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(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

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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 (FCAA) 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 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 contingency measures to obtain an additional 3.0% of reductions. Phase II will be submitted by November 15, 1994.

Steve 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, individuals, and businesses required to implement the proposed measures may vary from no cost if the facility already uses compliant solvents and already has or does not need add-on control equipment to the following estimated costs associated with the expanded abatement, monitoring, and recordkeeping requirements.

Per Facility Control Unit--0-in 1994; $50,000 in 1995; $50,000 in 1996; $50,000 in 1997; and $50,000 in $50,000.

Per Volatile Organic Compound Monitoring Unit--0-in 1994; $15,000 in 1995; $15,000 in 1996; $15,000 in 1997; $15,000 in 1998.

Any costs continuing beyond 1998 would be operating, maintenance, and recordkeeping requirements. All estimates are stated in 1994 dollars with no adjustments for inflation and assume continuing costs equal to those incurred during 1994-1998.

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 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 are scheduled for the following times and places: January 24, 1994, 7:00 p.m., City of Houston Pollution Control Building Auditorim, 7411 Park Place Boulevard, Houston, 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 the Regulation Development Section 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 Annex located at 12118 North IH-35, Park 35 Technology Center, Building E, Austin, Texas 78753, and at all of the TNRCC Air Program regional offices. For further information, contact Chuck Mueller at (512) 239-1916.

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 under the Texas Health and Safety Code, (Vernon 1990), 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.

§115.442. Control Requirements. For the **Dallas/Fort Worth,** El Paso, and **Houston/Galveston areas** [area] as defined in §115.10 of this title (relating to Definitions), **and for Ellis, Johnson, Kaufman, Parker, and Rockwall Counties,** the following control requirements shall apply.

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

§115.443. Alternate Control Requirements. For all affected persons in the **Dallas/Fort Worth,** El Paso, and **Houston/Galveston areas,** [area] as defined in §115.10 of this title (relating to Definitions), **and for Ellis, Johnson, Kaufman, Parker, and Rockwall 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 of this title (relating to Alternate Means of Control) if emission reductions are demonstrated to be substantially equivalent.

§115.445. Approved Test Methods. For the **Dallas/Fort Worth,** El Paso, and **Houston/Galveston areas** [area] as defined in §115.10 of this title (relating to Definitions), **and for Ellis, Johnson, Kaufman, Parker, and Rockwall Counties,** compliance shall be determined by applying the following test methods, as appropriate:

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

§115.446. Monitoring and Recordkeeping Requirements. For the **Dallas/Fort Worth,** El Paso, and **Houston/Galveston** areas [area] as defined in §115.10 of this title (relating to Definitions), **and for Ellis, Johnson, Kaufman, Parker, and Rockwall Counties,** the following monitoring and recordkeeping requirements shall apply:

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

(5) The owner or operator of any offset lithographic printing press using refrigeration equipment on the fountain in order to comply with §115.442(a)(1)(A)-(D) shall monitor the temperature of the fountain solution reservoir at least once per hour.

(6)-(8) (No change.)

§115.449. Counties and Compliance Schedules. All affected persons in **Brazoria, Chambers, Collin, Dallas, Denton,** El Paso, **Ellis, Fort Bend, Galveston, Harris, Johnson, Kaufman, Liberty, Montgomery, Parker, Rockwall, Tarrant, and Waller Counties** [County] shall be in compliance with §115.442 of this title (relating to Control Requirements), §115.443 of this title (relating to Alternate Control Requirements), §115.445 of this title (relating to Testing Requirements), and §115.446 of this title (relating to Monitoring and Recordkeeping Requirements) 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-9334028 Mary Ruth Holder
Director, Legal Division
Texas Natural Resource Conservation Commission

Proposed date of adoption: March 15, 1994

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

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Chapter 117. Control of Air Pollution From Nitrogen Compounds

The Texas Natural Resource Conservation Commission (TNRCC) proposes amendments to §§117.10, 117.103, 117.105, 117.107, 117.109, 117.111, 117. 113, 117.115, 117.117, 117.119, 117.121, 117.203, 117.205, 117.207-117.209, 117.211, 117.213, 117.215, 117.217, 117.219, 117.221, 117.311, 117.313, 117. 319, 117.321, 117.411, 117.413, 117.419, 117.421, 117.510, 117.520, 117.530, 117.540, and 117.560; the repeal of §117.580; and new §117.223, concerning Control of Air Pollution From Nitrogen Compounds. The proposed changes have been developed in response to a requirement by the United States Environmental Protection Agency (EPA) and the 1990 Federal Clean Air Act (FCAA) Amendments for states to apply reasonably available control technology (RACT) requirements to major sources of nitrogen oxides (NO_x) in the following ozone nonattainment counties: Brazoria, Chambers, Fort Bend, Galveston, Hardin, Harris, Jefferson, Liberty, Montgomery, Orange, and Waller.

The proposed amendments generally clarify rule provisions and facilitate more flexible methods of rule compliance. Revisions which are administrative in nature update names and titles to reflect the organizational structure of the TNRCC, change language to con-