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parts, jambing clear coatings, gloss flatteners, and anti-glare/safety coatings.

Automotive three-stage system (used in **vehicle** [automobile] refinishing **(body shops))**-A topcoat system composed of a pigmented basecoat portion, a semitransparent midcoat portion, and a transparent clearcoat portion. The volatile organic compound (VOC) content of a three-stage system shall be calculated according to the following formula:

Figure 2: 30 TAC §101.1

Automotive wipe-down solutions **(used in vehicle refinishing (body shops))**-Any solution used for cleaning and surface preparation.

Cold solvent cleaning-The batch process of cleaning and removing soils from metal surfaces by spraying, brushing, flushing, and/or immersion while maintaining the solvent below its boiling point. Wipe cleaning (hand cleaning) is not included in this definition.

Conveyorized degreasing-The continuous process of cleaning and removing soils from metal surfaces by operating with either cold or vaporized solvent.

Gasoline bulk plant-A gasoline loading and/or unloading facility, **excluding marine terminals,** having a gasoline throughput less than 20,000 gallons (75,708 liters) per day, averaged over any consecutive 30-day period. A motor vehicle fuel dispensing facility is not a gasoline bulk plant.

Gasoline terminal-A gasoline loading and/or unloading facility, **exluding marine terminals,** having a gasoline throughput equal to or greater than 20,000 gallons (75,708 liters) per day, averaged over any consecutive 30-day period.

High-bake coatings-Coatings designed to cure at temperatures above 194 degrees Fahrenheit.

Low-bake coatings-Coatings designed to cure at temperatures of 194 degrees Fahrenheit or less.

Mechanical shoe seal-A metal sheet which is held vertically against the storage tank wall by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) which is impervious to volatile organic compounds spans the annular space between the metal sheet and the floating roof.

Open-top vapor degreasing-The batch process of cleaning and removing soils from metal surfaces by condensing hot solvent vapors on the colder metal parts.

[Specified solvent-using processes-

[(A) Cold solvent cleaning-The batch process of cleaning and removing soils from metal surfaces by spraying, brushing, flushing, and/or immersion while maintaining the solvent below its boiling point. Wipe cleaning (hand cleaning) is not included in this definition.

[(B) Open-top vapor degreasing-The batch process of cleaning and removing soils from metal surfaces by condensing hot solvent vapors on the colder metal parts.

[(C) Conveyorized degreasing-The continuous process of cleaning and removing soils from metal surfaces by operating with either cold or vaporized solvent.]

Vehicle refinishing (body shops)-The repair and recoating of vehicles, including, but not limited to, motorcycles, passenger cars, vans, light-duty trucks, medium-duty trucks, heavy-duty trucks, buses, and other vehicle body parts, bodies, and cabs by an operation other than the original manufacturer. The repair and recoating of trailers and construction equipment is not included.

Volatile organic compound-Any compound of carbon or mixture of carbon compounds excluding methane, ethane, 1,1,1-trichloroethane (methyl chloroform), methylene chloride (dichloromethane), trichlorofluoromethane (CFC-11), dichlorodifluoromethane (CFC-12), chlorodifluoromethane **(HCFC-22)** [(CFC-22)], trifluoromethane **(HFC-23)** [(FC-23)], **1,1,2-trichloro-1,2,2-trifluoroethane** [1, 1,1-trichloro-2,2,2-trifluoroethane] (CFC-113), 1,2-dichloro-1,1,2, 2-tetrafluoroethane (CFC-114), chloropentafluoroethane (CFC-115), 1,1, 1-trifluoro-2,2-dichloroethane (HCFC-123), **2-chloro-1,1,1, 2-tetrafluoroethane** [1,1,1,2-tetrafluoroethane] (HCFC-124), pentafluoroethane (HFC-125), 1,1,2,2-tetrafluoroethane (HFC-134), 1,1,1, 2-tetrafluoroethane (HFC-134a), 1,1-dichloro-1-fluoroethane (HCFC-141b), 1-chloro-1,1-difluoroethane (HCFC-142b), 1,1,1-trifluoroethane (HFC-143a), 1, 1-diflouroethane (HFC-152a), **parachlorobenzotrifluoride (PCBTF-), cyclic, branched, or linear completely methylated siloxanes, acetone,** carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate, and perfluorocarbon compounds which fall into these classes:

(A) cyclic, branched, or linear, completely fluorinated alkanes;

(B) cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;

(C) cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and

(D) sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

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 August 30, 1995.

TRD-9510945 Lydia Gonzalez-Gromatzky
Acting Director, Legal Services Division
Texas Natural Resource Conservation Commission

Proposed date of adoption: December 20, 1995

For further information, please call: (512) 239-1970

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Chapter 115. Control of Air Pollution From Volatile Organic Compounds

Subchapter A. Definitions

• 30 TAC §115.10

The Texas Natural Resource Conservation Commission (TNRCC) proposes an amendment to §115.10, concerning Definitions. The definition of volatile organic compounds (VOC) is proposed to be modified by exempting acetone, parachlorobenzotrifluoride (PCBTF), and volatile methyl siloxanes (VMS) from the definition of VOC. For clarity, and to increase consistency with recent TNRCC rule revisions, federal rules, and Environmental Protection Agency (EPA) terminology, the TNRCC also proposes minor revisions to several other definitions.

The proposed changes to the definition of VOC would add acetone, PCBTF, and VMS to the list of compounds which are not classified as VOCs. The EPA has ruled that these compounds have negligible photochemical reactivity, and thus do not appreciably contribute to the formation of urban ozone (final rules at 59 Federal Register (FR) 50693 and 60 FR 31633). The proposed revisions to the definition of VOC would make the TNRCC definition consistent with the EPA definition. The proposal is also being made in response to a company's petition to exclude VMS from the definition of VOC, which the TNRCC approved for rulemaking on July 12, 1995.

The TNRCC also proposes to add definitions of high-bake coatings, low-bake coatings, mechanical shoe seal; revise the definitions of gasoline bulk plant and gasoline terminal to clarify that these do not include marine loading operations, which are separately regulated; delete the definition of specified solvent-using processes and relocate the associated definitions of cold solvent cleaning, open-top vapor degreasing, and conveyorized degreasing; and revise the definition of volatile organic compound to correct typographical errors. In addition, the TNRCC pro-

poses changes to §115.10 to delete the definition of automobile refinishing and replace it with a definition of vehicle refinishing (body shops) which more accurately describes the activities included in this definition. Finally, the definitions of automotive basecoat/clearcoat system, automotive precoat, automotive pretreatment, automotive primer or primer surfacers, automotive sealers, automotive specialty coatings, automotive three-stage system, and automotive wipe-down solutions are proposed to be revised to include a reference to vehicle refinishing (body shops).

The proposed changes to §115.10 also revise the definitions of external floating roof and internal floating cover to specify that an external floating roof storage tank which is equipped with a self-supporting fixed roof (typically a bolted aluminum geodesic dome) is considered to be an internal floating roof storage tank for inspection requirements in Chapter 115. The confined space created by the addition of the dome cover may be unsafe to enter while the tank is in service, so the requirement for an annual physical measurement of the seal gap, which requires entry, is not appropriate. Since geodesic domes are typically retrofitted onto external floating roof tanks (for weather protection), these tanks will already be equipped with primary and secondary seals on the floating roof. The TNRCC considers it appropriate to maintain the requirement for a secondary seal, after the addition of a geodesic dome. The emissions from a storage tank with a single seal and a geodesic dome roof are higher than an internal floating roof storage tank with a single seal, due to the gap between the geodesic dome roof and the tank, which creates evaporative wind effects at the fitting penetrations and seals of the floating roofs.

Stephen Minick, Strategic Planning and Appropriations Division, has determined that for the first five-year period the section is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the section

Mr. Minick also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be a more understandable and enforceable environmental regulation. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the section as proposed.

Public hearings on this proposal will be held in Beaumont on September 26, 1995, at 7:00 p.m. at the John Gray Institute, 855 Florida Avenue, Beaumont; and in Houston on September 27, 1995, at 10:00 a.m. in Conference Room A at the Houston-Galveston Area Council, 3555 Timmons Lane, Houston. Individuals may present oral statements when called upon in order of registration. Open discussion within the audience will not occur during the hearing; however a TNRCC staff member will be available to discuss the proposal 30 minutes prior to the hearing and will answer questions before and after the hearing.

Written comments not presented at the hearing may be submitted to the TNRCC central office in Austin. The deadline for submission of written comments will be 30 days after the date of publication of the proposal in the *Texas Register*. Material received by the TNRCC Office of Policy and Regulatory Development by 4:00 p.m. on that date will be considered by the Commission prior to any final action on the proposal. Please mail written comments to Heather Evans, Office of Policy and Regulatory Development, MC 205, P O Box 13087, Austin, Texas 78711-3087, and reference Rule Log #95134-115-AI. Comments can also be faxed to (512) 239-5687. Copies of the proposal are available at the central office of the TNRCC, Air Policy and Regulations Division, located at 12118 North IH-35, Park 35 Technology Center, Building E, Austin, and at all TNRCC regional offices. For further information, contact Ann Hammer at (512) 239-6255 or Eddie Mack at (512) 239-1488.

Persons with disabilities who have special communication or other accommodation needs who are planning to attend the hearing should contact the agency at (512) 239-4900. Requests should be made as far in advance as possible.

The amendment is proposed under the Texas Health and Safety Code (Vernon 1992), 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.

The proposed amendment affects the Health and Safety Code, §382.017.

§115.10 Definitions. Unless specifically defined in the Texas Clean Air Act (TCAA) or in the rules of the Texas Natural Resource Conservation Commission (Commission), the terms used by the Commission have the meanings commonly ascribed to them in the field of air pollution control. In addition to the terms which are defined by the TCAA, the following terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

[Automobile refinishing-The recoating of individual automobiles and light-duty trucks by a commercial operation other than the manufacturer to repair, restore, or alter the exterior finish, including primer, primer surfacer, alkyd enamel, base coat, clear coat, and lacquer application.]

Automotive basecoat/clearcoat system (used in **vehicle** [automobile] refinishing **(body shops)**)-A topcoat system composed of a pigmented basecoat portion and a transparent clearcoat portion. The volatile organic compound (VOC) content of a basecoat (bc) /clearcoat (cc) system shall be calculated according to the following formula:

Figure 1: 30 TAC §115.10

Automotive precoat (used in **vehicle** [automobile] refinishing **(body shops)**)-Any coating that is applied to bare metal to deactivate the metal surface for corrosion resistance to a subsequent water-based primer. This coating is applied to bare metal solely for the prevention of flash rusting.

Automotive pretreatment (used in **vehicle** [automobile] refinishing **(body shops)**)-Any coating which contains a minimum of 0.5% acid by weight that is applied directly to bare metal surfaces to etch the metal surface for corrosion resistance and adhesion

Automotive primer or primer surfacers (used in **vehicle** [automobile] refinishing **(body shops)**)-Any base coat, sealer, or intermediate coat which is applied prior to colorant or aesthetic coats.

Automotive sealers (used in **vehicle** [automobile] refinishing **(body shops)**)-Coatings that are formulated with resins which, when dried, are not readily soluble in typical solvents. These coatings act as a shield for surfaces over which they are sprayed by resisting the penetration of solvents which are in the final topcoat.

Automotive specialty coatings (used in **vehicle** [automobile] refinishing **(body shops)**)-Coatings or additives which are necessary due to unusual job performance requirements. These coatings or additives prevent the occurrence of surface defects and impart or improve desirable coating properties. These products include, but are not limited to, uniform finish blenders, elastomeric materials for coating of flexible plastic parts, coatings for non-metallic parts, jambing clear coatings, gloss flatteners, and anti-glare/safety coatings.

Automotive three-stage system (used in **vehicle** [automobile] refinishing **(body shops)**)-A topcoat system composed of a pigmented basecoat portion, a semitransparent midcoat portion, and a transparent clearcoat portion. The volatile organic compound (VOC) content of a three-stage system shall be calculated according to the following formula:

Figure 2: 30 TAC §115.10

Automotive wipe-down solutions **(used in vehicle refinishing (body shops)**)-Any solution used for cleaning and surface preparation.

Cold solvent cleaning-The batch process of cleaning and removing soils from metal surfaces by spraying, brushing, flushing, and/or immersion while maintaining the solvent below its boiling point. Wipe cleaning (hand cleaning) is not included in this definition.

Conveyorized degreasing-The continuous process of cleaning and removing soils from metal surfaces by operating with either cold or vaporized solvent.

External floating roof-A cover or roof in an open-top tank which rests upon or is floated upon the liquid being contained and is equipped with a single or double seal to close the space between the roof edge and tank shell. A double seal consists of two complete and separate closure seals,

one above the other, containing an enclosed space between them. **An external floating roof storage tank which is equipped with a self-supporting fixed roof (typically a bolted aluminum geodesic dome) shall be considered to be an internal floating roof storage tank only for the inspection requirements of this chapter (relating to Control of Air Pollution from Volatile Organic Compounds).**

Gasoline bulk plant-A gasoline loading and/or unloading facility, **excluding marine terminals,** having a gasoline throughput less than 20,000 gallons (75,708 liters) per day, averaged over any consecutive 30-day period. A motor vehicle fuel dispensing facility is not a gasoline bulk plant.

Gasoline terminal-A gasoline loading and/or unloading facility, **excluding marine terminals,** having a gasoline throughput equal to or greater than 20,000 gallons (75,708 liters) per day, averaged over any consecutive 30-day period.

High-bake coatings-Coatings designed to cure at temperatures above 194 degrees Fahrenheit.

Internal floating cover-A cover or floating roof in a fixed roof tank which rests upon or is floated upon the liquid being contained, and is equipped with a closure seal or seals to close the space between the cover edge and tank shell. **An external floating roof storage tank which is equipped with a self-supporting fixed roof (typically a bolted aluminum geodesic dome) shall be considered to be an internal floating roof storage tank only for the inspection requirements of this chapter (relating to Control of Air Pollution from Volatile Organic Compounds).**

Low-bake coatings-Coatings designed to cure at temperatures of 194 degrees Fahrenheit or less.

Mechanical shoe seal-A metal sheet which is held vertically against the storage tank wall by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) which is impervious to volatile organic compounds spans the annular space between the metal sheet and the floating roof.

Open-top vapor degreasing-The batch process of cleaning and removing soils from metal surfaces by condensing hot solvent vapors on the colder metal parts.

[Specified solvent-using processes-

[(A) Cold solvent cleaning-The batch process of cleaning and removing soils from metal surfaces by spraying, brushing, flushing, and/or immersion while maintaining the solvent below its boiling point. Wipe cleaning (hand cleaning) is not included in this definition.

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Volatile organic compound-Any compound of carbon or mixture of carbon compounds excluding methane, ethane, 1,1,1-trichloroethane (methyl chloroform), methylene chloride (dichloromethane), trichlorofluoromethane (CFC-11), dichlorodifluoromethane (CFC-12), chlorodifluoromethane **(HCFC-22)** [(CFC-22)], trifluoromethane **(HFC-23)** [(FC-23)], **1,1,2-trichloro-1,2,2-trifluoroethane** [1,1,1-trichloro-2,2,2-trifluoroethane] (CFC-113), 1,2-dichloro-1,1,2, 2-tetrafluoroethane (CFC-114), chloropentafluoroethane (CFC-115), 1,1, 1-trifluoro-2,2-dichloroethane (HCFC-123), **2-chloro-1,1,1, 2-tetrafluoroethane** [1,1,1,2-tetrafluoroethane] (HCFC-124), pentafluoroethane (HFC-125), 1,1,2,2-tetrafluoroethane (HFC-134), 1,1,1, 2-tetrafluoroethane (HFC-134a), 1,1-dichloro-1-fluoroethane (HCFC-141b), 1-chloro-1,1-difluoroethane (HCFC-142b), 1,1,1-trifluoroethane (HFC-143a), 1, 1-diflouroethane (HFC-152a), **parachlorobenzotrifluoride (PCBTF-), cyclic, branched, or linear completely methylated siloxanes, acetone,** carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate, and perfluorocarbon compounds which fall into these classes:

(A)-(D) (No change.)

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 August 30, 1995.

TRD-9510946 Lydia Gonzalez-Gromatzky
Acting Director, Legal Services Division
Texas Natural Resource Conservation Commission

Proposed date of adoption: December 20, 1995

For further information, please call (512) 239-1970

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Subchapter B. General Volatile Organic Compound Sources

Storage of Volatile Organic Compounds

• 30 TAC §§115.112, 115.114, 115.116, 115.117

The Texas Natural Resource Conservation Commission (TNRCC or Commission) proposes amendments to §§115.112, 115.114, 115.116, and 115.117, concerning Storage of Volatile Organic Compounds (VOC). The proposed changes to §115. 112, concerning Control Requirements, clarify existing control requirements and update terminology.

The proposed changes to §115.114, concerning Inspection Requirements, establish separate inspection requirements for internal and external floating roof tanks, and establish a 45-day repair schedule with the availability of a 30-day extension.

The proposed changes to §115.116, concerning Monitoring and Recordkeeping Requirements, and §115.117, concerning Exemptions, clarify that exemptions based upon vapor pressure are determined at storage conditions. The TNRCC intends to include more specific language which defines the temperature used to establish the vapor pressure in the adoption of final rules.

The proposed changes to §115.117 also update terminology and resolve a conflict between recordkeeping requirements and exemptions. The conflict is between §115.117(a)(1) and (b)(1), which exempt tanks storing VOC with a true vapor pressure less than 1.5 psia, and §115.116(a)(1) and (b)(1), which require maintenance of records for certain exempt storage tanks. Because maintaining records of exempt status is necessary for enforcement of the rule, a proposed correction to §115.117(a)(1) and (b)(1) specifies that the recordkeeping requirements are not included in these exemptions.

Stephen Minick, Strategic Planning and Appropriations Division, 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 as a result of enforcing or administering the sections.

Mr. Minick also 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 a more understandable and enforceable environmental regulation. There will be minimal or no effect on small businesses, persons, or businesses who are required to comply with the sections as proposed. The proposed requirement to maintain records of exempt status will have minimal fiscal impact, since most companies already maintain such records.

Public hearings on this proposal will be held in Beaumont on September 26, 1995, at 7:00 p.m. at the John Gray Institute, 855 Florida Avenue, Beaumont; and in Houston on Sep-