

Rule History Title 30 Texas Administrative Code Chapter 115 Highly Reactive Volatile Organic Compounds

Introduction

The official version of the rules in [Chapter 115, Subchapter H](#) is available on the Secretary of State's website.

Each revision is identified by the date the commission adopted the changes. When available, the rule project number, which is the unique identification number from the rules tracking database for the specific rule project, is also provided for reference.

The *Texas Register* publications of the rule proposal and adoption are given for each revision. The proposed rules are approved by the commissioners to be published in the *Texas Register* for public comment. Once adopted by the commissioners, the rules are republished as final in the *Texas Register*.

These rules are submitted for United States Environmental Protection Agency (EPA) approval as part of the State Implementation Plan (SIP) control strategy to meet the National Ambient Air Quality Standard (NAAQS) for ozone. Links to the *Federal Register* publication of the EPA's approval of these rules and the associated SIP revisions are also included.

The summary information includes the affected sections of the rule, the counties affected, the compliance date, and a brief description of the rule revisions. If the adopted rule does not provide for additional time to comply with any new or revised requirements then compliance with any rule revisions is required by the effective date of the rulemaking.

Rule Review Adopted on 07/10/2019

Rule project number 2018-050-115-AI

Proposal: [44 TexReg 485](#) (02/01/2019)

Adoption: [44 TexReg 3913](#) (07/26/2019)

Sections affected: Ch 115

- Sections with recommended changes: none
- Sections with recommended repeals: none

Summary: The review assessed whether the initial reasons for adopting the rules continue to exist, and the commission has determined that those reasons exist. The rules for control of volatile organic compounds (VOC) emissions in Chapter 115 were specifically developed to meet the federal Clean Air Act requirements for attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) for ozone set by the United States Environmental Protection Agency (EPA)

Rule Project Adopted on 06/02/2010

Rule project number 2009-030-115-EN

Proposal: [34 TexReg 9315](#) (12/25/2009)

Adoption: [35 TexReg 5293](#) (06/18/2010)

Date submitted to EPA: 07/02/2010

EPA approval: Pending

Sections affected:

- Amended: 115.781, 115.782, and 115.786-115.788
- New: 115.784

Areas affected:

- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: Not applicable (Effective date: 06/24/2010)

Summary:

The rulemaking incorporates an alternative work practice allowing the use of optical gas imaging instruments to detect fugitive highly reactive volatile organic compound (HRVOC) emission leaks from equipment. The alternative work practice is similar to the alternative work practice adopted by the EPA in 2008 ([73 FR 78199](#) (12/22/2008)) but includes some additional requirements to improve enforceability and effectiveness.

The existing HRVOC rules specify a repair deadline based on measured volatile organic compound (VOC) concentration. The rules being adopted require either the expedited repair of a leak detected using an optical gas imaging or a follow-up measurement of the leak concentration using EPA Method 21. The required third party audit of a set of components monitored using both the alternative work practice and EPA Method 21 must use only the method used on the majority of components.

The rulemaking also adds new recordkeeping requirements.

Use of the alternative work practice is optional, so affected sources can continue using the traditional method.

This rulemaking is part of the [HGB Attainment Demonstration SIP Revision for the 1997 Eight-Hour Ozone Standard \(2009-017-SIP-NR\)](#) (03/10/2010).

Rule Project Adopted on 12/01/2004

Rule project number 2004-037-115-AI

Proposal: [29 TexReg 6534](#) (07/09/2004)

Adoption: [29 TexReg 11623](#) (12/17/2004)

Date submitted to EPA: 12/17/2004

EPA approval: [71 FR 52656](#) (09/06/2006)

Sections affected:

- Amended: 115.720, 115.722, 115.725-115.727, 115.729, 115.760, 115.761, 115.764, 115.769, 115.780-115.783, and 115.786-115.789
- New: 115.766 and 115.767
- Repealed: 115.766-115.768 and 115.785

Area affected:

- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: (Effective date: 12/23/2004)

- 12/31/2005 for Section 115.788
- 04/01/2006 for short term and annual HRVOC emission limits in Harris County
- 01/01/2007 for HRVOC emissions cap and trade in Harris County
- 180 days after public notice: Short-term emission limits and annual HRVOC cap and trade program outside of Harris County

Summary:

The rulemaking establishes a short-term HRVOC emissions limit and establishes an annual HRVOC emission cap to reduce steady-state and routine emissions.

The rulemaking provides an exemption from the short-term and annual HRVOC emission caps for sites located outside of Harris County. The annual HRVOC cap is administered through the HRVOC emissions cap and trade (HECT) program under Chapter 101, Subchapter H, Division 6 adopted concurrent with this rulemaking ([29 TexReg 11592](#) (12/17/2004)).

The HECT program establishes a mandatory annual HRVOC emissions cap on affected sites located in Harris County and the cap is enforced by the allocation, trading, and banking of allowances.

The rulemaking also creates new monitoring requirements for pressure relief valves and new continuous monitoring requirements for vent gas streams not controlled by a flare; requires a written monitoring plan; and changes the fugitive emission audit scope to cover the entire site each calendar year. Process knowledge can be used to determine the net heating value of flares receiving greater than 95% of an individual

HRVOC stream at all times. This rulemaking is part of the [HGB Mid-Course Review SIP Revision \(2004-042-SIP-NR\) \(12/1/2004\)](#).

Rule Project Adopted on 03/10/2004

Rule project number 2004-008-115-AI

Proposal: [28 TexReg 9715](#) (11/07/2003)

Adoption: [29 TexReg 3233](#) (03/26/2004)

Date submitted to EPA: 03/26/2004

EPA approval: [71 FR 52656](#) (09/06/2006)

Section affected:

- Amended: 115.769

Area affected:

- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: 12/31/2005 (Effective date: 04/01/2004)

Summary:

The rulemaking extends the compliance date for HRVOC cooling tower heat exchange systems by one year. This change is necessary to provide sufficient time for owners and operators of cooling tower heat exchange systems to purchase and install the required monitoring equipment.

Rule Project Adopted on 10/22/2003

Rule project number 2003-027-115-AI

Proposal: [28 TexReg 3905](#) (05/16/2003)

Adoption: [28 TexReg 9835](#) (11/07/2003)

Date submitted to EPA: 11/07/2003

EPA approval: [71 FR 52656](#) (09/06/2006)

Sections affected:

- Amended: 115.722, 115.725-115.727, 115.729, 115.764, 115.767, 115.781, 115.783, 115.785, 115.787, and 115.789

Areas affected:

- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: (Effective date: 11/13/2003)

- 03/31/2004 for fugitive emissions equipment standards, initial component monitoring, and recordkeeping in Sections 115.783, 115.781, 115.786 and 115.781(b)(9)
- 12/31/2005 for vent gas stream monitoring and testing, fugitive emissions testing and third party audit in Sections 115.725, 115.785 115.788
- 04/01/2006 for component monitoring option in Section 115.781(f)

Summary:

The rulemaking corrects typographical errors, updates cross-references, adds flexibility, and amends requirements to achieve the intended HRVOC emission reductions of the program.

The rulemaking extends the compliance deadlines for monitoring fugitive emissions from certain components; various testing and recordkeeping requirements; various equipment upgrades; and the third-party audit of fugitive monitoring programs.

Rule Project Adopted on 12/13/2002

Rule project numbers 2002-046b-115-AI and 2002-046d-115-AI

Proposal:

- [27 TexReg 5394](#) (06/21/2002)
- [27 TexReg 6208](#) (07/12/2002)
- [27 TexReg 6285](#) (07/12/2002) (Section 115.741 withdrawn from rule project number 2002-046b-115-AI and re-proposed in rule project number 2002-046d-115-AI)

Adoption: [28 TexReg 113](#) (03/03/2003)

Date submitted to EPA: 01/28/2003

EPA approval: [71 FR 52656](#) (09/06/2006)

Sections affected:

- New: 115.720, 115.722, 115.725-115.727, 115.729, 115.760, 115.761, 115.764, 115.766-115.769, 115.780-115.783, and 115.785-115.789

Area affected:

- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: (Effective date: 01/17/2003)

- 12/31/2003 for initial component monitoring
- 06/30/2004 for vent gas stream monitoring and testing
- 12/31/2004 for flares
- 04/01/2006 for vent gas streams and HRVOC site-wide cap

Summary:

The rulemaking establishes new rules to reduce HRVOC emissions from fugitives, flares, process vents, and cooling towers. HRVOCs are defined as ethylene and propylene in all HGB counties. In Harris County, HRVOCs are defined as 1,3-butadiene, butenes, ethylene, and propylene.

The HRVOC rules are performance-based, emphasizing monitoring, recordkeeping, reporting, and enforcement rather than establishing individual unit emission rates.

A [site-wide cap](#) limits HRVOC emissions from affected flares, process vents, and cooling towers. The HRVOC rules are part of the control strategy developed for the [HGB Attainment SIP Revision \(2002-046-SIP-AI\)](#) (12/13/2002).