

# Texas Register

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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

prevention of flash rusting. The proposed changes to §115.429, concerning Counties and Compliance Schedules, specify the applicable counties and the compliance date for the new requirements, and delete obsolete paragraphs.

The proposed amendments 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 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 rules are in effect, the annual cost to state and local governments is estimated at architectural coatings, \$90,000; and auto body shops, \$45,000. Economic costs to state, county, and city units of government, required to implement the proposed traffic markings control measures are associated with the conversion of paint striping trucks for water-based coatings and are estimated to be approximately \$20,000 per truck conversion.

Mr. Hartsock also has determined that for each year of the first five years period the rules are in effect the public benefit anticipated as a result of implementing the rules 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, or businesses required to implement the proposed control measures may vary from no cost if the facility has already imple-

mented compliant coatings and compliant coating application equipment to approximately \$1,000 per high-volume low-pressure (HVLP) spray gun or equivalent.

Public hearings on this proposal are scheduled for the following times and places: August 4, 1993, 6:30 p.m., City of El Paso, Council Chambers, Second Floor, 2 Civic Center Plaza, El Paso; August 5, 1993, 2:30 a.m., City of Arlington, Council Chambers, 101 West Abram Street, Arlington; August 5, 1993, 6:30 p.m., Houston-Galveston Area Council, Second Floor, Conference Room A, 3555 Timmons Lane, Houston; and August 6, 1993, 11:30 p.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 amendments are proposed under the Texas Health and Safety Code (Vernon 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.

#### §115.421. Emission Specifications.

(a) No 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) may cause, suffer, allow, or permit volatile organic compound (VOC) emissions from the surface coating processes as defined in §115.10 of this title affected by paragraphs (1)-(12) of this subsection to exceed the specified emission limits. These limitations are based on the daily weighted average of all coatings delivered to each coating line, except for those in paragraph (10) of this subsection which are based on paneling surface area and those in paragraph (11) of this subsection which are based on the VOC content of architectural coatings supplied, sold, [or] offered for sale, applied, solicited for application, or manufactured,

blended, and/or repackaged for use in the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, or Houston/Galveston Areas.

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

(8) Automobile and light-duty truck coating.

(A) (No change.)

(B) Until July 31, 1994, in [In] Dallas and Tarrant Counties, VOC emissions from the coatings or solvents used in automobile and truck refinishing shall be based on an assumed 65% transfer efficiency from all application equipment, unless otherwise specified in an alternate means of control approved by the Executive Director in accordance with §115.910 of this title (relating to Alternate Means of Control), and shall not exceed the following limits, as delivered to the application system:

(i) 5.0 pounds per gallon (0.60 kg/liter) [2.1 pounds per gallon (0.25 kg/liter)] of coating (minus water and exempt solvent) for primers or primer/surfacers;

(ii)-(vii) (No change.)

(C) After July 31, 1994, VOC emissions from the coatings or solvents used in automobile and truck refinishing shall not exceed the following limits, as delivered to the application system:

(i) 5.0 pounds per gallon (0.60 kg/liter) of coating (minus water and exempt solvent) for primers or primer/surfacers;

(ii) 5.5 pounds per gallon (0.66 kg/liter) of coating (minus water and exempt solvent) for precoat;

(iii) 6.5 pounds per gallon (0.66 kg/liter) of coating (minus water and exempt solvent) for pretreatment;

(iv) 5.0 pounds per gallon (0.60 kg/liter) of coating (minus water and exempt solvent) for single-stage topcoats;

(v) 5.0 pounds per gallon (0.60 kg/liter) of coating (minus water and exempt solvent) for basecoat/clearcoat systems, as defined in §115.10 of this title;

(vi) 5.0 pounds per gallon (0.60 kg/liter) of coating (minus water and exempt solvent) for three-stage systems, as defined in §115.10 of this title;

(vii) 7.0 pounds per gallon (0.84 kg/liter) of coating (minus water and exempt solvent) for specialty coatings;

(viii) 6.0 pounds per gallon (0.72 kg/liter) of coating (minus water and exempt solvent) for sealers; and

(ix) 1.4 pounds per gallon (0.17 kg/liter) of wipe-down solutions.

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

(9)-(10) (No change.)

(11) Architectural coatings. [In Dallas and Tarrant Counties, and after July 31, 1993 in counties other than Dallas and Tarrant, the] [VOC content of any] Any coating sold or offered for sale as an architectural coating shall have the date of manufacture clearly marked on each container, and the VOC content shall not exceed the following limits:

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

(12) (No change.)

(b) (No change.)

§115.422. *Control Requirements.* For the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston Areas, the following control requirements shall apply.

(1) In Dallas and Tarrant Counties, and after July 31, 1994 in ozone nonattainment counties other than Dallas and Tarrant, any automobile refinishing operation shall minimize volatile organic compound emissions during equipment clean-up by the following procedures:

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

(2) After July 31, 1994, automobile and truck refinishing operations shall use coating application equipment with a transfer efficiency of at least 65%, unless otherwise specified in an alternate means of control approved by the Executive Director in accordance with §115.910 of this title (relating to Alternate Means of Control). High-volume low-pressure (HVLV) spray guns, as defined in §115.10 of this title (relating to Definitions), are assumed to comply with the 65% transfer efficiency requirement.

(3)[(2)] Any surface coating operation that becomes subject to the provisions of §115.421(a) of this title (relating to Emission Specifications) by exceeding the provisions of §115.427(a) of this title (relating to Exemptions) shall remain subject to the provisions in §115.421(a) of this title, even if throughput or emissions later fall below exemption limits.

§115.426. *Monitoring and Recordkeeping Requirements.*

(a) For the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston Areas, the following recordkeeping requirements shall apply.

(1) Any person affected by §115.421(a) of this title (relating to Emission Specifications) shall satisfy the following recordkeeping requirements.

(A) (No change.)

(B) Records shall be maintained of the quantity and type of each coating and solvent consumed during the specified averaging period [if any of the coatings, as delivered to the coating application system, exceed the applicable control limits]. Such records shall be sufficient to calculate the applicable weighted average of VOC for all coatings.

(C)-(D) (No change.)

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

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

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

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

(iv) (No change.)

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

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

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

(1) Any person affected by §115.421(b) of this title shall satisfy the following recordkeeping requirements:

(A) (No change.)

(B) Records shall be maintained of the quantity and type of each coating and solvent consumed during the specified averaging period [if any of the coatings, as delivered to the coating appli-

cation system, exceed the applicable control limits]. Such records shall be sufficient to calculate the applicable weighted average of VOC for all coatings.

(C)-(D) (No change.)

(2) The owner or operator of any surface coating facility which utilizes a vapor recovery system approved by the Executive Director in accordance with §115.423(b)(3) of this title shall:

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

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

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

(iv) (No change.)

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

(3) (No change.)

§115.427. *Exemptions.*

(a) For the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston Areas, the following exemptions shall apply.

[(1) Until July 31, 1993, in Brazoria, Galveston, Jefferson, or Orange Counties, surface coating operations located at any facility which, when uncontrolled, will emit a combined weight of volatile organic compounds (VOC) less than 550 pounds (249.5 kg) in any continuous 24-hour period are exempt from the provisions of §115.421(a) of this title (relating to Emission Specifications).]

(1)[(2)] The following coating operations are exempt from the application of §115.421(a)(9) of this title (relating to Emission Specifications):

(A) (No change.)

(B) automobile refinishing, except [in Dallas and Tarrant Counties,] as required by §115.421(a)(8)(B)-(D) [§115.421(a)(8)(B) and (C)] of this title;

(C)-(E) (No change.)

(2)[(3)] The following coating operations are exempt from the application of §115.421(a)(10) of this title:

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

[(4) In counties other than Dallas and Tarrant, architectural coatings are exempt from the provisions of §115.421(a)(11) of this title if manufactured before July 31, 1992.]

(3)[(5)] [In Dallas, El Paso, Harris, and Tarrant Counties, and after July 31, 1993, in counties other than Dallas, El Paso, Harris, and Tarrant, the] The following exemptions shall apply to surface coating operations, except for aircraft prime coating controlled by §115.421(a)(9)(A)(v) of this title and automobile and truck refinishing controlled by §115.421(a)(8)(B) and (C) of this title.

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

(4)[(6)] The following architectural coatings are exempt from the provisions of §115.421(a)(11) of this title:

(A) paints sold in containers of one quart or less;

(B) paints used on roadways, pavement, swimming pools, and similar surfaces; [and]

(C) concentrated color additives; [.]

(D) architectural coatings 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; and

(E) in ozone nonattainment counties other than Dallas and Tarrant, architectural coatings manufactured before July 31, 1992.

(5) Automobile refinishing facilities in Hardin, Jefferson, and Orange Counties, are exempt from the requirements of §115.421(a)(8)(C) of this title and §115.422(1)(2) of this title.

(6) Until July 31, 1994, automobile refinishing facilities in Brazoria, Chambers, Collin, Denton, El Paso, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties are exempt from the requirements of §115.421(a)(8)(C) of this title and §115.422(1)(2) of this title.

[(7) Sealants applied over bare metal during automobile refinishing solely for the prevention of flash rusting are exempt from the provisions of §115.421(a)(8)(C) of this title.]

(b) (No change.)

#### *§115.429. 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 §115.421(a) of this title (relating to Emission Specifications), §115.422 of this title (relating to Control Requirements), §115.423(a) of this title (relating to Alternate Control Requirements), §115.424(a) of this title (relating to Inspection Requirements), §115.425(a) of this title (relating to Testing Requirements), §115.426(a) of this title (relating to Monitoring and Recordkeeping Requirements), and §115.427(a) of this title (relating to Exemptions) as soon as practicable, but no later than July 31, 1993.

[(b) All affected persons in Brazoria, El Paso, Galveston, Harris, Jefferson, and Orange Counties shall be in compliance with §115.421(a)(9)(A)(v) and (a)(11) of this title as soon as practicable, but no later than July 31, 1993.

[(c) All affected persons in Brazoria, Galveston, Jefferson, and Orange Counties shall be in compliance with §115.427(a)(5) of this title as soon as practicable, but no later than July 31, 1993.

(a)[(d)] All affected mirror backing coating facilities in Brazoria, Chambers, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Hardin, Harris, Jefferson, Liberty, Montgomery, Orange, Tarrant, and Waller Counties shall be in compliance with §115.421(a) of this title (relating to Emission Specifications); §115.422 of this title (relating to Control Requirements); §115.423(a) of this title (relating to Alternate Control Requirements); §115.424(a) of this title (relating to Inspection Requirements); §115.425(a) of this title (relating to Testing Requirements); §115.426(a) of this title (relating to Monitoring and Recordkeeping Requirements); and §115.427(a) of this title (relating to Exemptions) as soon as practicable, but no later than July 31, 1994.

(b) All automobile refinishing facilities in Dallas and Tarrant Counties shall be in compliance with §115.421(a)(8)(C) of this title as soon as practicable, but no later than July 31, 1994.

(c) All automobile refinishing facilities in Brazoria, Chambers, Collin, Denton, El Paso, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties shall be in compliance with §115.421(a)(8)(C) of this title and §115.422(1) and (2) of this title 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-9325259

Lane Hartscock  
Deputy Director  
Texas Air Control Board

Proposed date of adoption: November 12, 1993

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

### ◆ ◆ ◆ Subchapter E. Solvent-Using Processes

#### Offset Lithographic Printing

• 31 TAC §§115.442, 115.443, 115.445, 115.446, 115.449

The Texas Air Control Board (TACB) proposes new §§115.442, 115.443, 115.445, 115.446, and 115.449, concerning Offset Lithographic Printing. This new undesignated head will be included in existing Subchapter E, concerning Solvent-using 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 El Paso ozone nonattainment area. The affected ozone nonattainment county is El Paso.

The proposed §115.442, concerning Control Requirements, specify control requirements for web-fed and sheet-fed offset lithographic printing presses which use alcohol in the fountain solution, offset lithographic printing press cleaning solutions, and heatset offset lithographic printing press dryer exhaust streams. The proposed §115.443, concerning Alternate Control Requirements, references §115.910 of this title (relating to Alternate Means of Control) for a procedure to receive approval for an alternative control. The proposed §115.445, concerning Testing Requirements, specifies the accepted test methods to show compliance with §115.442.

The proposed §115.446, concerning Monitoring and Recordkeeping Requirements, specifies the frequency, detail, and scope of the recordkeeping and monitoring requirements of this section. The proposed §115.449, concerning Counties and Compliance Schedules, specifies the applicable counties and the compliance date for the new requirements.

The proposed amendments 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 RFP reductions in the ozone nonattainment areas as