

**Texas Commission on Environmental Quality
Leak Detection and Repair (LDAR) Alternative Work Practice (AWP)
Stakeholder Group Meeting**

- **June 23, 2009**, 2:00 - 4:00 p.m., Central Library Irving
- **June 25, 2009**, 2:00 - 4:00 p.m., Texas Commission on Environmental Quality
- **June 25, 2009**, 2:00 - 4:00 p.m., Video teleconference to the Texas Commission on Environmental Quality Region 5 Tyler Office
- **June 25, 2009**, 1:00 - 3:00 p.m., Video teleconference to the Texas Commission on Environmental Quality Region 6 El Paso Office
- **June 25, 2009**, 2:00 - 4:00 p.m., Video teleconference to the Texas Commission on Environmental Quality Region 10 Beaumont Office
- **June 25, 2009**, 2:00 - 4:00 p.m., Video teleconference to the Texas Commission on Environmental Quality Region 14 Corpus Christi Office
- **June 26, 2009**, 2:00 - 4:00 p.m., Houston-Galveston Area Council

Meeting Summary

I. Opening Remarks and Presentation

Vince Meiller, Work Leader, Air Quality Division, TCEQ, welcomed stakeholders and presented information about the rule project and the issues currently identified for evaluation. The presentation is posted on the **Leak Detection and Repair Alternative Work Practice Stakeholder Group** web page under the Minutes and Agendas of Prior Meetings.

II. Open Discussion

June 23, 2009

A stakeholder asked if this would just add another option but not take away the current method.

Staff Response: This would add an option.

A stakeholder asked how much recordkeeping would be required and was also concerned about the time period of keeping records. The stakeholder expressed concern with the current amount of recordkeeping in the EPA's AWP.

Staff Response: There will be some form of recordkeeping requirement for the AWP. The record retention schedule would likely stay the same.

Staff also highlighted that the rules would not change permit requirements. Companies may have to change permit requirements to use the AWP even though the 115 rules may be revised to allow its use.

A stakeholder commented that there is a talent involved in using the camera and asked about requirements of operators.

Staff response: The 115 proposed rules may not be exactly as AWP adopted by EPA and additional requirements may be needed.

June 25, 2009

A stakeholder asked why these revisions are not being combined with House Bill (HB) 1526.

Staff Response: The rulemaking associated with House Bill 1526 is not anticipated to be incorporated into the State Implementation Plan (SIP), and will not revise Chapter 115. The Chapter 115 LDAR rules are already included in the SIP; therefore, the two projects must be kept separate. Also, the HB 1526 rulemaking deals with components and sources of leaks that are not regulated by the fugitive component rules in Chapter 115.

A stakeholder stated, HB 1526 requires any emissions to be reported to agency and suggested those emissions could be used to off-set any short fall from Chapter 115 rules possibly through weight of evidence.

A stakeholder inquired about the number people who need to be trained on the gas imaging technology procedures and if anyone can use the camera.

Staff Response: Staff is considering the need for training requirements but a decision has not been made at this time.

A stakeholder stated that the agency should not focus on one camera or one technology.

A stakeholder asked if the frequency would be the same as the current rule.

Staff Response: The EPA AWP requires more frequent monitoring than that required using the normal work practice and staff anticipates that this would also be required under a Chapter 115 AWP.

A stakeholder asked if TCEQ would require notice to the agency prior to use of the AWP.

Staff Response: Staff is considering a notice requirement for sites electing to use the alternative but a decision has not been made at this time.

A stakeholder asked if sites would be able to use Method 21 in combination with the AWP depending on the different fugitive areas or component types at the site.

Staff Response: Staff acknowledged the need for flexibility in the implementation of the AWP, but a decision has not been made regarding the degree that companies could mix the two work practices.

Staff also highlighted that the rules would not change permit requirements. Companies may have to change permit requirements to use the AWP even though the 115 rules may be revised to allow its use.

A stakeholder inquired if there have been any discussions regarding what to do about leaks found that are not covered by a site's LDAR program.

Staff Response: The agency currently has a memo on this subject and will post it on the stakeholders' website.

June 26, 2009

A stakeholder asked why these revisions are not being combined with House Bill (HB) 1526.

Staff response The rulemaking associated with House Bill 1526 is not anticipated to be incorporated into the State Implementation Plan (SIP), and will not revise Chapter 115. The Chapter 115 LDAR rules are already included in the SIP; therefore, the two projects must be kept separate. Also, the HB 1526 rulemaking deals with components and sources of leaks that are not regulated by the fugitive component rules in Chapter 115.

A stakeholder asked about non-monitored components and how this rulemaking would affect them.

Staff Response: This would be addressed in the HB 1526 rulemaking.

A stakeholder asked if the revisions to Chapter 115 get adopted, then would they be mirrored in the permits also. A stakeholder asked for the TCEQ permitting section to begin looking at how to amend permits once/if this rule change happens.

Staff Response: The Air Permits Division is participating in the Chapter 115 AWP rule team.

Staff also highlighted that the rules would not change permit requirements. Companies may have to change permit requirements to use the AWP even though the 115 rules may be revised to allow its use.

Staff was asked if they see the rule being able to be applied to just part of the plant on a unit by unit basis.

Staff Response: Staff acknowledged the need for flexibility in the implementation of the AWP but a decision has not been made regarding the degree that companies could mix the two work practices.

Several stakeholders suggested the TCEQ consider combining method 21 and the AWP. Method 21 could be used to measure the leak after it is found.

A stakeholder inquired if the TCEQ considered the option of grouping components in order to make recordkeeping easier.

Staff Response: Staff will consider the stakeholder's suggestion.

A stakeholder suggested that there be a quality assurance on the devices.

A stakeholder stated that it would be good to look at the manufacturers' requirements for the use of the cameras.

A second stakeholder said he did not find the manufacturer's training useful.

Staff highlighted that currently the proposal is not limiting the type of camera used, and the rule needs to be enforceable.