when production, sampling, maintenance, or inspection procedures require operator access.

(B) All storage tanks that store VOC shall have pressure vacuum conservation vents installed which are set at ±0.8 inches of water (±0.2 kPa), unless a more effective control system is used.

(2) Centrifuges and filters. Centrifuges, rotary vacuum filters, and other filters having an exposed liquid surface which process liquids containing VOC shall be enclosed.

(3) Leaks.

(A) All liquid leaks containing VOC from a process unit or storage tank shall be required the first time the equipment is off-line long enough to complete the repair.

(B) All liquid or gaseous leaks of VOC observed during loading operations shall be required immediately. Loading operations shall be discontinued until the leak is repaired.

(4) Air dryers, production equipment exhaust systems, and loading facilities. Sources affected by §115.531(b) shall be controlled by a system with a reduction efficiency of at least 90 of the uncontrolled emissions.

*§115.533. 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 §115.539 of this title (relating to Counties and Compliance Schedules)], alternate methods of demonstrating and documenting continuous compliance with the applicable control re-

quirements 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.

(b) For all affected persons in Gregg, Nueces, and Victoria Counties, 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 if emission reductions are demonstrated to be substantially equivalent.

*§115.534. Inspection Requirements.*

(a) For all affected persons in the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas [counties referenced in §115.539 of this title (relating to Counties and Compliance Schedules)], the following inspection requirements shall apply.

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

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

(1) Inspection for visible liquid leaks, visible fumes, or significant odors resulting from the transfer of VOC from trucks or railcars to storage tanks at loading facilities shall be conducted by the owner or operator of any pharmaceutical manufacturing facility.

(2) VOC loading or unloading through the affected transfer lines shall be discontinued immediately when a leak is observed and shall not be resumed until the observed leak is repaired.

*§115.535. Testing Requirements.*

(a) For the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and

**Houston/Galveston areas** [counties referenced in §115.539 of this title (relating to Counties and Compliance Schedules)], compliance with this undesignated head (relating to Pharmaceutical Manufacturing Facilities) shall be determined by applying the following test methods, as appropriate:

(1)-(6) (No change.)

(b) For Gregg, Nueces, and Victoria Counties, compliance with this undesignated head shall be determined by applying the following test methods, as appropriate:

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

(2) Test Method 18 (40 CFR 60, Appendix A) for determining gaseous organic compound emissions by gas chromatography;

(3) Test Method 25 (40 CFR 60, Appendix A) for determining total gaseous nonmethane organic emissions as carbon;

(4) Test Methods 25A or 25B (40 CFR 60, Appendix A) for determining total gaseous organic concentrations using flame ionization or nondispersive infrared analysis;

(5) determination of true vapor pressure using ASTM Test Method D323-82 for the measurement of Reid vapor pressure, adjusted for actual storage temperature in accordance with API Publication 2517, Third Edition, 1989; or

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

#### *§115.536. Recordkeeping Requirements.*

(a) For the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas [counties referenced in §115.539 of this title (relating to Counties and Compliance Schedules)], the following recordkeeping requirements shall apply.

(1) The owner or operator of any pharmaceutical manufacturing facility which utilizes a surface condenser to control emissions of volatile organic compounds (VOC) from process units affected by §115.531(a)(1) of this title (relating to Emission Specifications) shall record the outlet gas temperature.

(2) The owner or operator of any pharmaceutical manufacturing facility which utilizes a vapor recovery system to satisfy the requirements of §115.531(a) or §115.532(a) of this title (relating to Control Requirements) shall:

(A)-(B) (No change.)

(3) The owner or operator of any pharmaceutical manufacturing facility which is exempted from the requirements in accordance with the provisions of §115.537(a) of this title (relating to Exemptions) shall maintain a record of the following information, as appropriate:

(A)-(B) (No change.)

(4) The owner or operator of any affected pharmaceutical manufacturing facility shall maintain records of any testing conducted at an affected facility in accordance with the provisions specified in §115.535 (a) of this title (relating to Testing Requirements).

(5) (No change.)

(b) For Gregg, Nueces, and Victoria Counties, the following recordkeeping requirements shall apply.

(1) The owner or operator of any pharmaceutical manufacturing facility which utilizes a surface condenser to control emissions of VOC from process units affected by §115.531(b)(1) shall record the outlet gas temperature.

(2) The owner or operator of any pharmaceutical manufacturing facility which utilizes a vapor recovery system to satisfy the requirements of §115.531(b) or §115.532(b) 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, such as:

(i) the exhaust gas temperature of direct-flame incinerators and/or the gas temperature immediately upstream and downstream of any catalyst bed;

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

(iii) the daily emission rate of VOC from the control device;

(B) maintain a record of 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.

(3) The owner or operator of any pharmaceutical manufacturing facility which is exempted from the requirements in accordance with the provisions

of §115.537(b) shall maintain a record of the following information, as appropriate:

(A) the vapor pressure of materials transferred at loading facilities, stored in tanks, or processed in centrifuges and filters; and

(B) the daily emissions rate of VOC.

(4) The owner or operator of any affected pharmaceutical manufacturing facility shall maintain records of any testing conducted at an affected facility in accordance with the provisions specified in §115.535(b).

(5) The owner or operator of any affected pharmaceutical manufacturing facility shall maintain all records at the affected facility for at least two years and make such records available upon request to representatives of the Texas Air Control Board, United States Environmental Protection Agency, or local air pollution control agency.

#### *§115.537 Exemptions.*

(a) For the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas [counties referenced in §115.539 of this title (relating to Counties and Compliance Schedules)], the following exemptions shall apply.

(1) Storage tanks at loading facilities with capacities less than or equal to 2,000 gallons (7,571 liters) are exempt from the requirements of §115.531(a)(3) of this title (relating to Emission Specifications).

(2) Storage tanks at loading facilities that store volatile organic compounds (VOC) with vapor pressures less than or equal to 4.1 psia (28 kPa) at 68 Fahrenheit (20 Celsius) are exempt from the requirements of §115.531(a)(3).

(3) Storage tanks containing VOC with vapor pressures less than or equal to 1.5 psia (10.3 kPa) at 68 Fahrenheit (20 Celsius) are exempt from the requirements of §115.532(a)(1)(B) of this title (relating to Control Requirements).

(4) Centrifuges and filters which process liquids containing VOC with vapor pressures less than 0.5 psia (3.4 kPa) at 68 Fahrenheit (20 Fahrenheit) are exempt from the requirements of §115.532(a)(2).

(5) Until July 31, 1993 in Brazoria, Galveston, Jefferson, and Orange Counties, any [Any] facility in [Brazoria, Galveston, Gregg, Jefferson, Nueces, Orange, or Victoria Counties] which, when uncontrolled, will emit a combined weight of VOC less than 550 pounds (249.5

kg) in any continuous 24-hour period is exempt from the provisions of §115.531(a) of this title (relating to Emission Specifications) and §115.532(a).

(6) In Dallas, El Paso, Harris, and Tarrant Counties, any [Any] individual unit [located in Dallas, El Paso, Harris or Tarrant Counties] which, when uncontrolled, will emit a combined weight of VOC less than 15 pounds (6.8 kg) in any continuous 24-hour period is exempt from the provisions of §115.531(a) and §115.532(a).

(7) After July 31, 1993 in counties other than Dallas, El Paso, Harris, and Tarrant, any individual unit which, when uncontrolled, will emit a combined weight of VOC less than 15 pounds (6.8 kg) in any continuous 24-hour period is exempt from the provisions of §115.531(a) and §115.532(a).

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

(1) Storage tanks at loading facilities with capacities less than or equal to 2,000 gallons (7,571 liters) are exempt from the requirements of §115.531(b)(3).

(2) Storage tanks at loading facilities that store VOC with vapor pressures less than or equal to 4.1 psia (28 kPa) at 68 Fahrenheit (20 Celsius) are exempt from the requirements of §115.531(b)(3).

(3) Storage tanks containing VOC with vapor pressures less than or equal to 1.5 psia (10.3 kPa) at 68 Fahrenheit (20 Celsius) are exempt from the requirements of §115.532(b)(1)(B).

(4) Centrifuges and filters which process liquids containing VOC with vapor pressures less than 0.5 psia (3.4 kPa) at 68 Fahrenheit (20 Celsius) are exempt from the requirements of §115.532(b)(2).

(5) Any facility which, when uncontrolled, will emit a combined weight of VOC less than 550 pounds (249.5 kg) in any continuous 24-hour period is exempt from the provisions of §115.531(b) and §115.532(b).

#### *§115.539 Counties and Compliance Schedules*

(a) All affected persons in Chambers, Collin, Denton, Fort Bend, Hardin, Liberty, Montgomery, and Waller Counties shall be in compliance with §115.531(a) of this title (relating to Emission Specifications), §115.532(a) of this title (relating to Control Requirements), §115.533(a) of this title (relating to Alternate Control Requirements), §115.534(a) of this title (relating to Inspection Requirements), §115.535(a) of this title (re-

lating to Testing Requirements), §115.536(a) of this title (relating to Recordkeeping Requirements), and §115.537(a) of this title (relating to Exemptions) as soon as practicable, but no later than July 31, 1993.

(b) All persons in Brazoria, Galveston, Jefferson, and Orange Counties affected by the provisions of §115.537(a)(7) shall be in compliance with this section 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 Pharmaceutical Manufacturing Facilities) 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 Dallas, El Paso, and Tarrant Counties affected by the provisions of §115.536(2)(A)(ii) of this title (relating to Recordkeeping Requirements) and §115.537(6) of this title (relating to Exemptions) shall be in compliance with this section 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-9206955 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 G. Consumer Related Sources

### Consumer Related Solvent Products

#### • 31 TAC §§115.612-115.615, 115.617, 115.619

The Texas Air Control Board (TACB) proposes a new §115.614 and amendments to §§115.612, 115.613, 115.615, 115.617, and 115.619, concerning consumer-solvent products. 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.

The proposed changes to §115.612, concerning control requirements, expand by definition the applicability of the requirements, add a maximum allowable volatile organic compound (VOC) content for automobile windshield washer fluids, and remove potentially confusing cross-references. The proposed changes to §115.613, concerning alternate control requirements, and §115.617, concerning exemptions, expand the applicability of the requirements, and remove potentially confusing cross-references.

The proposed new §115.614, concerning inspection requirements, requires that samples of the windshield washer fluid be supplied to TACB, federal, or local program inspectors at no cost. The proposed changes to §115.615, concerning testing requirements, correct the referenced test method and remove potentially confusing cross-references. The proposed changes to §115.619, concerning counties and compliance schedules, specify applicable perimeter counties and previously-designated nonattainment counties, and add a compliance date for the additional counties.

Bennie Engelke, deputy director of administrative services, has determined that for the first five-year period the sections are in effect there will be no fiscal implications for state or local governments or for small businesses. There is no anticipated economic cost for persons and businesses required to implement the proposed measures.

Lane Hartsock, deputy director of air quality planning, has determined that for each year of the first five-year period the sections are in effect the public benefit anticipated as a result of enforcing 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; 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.