

# Texas Register

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

## Subchapter D. Petroleum Refining and Petrochemical Processes

### Fugitive Emission Control in Petrochemical Refining and Petrochemical Processes

#### • 31 TAC §§115.352-115.357, 115.359

The Texas Air Control Board (TACB) proposes new §§115.352-115.357 and 115.359, concerning Fugitive Emission Control in Petroleum Refining and Petrochemical Processes. This new undesignated head will be included in existing Subchapter D, concerning Petroleum Refining and Petrochemical Processes. The new sections have been developed in response to a requirement by the United States Environmental Protection Agency (EPA) and the 1990 Amendments to the Federal Clean Air Act (FCAA) for states to develop and adopt the Rate of Progress (ROP) State Implementation Plan (SIP) by November 15, 1993.

The ROP SIP is required to achieve and maintain a volatile organic compound (VOC) emissions level that is 15% below the 1990 base year emissions by 1996 in the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston ozone nonattainment areas. The affected ozone nonattainment counties are Brazoria, Chambers, El Paso, Fort Bend, Galveston, Gregg, Hardin, Harris, Jefferson, Liberty, Montgomery, Nueces, Orange, Victoria, and Waller.

The proposed §115.352, concerning Control Requirements; §115.353, concerning Alternate Control Requirements; §115.354, concerning Inspection Requirements; §115.355, concerning Testing Requirements; §115.356, concerning Recordkeeping Requirements; §115.357, concerning Exemptions; and §115.359, concerning Counties and Compliance Schedules, standardize the requirements for fugitive monitoring programs for petroleum refineries; synthetic organic chemical, polymer, resin, and methyl tert-butyl ether (MTBE) manufacturing processes; and natural gas/gasoline processing operations and apply a more stringent level of control to all of these industries.

The existing sections regarding fugitive emission controls will be repealed after the compliance date of these proposed sections. The existing sections scheduled for future repeal include §§115.322-115.329, concerning Fugitive Emissions Control in Petroleum Refineries; §§115.332-115.339, concerning Fugitive Emission Control in Synthetic Organic Chemical, Polymer, Resin, and Methyl Tert-Butyl Ether Manufacturing Processes; and §§115.342-115.349, concerning Fugitive Emission Control in Natural Gas/Gasoline Processing Operations.

The proposed rules are part of a series of proposed revisions to Chapter 115 (Regulation V, concerning Control of Air Pollution From Volatile Organic Compounds) and the SIP to provide the required ROP reductions in the ozone nonattainment areas as mandated by the 1990 FCAA Amendments. Since this is an interim step in attaining the ozone standard, only those controls needed to satisfy the requirement will be adopted by the November 15, 1993, deadline. Additional controls are anticipated to be adopted by November 15, 1994, in conjunction with an attainment demonstration requirement in each ozone nonattainment area. By this time, Urban Airshed Modeling (UAM) will be available to facilitate more scientific decision-making regarding the effect of control measure scenarios on ozone levels. The UAM is a quantitative state-of-the-art computer model that will enable the staff to evaluate the effects of various combinations of control measures on ozone.

The EPA has recently provided guidance which modifies in part the States' requirement to submit all rules necessary to meet the ROP reduction by November 15, 1993. Texas will submit rules to meet the ROP reduction in two phases. Phase I will consist of a core set of rules comprising at least 70% of the required reductions. This phase will be submitted by the original deadline of November 15, 1993. Phase II will consist of any remaining percentage toward the 15% net of growth reductions, as well as additional contingency measures to obtain an additional 3.0% of reductions. Phase II will be submitted by November 15, 1994. A commitment listing the rules to achieve the additional percentages and contingency measures will be submitted in conjunction with the Phase I SIP by November 15, 1993.

Lane Hartsock, deputy director of air quality planning, has determined that for each year of the first five-year period the proposed sections are in effect, there will be no annual cost to state and local governments associated with additional enforcement requirements.

Mr. Hartsock also has determined that for each year of the first five-year period the proposed sections are in effect, the public benefit anticipated as a result of implementing the sections will be satisfaction of FCAA Amendments and EPA requirements, and VOC emission reductions in ozone nonattainment areas which are necessary for the timely attainment of the ozone standard.

Economic costs to small businesses, persons, and businesses required to implement the proposed measures are associated with the expanded monitoring, and recordkeeping requirements. Cost per affected component for each required monitoring action will be \$1.00 in 1994; \$1.00 in 1995; \$1.00 in 1996; and \$1.00 in 1997.

Any costs continuing beyond 1997 would be operating, maintenance, and recordkeeping requirements. All estimates are stated in 1993 dollars with no adjustments for inflation and assume continuing costs equal to those incurred during 1993-1997.

Public hearings on this proposal are scheduled for the following times and places: Au-

gust 4; 1993, 6:30 p.m., City of El Paso Council, Chambers, Second Floor, Two Civil Center Plaza, El Paso, August 5, 1993, 6:30 p.m., Houston-Galveston Area Council, Second Floor, Conference Room A, 3555 Timmons, Houston, August 5, 1993, 2:30 p.m., City of Arlington Council, Chambers, 101 West Abram Street, Arlington; August 6, 1993, 11:30 a.m., John Gray Institute, 855 Florida Avenue, Beaumont.

Staff members will be available to discuss the proposal 30 minutes prior to each hearing. Public comments, both oral and written, on the proposed changes are invited at the hearings. Interrogation or cross-examination is not permitted.

Written comments not presented at the hearings must be submitted to the TACB central office in Austin no later than August 13, 1993. Material received by the Regulation Development Division by 4:00 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 Regulation Development Division of the TACB Air Quality Planning Annex located at 12118 North IH-35, Park 35 Technology Center, Building A, Austin, Texas 78753, and at all TACB regional offices. For further information, contact Eddie Mack at (512) 908-1488.

Persons with disabilities who have special communication or other accommodation needs who are planning to attend the hearings should contact the agency at (512) 908-1815. Requests should be made as far in advance as possible.

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

**§115.352. Control Requirements.** For the Beaumont/Port Arthur, El Paso, and Houston/Galveston Areas as defined in §115.10 of this title (relating to Definitions), and for Gregg, Nueces, and Victoria Counties, no person shall operate a petroleum refinery; a synthetic organic chemical, polymer, resin, or methyl tert-butyl ether manufacturing process; or a natural gas/gasoline processing operation as defined in §115.10 of this title, without complying with the following requirements.

(1) No component shall be allowed to have a volatile organic compound (VOC) leak with a VOC concentration greater than 500 parts per million by volume or the dripping or exuding of process fluid based on sight, smell, or sound.

(2) All technically feasible repairs to a leaking component, as specified in paragraph (1) of this section, 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

shutdown. Repairs to leaking components shall consist of the repair and maintenance of components assisted simultaneously by the use of an approved gas analyzer such that a minimum concentration of leaking VOC is obtained for each component being maintained.

(3) All leaking components, as defined in paragraph (1) of this section, which cannot be repaired until the unit is shutdown 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.

(6) All new and replacement pumps and compressors shall be equipped with a shaft sealing system that prevents or detects emissions of VOC from the seal.

(7) Construction of new and reworked piping, valves, and pump and compressor systems shall conform to applicable American National Standards Institute, American Petroleum Institute, American Society of Mechanical Engineers, or equivalent codes.

(8) New and reworked underground process pipelines shall contain no buried valves such that fugitive emission monitoring is rendered impractical.

(9) To the extent that good engineering practice will permit, new and reworked valves and piping connections shall be so located to be reasonably accessible for leak-checking during plant operation. Nonaccessible valves shall be identified in a list to be made available upon request.

(10) New and reworked piping connections shall be welded or flanged. Screwed connections are permissible only on piping smaller than two-inch diameter. No later than the next scheduled quarterly monitoring after initial installation or replacement, all new or reworked connections shall be gas tested or hydraulically tested at no less than normal operating pressure and adjustments made as necessary to obtain leak-free performance.

(11) For valves equipped with

rupture discs, a pressure gauge shall be installed between the relief valve and rupture disc to monitor disc integrity. All leaking discs shall be replaced at the earliest opportunity but no later than the next process shutdown.

*§115.353. Alternate Control Requirements.* For all affected persons in the Beaumont/Port Arthur, El Paso, and Houston/Galveston Areas, and for Gregg, Nueces, and Victoria Counties, 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.

*§115.354. Inspection Requirements.* All affected persons in the Beaumont/Port Arthur, El Paso, and Houston/Galveston Areas, and for Gregg, Nueces, and Victoria Counties, shall conduct a monitoring program consistent with the following provisions.

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

(A) process drains; and

(B) 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) pump seals;

(C) accessible valves in liquid service;

(D) accessible valves in gaseous service; and

(E) pressure relief valves in gaseous service.

(3) Inspect weekly, by visual, audible, and/or olfactory means, all flanges and pump seals.

(4) Measure (with a hydrocarbon gas analyzer) the emissions from any component 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) the emissions from any component that was found leaking. The repair and maintenance of components shall include the simultaneous use of a hydrocarbon gas analyzer such that a minimum concentration of leaking VOC is obtained for each component being repaired or maintained.

(7) Upon the detection of a leaking component, affix to the leaking component a weatherproof and readily visible tag, bearing an identification number and the date the leak was detected. This tag shall remain in place until the leaking component is repaired.

(8) The monitoring schedule of paragraphs (1)-(3) of this section may be modified to require an increase in the frequency of monitoring in a given process area if the Executive Director of the Texas Air Control Board (TACB) determines that there is an excessive number of leaks in that process area.

*§115.355. Testing Requirements.* For all affected persons in the Beaumont/Port Arthur, El Paso, and Houston/Galveston Areas, and for Gregg, Nueces, and Victoria Counties, compliance with this undesignated head (relating to Fugitive Emission Control in Petroleum Refining and Petrochemical Processes) shall be determined by applying the following test methods, as appropriate:

(1) Test Method 21 (40 Code of Federal Regulation 60, Appendix A) for determining volatile organic compound leaks;

(2) determination of true vapor pressure using American Society for Testing and Materials Test Methods D323-89, D2879, D4953, D5190, or D5191 for the measurement of Reid vapor pressure, adjusted for 68 degree Fahrenheit (20 degree Celsius) in accordance with API Publication 2517, Third Edition, 1989; or

(3) minor modifications to these test methods approved by the Executive Director.

*§115.356. Monitoring and Recordkeeping Requirements.* All affected persons in the Beaumont/Port Arthur, El Paso and Houston/Galveston Areas, and for Gregg, Nueces, and Victoria Counties, shall have the following recordkeeping requirements:

(1) maintain a leaking-components monitoring log for all leaks as defined by §115.352(a)(1) of this title (relating to Control Requirements) and detected by the monitoring program required

by §115.324 of this title (relating to Inspection Requirements). 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 the component was monitored;

(E) the results of the monitoring (in parts per million);

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

(G) if a component is found leaking:

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

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

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

(iv) those leaks that cannot be repaired until turnaround;

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

(I) the test method used;

(2) 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;

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

**§115.357. Exemptions.** For all affected persons in the Beaumont/Port Arthur, El Paso, and Houston/Galveston Areas, and for Gregg, Nueces, and Victoria Counties, the following exemptions shall apply.

(1) Components which contact a process liquid containing Volatile Organic Compounds (VOCs) having a true vapor pressure equal to or less than 0.044 pounds per square inch absolute (0.3 kPa) at 68

degree Fahrenheit (20 degree Celsius) are exempt from the requirements of §115.324 of this title (relating to Inspection Requirements) if the components are inspected visually according to the inspection schedules specified within this same section.

(2) Sealless/leakless valves (including but not limited to bellows and diaphragm valves), pressure relief valves equipped with a rupture disc or venting to a control device, components in continuous vacuum service, and valves that are not externally regulated (such as in-line check valves) are exempt from the monitoring requirements of §115.324 of this title.

(3) Compressors in hydrogen service are exempt from the requirements of §115.324 of this title if the owner or operator demonstrates that the percent hydrogen content can be reasonably expected to always exceed 50% by volume.

(4) All pumps and compressors which are equipped with a shaft sealing system that prevents or detects emissions of VOC from the seal are exempt from the monitoring requirement of §115.324 of this title. These seal systems may include, but are not limited to, dual pump seals with barrier fluid at higher pressure than process pressure, seals degassing to vent control systems kept in good working order, or seals equipped with an automatic seal failure detection and alarm system. Submerged pumps or sealless pumps (including but not limited to diaphragm, canned or magnetic driven pumps) may be used to satisfy the requirements of this paragraph.

**§115.359. Counties and Compliance Schedules.** All affected persons in Brazoria, Chambers, El Paso, Fort Bend, Galveston, Gregg, Hardin, Harris, Jefferson, Liberty, Montgomery, Nueces, Orange, Victoria, and Waller Counties shall be in compliance with §115.352 of this title (relating to Control Requirements); §115.353 of this title (relating to Alternate Control Requirements); §115.354 of this title (relating to Inspection Requirements); §115.355 of this title (relating to Testing Requirements); §115.356 of this title (relating to Monitoring and Recordkeeping Requirements); and §115.357 of this title (relating to Exemptions) as soon as practicable, but no later than July 31, 1994.

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 July 5, 1993.

TRD-9325258 Lane Hartscock  
Deputy Director, Air Quality  
Planning  
Texas Air Control Board

Proposed date of adoption: November 12, 1993

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

## Subchapter E. Solvent-Using Processes

### Surface Coating Processes

• 31 TAC §§115.421, 115.422, 115.426, 115.427, 115.429

The Texas Air Control Board (TACB) proposes amendments to §§115.421, 115.422, 115.426, 115.427, and 115.429, concerning Surface Coating Processes. The proposed changes have been developed in response to a requirement by the United States Environmental Protection Agency (EPA) and the 1990 Amendments to the Federal Clean Air Act (FCAA) for states to develop and adopt the Rate of Progress (ROP) State Implementation Plan (SIP) by November 15, 1993. The ROP SIP is required to achieve and maintain a volatile organic compound (VOC) emissions level that is 15% below the 1990 base year emissions by 1996 in the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston ozone nonattainment areas. The affected ozone nonattainment counties are Brazoria, Chambers, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Hardin, Harris, Jefferson, Liberty, Montgomery, Orange, Tarrant, and Waller.

The proposed changes to §115.421, concerning Emission Specifications, deletes obsolete language, revises the VOC emission limit for primers and primer surfacers, and adds VOC emission limits for precoat, pretreatment, single-stage topcoats, basecoat/clearcoat topcoat systems, three-stage topcoat systems, specialty coatings, and sealers used in automobile refinishing in Dallas and Tarrant Counties.

The proposed changes to §115.421 and §115.422, concerning Control Requirements, extend the automobile refinishing control requirements currently applicable in Dallas and Tarrant Counties to Brazoria, Chambers, Collin, Denton, El Paso, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties. The proposed changes to §115.422 also require automobile refinishing operations to use coating application equipment with a transfer efficiency of at least 65%.

The proposed changes to §115.426, concerning Monitoring and Recordkeeping Requirements, expand the existing coating and solvent recordkeeping requirements to include maintenance of records of all coating and solvent usage for improved enforceability of existing rules, and delete a reference to carbon adsorption breakthrough. The proposed changes to §115.427, concerning Exemptions, remove obsolete language, add exemptions for architectural coatings manufactured prior to the compliance date or sold for shipment outside of the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston Areas or for shipment to other manufacturers for repackaging, add exemptions for automobile refinishing and delete exemptions for sealants applied over bare metal during automobile refinishing for the