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For further information, please call: (512) 463-8159

Subchapter E. Solvent-Using Processes

Surface Coating Processes

- 30 TAC §§115.421, 115.422, 115.429

The Texas Natural Resource Conservation Commission (TNRCC) proposes amendments to §§115.421, 115.422, and 115.429, concerning Surface Coating Processes. The proposed changes have been developed in response to a requirement by the U.S. 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). 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 ozone nonattainment counties affected by this proposal are Brazoria, Chambers, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Harris, Liberty, Montgomery, Tarrant, and Waller.

The proposed changes to §115.421, concerning Emission Specifications, add VOC emission limits for lacquers, sanding sealers, stains, shellac, and varnish used in surface coating of wood parts and products. The proposed changes to §115.422, concerning Control Requirements, revise the "once-in, always-in" requirement to provide additional flexibility in response to a request by the Texas Chemical Council. The proposed changes to §115.429 also clarify the wording of the cleanup requirements for automobile refinishing operations to ensure consistency with the proposed Standard Exemption 124. The proposed changes to §115.429, concerning Counties and Compliance Schedules, specify the applicable counties and the compliance date for the new requirements.

The proposed amendments are part of the Phase II rules in a series of proposed revisions to Chapter 115 (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. 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.

Texas is submitting rules to meet the ROP reduction in two phases. Phase I rules comprised a significant portion of the required reductions and were submitted by the original deadline of November 15, 1993. Phase II consists 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.

Stephen Minick, budget and planning division, has determined that for each year of the first five-year period the proposed sections are in effect, there would be no fiscal implications for state and local governments. Economic costs to small businesses, persons, or businesses required to implement the proposed control measures are negligible since the required compliant coatings are readily available and have a higher solids content than some current coatings, and therefore usage (i.e., purchases) will be reduced. The proposed changes to the "once-in, always-in" requirement will provide additional flexibility to the regulated community and therefore in some cases will represent a cost savings.

Mr. Minick also has determined that for 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 the EPA requirements, and VOC emission reductions in ozone nonattainment areas which are necessary for the timely attainment of the ozone standard.

Public hearings on this proposal will be held at the following times and places: January 24, 1994, 7:00 p.m., City of Houston Pollution Control Building Auditorium, 7411 Park Place Boulevard, Houston, Texas; January 26, 1994, 6:00 p.m., City of El Paso, Council Chambers, Second Floor, 2 Civil Center Plaza, El Paso, Texas, and January 27, 1994, 7:00 p.m., Irving Central Library, 801 West Irving Boulevard, Irving, Texas.

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 TNRCC, Office of Air Quality, Regulation Development Section, P.O. Box 13087, Austin, Texas 78711-3087, no later than February 11, 1994. Material received by 4:00 p.m. on that date will be considered by the Commission prior to any final action on the proposed revisions. Copies of the proposed revisions are available at the Regulation Development Section of the TNRCC Air Quality Planning Division located at 12118 North IH-35, Park 35 Technology Center, Building E, Austin, Texas 78753, and at all TNRCC Air Program regional offices. For further information, contact Eddie Mack at (512) 239-1488.

Persons with disabilities who have special communication or other accommodation needs who are planning to attend the hearings should contact the agency at (512) 475-2245. Requests should be made as far in advance as possible.

The amendments are proposed for adoption under the Texas Health and Safety Code, (VERNON 1990), the Texas Clean Air Act (TCAA), §382.017, which provides the TNRCC 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)-(13) [(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 sold or offered for sale.

(1)-(12) (No change.)

(13) Surface coating of wood parts and products.

(A) After November 15, 1996, in the Dallas/Fort Worth, El Paso, and Houston/Galveston areas, VOC emissions from the coating of wood parts and products shall not exceed the following limits for each surface coating type:

(i) for lacquers:

(I) 5.8 pounds per gallon (0.70 kg/liter) of coating (minus water and exempt solvent) for clear lacquers; and

(II) 5.4 pounds per gallon (0.65 kg/liter) of coating (minus water and exempt solvent) for opaque lacquers;

(ii) 4.6 pounds per gallon (0.55 kg/liter) of coating (minus water and exempt solvent) for sanding sealers;

(iii) 6.6 pounds per gallon (0.79 kg/liter) of coating (minus water and exempt solvent) for stains (including toners and shadders);

(iv) for shellac:

(I) 5.4 pounds per gallon (0.65 kg/liter) of coating (minus water and exempt solvent) for clear shellac; and

(II) 5.0 pounds per gallon (0.60 kg/liter) of coating (minus water and exempt solvent) for opaque shellac;

(v) 4.5 pounds per gallon (0.54 kg/liter) of coating (minus water and exempt solvent) for varnish;

(B) All VOC emissions from solvent washings shall be included in determination of compliance with the emission limitations in subparagraph (A) of this paragraph, unless the solvent is directed into containers that prevent evaporation into the atmosphere.

(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) install and operate a system which totally encloses spray guns, cups, nozzles, bowls, and other parts during washing, rinsing, and draining procedures. Non-enclosed cleaners may be used if the vapor pressure of the cleaning solvent is less than 100 millimeters of mercury (mm Hg) at 68 degrees Fahrenheit and the solvent is directed towards a drain that leads directly to a remote reservoir;

(B) keep [recycle] all wash solvents in [from] an enclosed reservoir that is covered [which must be kept closed] at all times, except when being refilled with fresh solvents [solvent solution]; and

(C) keep [dispose of] all waste solvents and other [associated] cleaning materials in closed containers.

(2) (No change.)

(3) 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 unless and until emissions are reduced to at or below the controlled emissions level existing prior to implementation of the project by which throughput or emission rate was reduced, and:

(A) the project by which throughput or emission rate was reduced is authorized by any permit or permit amendment or standard permit or standard exemption required by Chapter 116 of this title. If a standard exemption is available for the project, compliance with this subsection must be maintained for 30 days after the filing of documentation of compliance with that standard exemption; or

(B) if no permit or standard exemption is required for the project, the owner/operator has given the TNRCC 30 days notice of the project in writing.

§115.429. Counties and Compliance Schedules.

(a)-(c) (No change.)

(d) All wood parts and products surface coating affected by §115.421(a)(13) of this title (relating to Emission Specifications) in Brazoria, Chambers, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Harris, Liberty, Montgomery, Tarrant, and Waller Counties shall be in compliance with this undesignated head (relating to Surface Coating Processes) as soon as practicable, but no later than November 15, 1996.

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 December 17, 1993.

TRD-9334027

Mary Ruth Holder
Director, Legal Division
Texas Natural Resource
Conservation
Commission

Proposal date of adoption: March 15, 1994

For further information, please call: (512) 463-8159

Offset Lithographic Printing

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

The Texas Natural Resource Conservation Commission (TNRCC) proposes amendments to §§115.442, 115.443, 115.445, 115.446, and 115.449, concerning Offset Lithographic Printing. The proposed amendments have been developed in response to a requirement by the U.S. Environmental Protection Agency (EPA) and the 1990 amendments to the Federal Clean Air Act (CAA) for states to develop and adopt revisions to the Rate-of-Progress (ROP) State Implementation Plan (SIP).

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 amendments will extend the recently adopted regulation to the Houston/Galveston and Dallas/Fort Worth nonattainment areas. In response to concerns from small businesses within the Dallas/Fort Worth area with regards to competition from businesses outside of the four county nonattainment area, the rules will also be proposed in the additional five counties which make up the Consolidated Metropolitan Statistical Area (CMSA). These counties are: Ellis, Johnson, Kaufman, Parker, and Rockwall.

Section 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. Section 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. Section 115.445, concerning Approved Test Methods, specifies the accepted test methods to show compliance with §115.442. Section 115.446, concerning Monitoring and Recordkeeping Requirements, specifies the frequency, detail, and scope of the recordkeeping and monitoring requirements of this section. Section 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 the Phase II rules in a series of proposed revisions to Chapter 115 (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 CAA amendments. Since this is an interim step in attaining the ozone standard, only those controls needed to satisfy the requirement will be adopted. 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.

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