

# Rule History

## Title 30 Texas Administrative Code Chapter 117

### Major Combustion Sources

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#### Introduction

The official version of the rules in [Chapter 117, Subchapter B](#) 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 Project Adopted on 06/03/2015

### Rule project number 2013-049-117-AI

Proposal: [39 TexReg 10337](#) (12/26/2014)

Adoption: [40 TexReg 3965](#) (06/19/2015)

Date submitted to EPA: 07/10/2015

EPA approval: [81 FR 21747](#) (04/13/2016) (Not being approved as reasonably available control technology (RACT))

#### Sections affected:

- Amended: 117.10, 117.400, 117.403, 117.410, 117.423, 117.425, 117.430, 117.435, 117.440, 117.445, 117.450, 117.454, 117.456, 117.1303, 117.1310, 117.1325, 117.1335, 117.1340, 117.1345, 117.1350, 117.1354, 117.8000, 117.9030, 117.9130, 117.9800, and 117.9810
- New: 117.405, 117.452
- Repealed: 117.200, 117.203, 117.205, 117.210, 117.215, 117.223, 117.225, 117.230, 117.235, 117.240, 117.245, 117.252, 117.254, 117.256, 117.1100, 117.1103, 117.1105, 117.1110, 117.1115, 117.1120, 117.1125, 117.1135, 117.1140, 117.1145, 117.1152, 117.1154, 117.1156, 117.9010, and 117.9110

#### Areas affected:

- Dallas-Fort Worth (DFW) area (Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties)
- Statewide

Compliance date: 01/01/2017 (Effective date: 06/25/2015)

#### Summary:

The rulemaking implements RACT requirements for all major sources of nitrogen oxides (NO<sub>x</sub>) in the DFW area and extends implementation of RACT to major sources of NO<sub>x</sub> located in newly designated Wise County.

The rulemaking also provides statewide compliance flexibility to testing requirements for temporary boilers and process heaters. The rulemaking also revises the definition of electric power generating system to distinguish rule requirements for independent power producers located in all Texas ozone nonattainment areas.

The rulemaking revokes an exemption for utility turbines and auxiliary steam boilers installed after November 15, 1992 in the DFW area.

This rulemaking is part of the [DFW Eight-Hour Ozone Attainment Demonstration SIP Revision](#) (2013-015-SIP-NR) (06/03/2015).

## Rule Project Adopted on 01/13/2010

### **Rule project number 2009-023-117-EN**

Proposal: [34 TexReg 5866](#) (08/28/2009)

Adoption: [35 TexReg 649](#) (01/29/1010)

Date submitted to EPA: 02/02/2010

EPA approval: [78 FR 26251](#) (05/06/2013)

Section affected:

- Amended: 117.403

Area affected:

- DFW area (Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, and Tarrant Counties)

Compliance date: 02/04/2010 (Effective date: 02/04/2010)

Summary:

The rulemaking exempts from the rule requirements low-temperature drying ovens used in wet-laid, non-woven fiber mat manufacturing and low-temperature drying ovens used in mineral wool-type fiberglass manufacturing in which nitrogen-containing resins are added. The exemption is provided due to technical feasibility issues associated with these types of ovens.

This rule project is in response to a petition for rulemaking.

## Rule Project Adopted on 02/11/2009

### Rule project number 2008-008-117-EN

Proposal: [33 TexReg 7443](#) (09/05/2008)

Adoption: [34 TexReg 1445](#) (02/27/2009)

Date submitted to EPA: 03/10/2009

EPA approval: [74 FR 38102](#) (07/31/2009)

#### Sections affected:

- Amended: 117.140, 117.145, 117.340, and 117.345

#### Areas affected:

- Beaumont-Port Arthur (BPA) area (Hardin, Jefferson, and Orange Counties)
- Houston-Galveston-Brazoria (HGB) area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: 03/04/2009 (Effective date: 03/04/2009)

#### Summary:

The rulemaking provides for an additional output-based monitoring alternative to installing and operating a totalizing fuel flow meter on stationary reciprocating internal combustion engines and stationary gas turbines.

An owner or operator may elect to install and operate a continuous monitoring system that continuously monitors horsepower and hours of operation.

The rules also require associated recordkeeping.

## Rule Project Adopted on 05/23/2007

### Rule project number 2006-034-117-EN

Proposal: [31 TexReg 10538](#) (12/29/2006)

Adoption: [32 TexReg 3206](#) (06/08/2007)

Date submitted to EPA: 05/30/2007

EPA approval: [73 FR 73562](#) (12/03/2008)

#### Sections affected:

- New Sections: 117.100, 117.103, 117.105, 117.110, 117.115, 117.123, 117.125, 117.130, 117.135, 117.140, 117.145, 117.150, 117.152, 117.154, 117.156, 117.200, 117.203, 117.205, 117.210, 117.215, 117.223, 117.225, 117.230, 117.235, 117.240, 117.245, 117.252, 117.254, 117.256, 117.300, 117.303, 117.305, 117.310, 117.315, 117.320, 117.323, 117.325, 117.330, 117.335, 117.340, 117.345, 117.350, 117.352, 117.354, 117.356, 117.400, 117.403, 117.410, 117.423, 117.425, 117.430, 117.435, 117.440, 117.445, 117.450, 117.454, 117.456, 117.9800, and 117.9810
- Repealed: 117.201, 117.203, 117.205–117.211, 117.213–117.217, 117.219, 117.221, 117.223, 117.570, and 117.571

#### Areas affected:

- BPA area (Hardin, Jefferson, and Orange Counties)
- DFW area (Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, and Tarrant Counties)
- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: 03/01/2010 (Effective date: 06/14/2007)

#### Summary:

The rulemaking establishes new emission specifications for any major stationary industrial, commercial, and institutional source of NO<sub>x</sub> in Chapter 117, Subchapter B, Division 4.

The rulemaking defines a major source as the potential to emit at least 50 tons per year of NO<sub>x</sub> emissions. The new rule requirements implement reasonably available control measures (RACM) to help advance attainment of the eight-hour ozone NAAQS in the DFW area.

The rulemaking moves the existing rule language from Subchapter B, Division 3 for major industrial, commercial, and institutional sources into new Subchapter B, Division 1 for the BPA area, Division 2 for the DFW area (Collin, Dallas, Denton, and Tarrant Counties), and Division 3 for the HGB area.

The rulemaking also updates and renumbers the compliance flexibility options in new sections 117.9800 and 117.9810.

This rulemaking is part of the [DFW Eight-Hour Ozone Attainment Demonstration SIP Revision \(2006-013-SIP-NR\) \(05/23/2007\)](#).

## Rule Project Adopted on 04/27/2005

### Rule project number 2005-004-117-EN

Proposal: [29 TexReg 11279](#) (12/03/2004)

Adoption: [30 TexReg 2862](#) (05/13/2005)

Date submitted to EPA: 05/13/2005

EPA approval: [73 FR 47835](#) (08/15/2008)

#### Sections affected:

- Amended: 117.201, 117.203, 117.206, 117.213, and 117.214

#### Areas affected:

- BPA area (Hardin, Jefferson, and Orange Counties)
- DFW area (Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, and Tarrant Counties)
- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: 03/31/2007 (Effective date: 05/19/2005)

#### Summary:

The revisions clarify applicability of rule requirements to potential owners or operators of affected sources in Ellis, Johnson, Kaufman, Parker, and Rockwall Counties.

The rulemaking clarifies the intended exempt sources from the NO<sub>x</sub> control requirements.

The adopted rulemaking also clarifies emission specifications for certain units, and creates new emission specifications for gas-fired lean-burn and gas-fired rich-burn stationary reciprocating internal combustion engines rated 300 horsepower or greater in the DFW area.

The maximum rated capacity of units should be used to determine requirements for control plans, compliance demonstration, monitoring, testing requirements, and final control plan.

The changes also specify the accuracy of totalizing fuel flow meters to  $\pm 5\%$  to ensure that fuel usage data is representative of actual operations and to demonstrate compliance with the NO<sub>x</sub> Mass Emissions Cap and Trade (MECT) requirements of Chapter 101, Subchapter H.

The revisions specify certain operating scenarios that are exempt from totalizing fuel flow meter requirements; when a single meter can be used on exhaust streams; NO<sub>x</sub> data substitution procedures for emissions compliance; and monitoring requirements for main exhaust stacks and bypass stacks.

This rulemaking is part of the [DFW 5% Increment of Progress SIP Revision \(2004-096-SIP-AI\)](#) (04/27/2005).

## Rule Project Adopted on 12/13/2002

### Rule project number 2002-038-117-AI

Proposal: [27 TexReg 5454](#) (06/21/2002)

Adoption: [28 TexReg 242](#) (01/03/2003)

Date submitted to EPA: 01/28/2003

EPA approval: [71 FR 52670](#) (09/06/2006)

#### Sections affected:

- Amended: 117.203, 117.205–117.207, 117.213–117.216, 117.219, 117.221, and 117.223

#### Areas affected:

- BPA area (Hardin, Jefferson, and Orange Counties)
- DFW area (Collin, Dallas, Denton, and Tarrant Counties)
- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: 03/31/2007 (Effective date: 01/17/2003)

#### Summary:

The rulemaking clarifies exemptions and adds molten sulfur oxidation furnaces to the list of exempted sources.

The rulemaking revises alternate emission specifications for attainment demonstrations (ESAD) for certain units; creates a new carbon monoxide limit for wood fuel-fired boilers or process heaters; specifies the percent oxygen concentration to which existing ammonia limits are corrected; specifies the emission monitoring requirements of non-ESAD units that are associated with ESAD units; clarifies the definition of a major stationary source of NO<sub>x</sub>; and excludes firewater pumps used for emergency response training from operation restrictions.

The changes clarify the applicability of alternative plant-wide RACT emission specifications and more stringent ESAD based on compliance dates for units in the HGB area.

The changes clarify the monitoring requirements for stationary gas turbines and fluid catalytic cracking units.

The revisions address the sharing of continuous emissions monitoring systems among more than one unit for those units participating in the MECT program of Chapter 101, Subchapter H in the HGB area.

The rulemaking incorporates a new ammonia monitoring requirement for units that inject urea or ammonia into an exhaust stream for NO<sub>x</sub> control.

The rulemaking clarifies monitoring and operating restriction requirements for stationary internal combustion engines, final control plan procedures, and source cap rule language applicability and requirements.

This rulemaking is part of the [HGB Attainment SIP Revision \(2002-046a-SIP-AI\)](#) (12/13/2002).

## Rule Project Adopted on 03/13/2002

### **Rule project number 2001-025d-117-AI**

Proposal: [26 TexReg 9519](#) (11/23/2001)

Adoption: [27 TexReg 2519](#) (03/29/2002)

Date submitted to EPA: 07/15/2002

EPA approval: Pending

Section affected:

- New: 117.571

Areas affected:

- DFW area (Collin, Dallas, Denton, and Tarrant Counties)
- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: (Effective date: 04/04/2002)

Summary:

The adopted rulemaking allows major sources of NO<sub>x</sub> meeting certain criteria an alternative option to comply with the Chapter 117 NO<sub>x</sub> emission specifications. Owners and operators choosing this alternative compliance option would be eligible to temporarily substitute NO<sub>x</sub> emission reductions resulting from the Texas Emission Reduction Program (TERP) for the NO<sub>x</sub> emission reductions the owner or operator is required to make under the Chapter 117 rules.

## Rule Project Adopted on 09/26/2001

### Rule project number 2001-007b-117-AI

Proposal: [26 TexReg 4400](#) (06/15/2001)

Adoption: [26 TexReg 8110](#) (10/12/2001)

Date submitted to EPA: 10/04/2001

EPA approval: [66 FR 57230](#) (11/14/2001)

#### Sections affected:

- Amended: 117.203, 117.206, 117.210, 117.213, 117.214, and 117.219

#### Areas affected:

- BPA area (Hardin, Jefferson, and Orange Counties)
- DFW area (Collin, Dallas, Denton, and Tarrant Counties),
- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: 03/31/2007 (Effective date: 10/18/2001)

#### Summary:

The rulemaking clarifies which engines must meet federal Tier emission standards for non-road diesel engines in the HGB area.

The rulemaking creates new exemptions for stationary diesel engines in the HGB area that are placed into service before and after 10/01/2001.

The revisions delete an exemption for electric generating units that are defined as small and that are registered under a standard permit.

The changes incorporate a revised emission specification for ESAD for stationary engines fired on landfill gas.

The revisions clarify the intent of existing language concerning units in the HGB area that combust fuel or waste streams containing chemical-bound nitrogen, with some changes prohibiting the owner or operator of such units from directing these streams to flares or other units which are not subject to an ESAD.

The rulemaking specifies how to treat units that can be classified as multiple unit types for purposes of applying the ESAD.

The revisions clarify system cap requirements regarding applicability and the calculation method for a rolling 30-day average emission cap.

The changes also require the installation of a continuous emissions monitoring system or a predictive emissions monitoring system to measure NOx emissions from fluid catalytic cracking units in the HGB area.

The revisions also specify that any run time meter installed on or after October 1, 2001 must be non-resettable to ensure enforceability of the limit on hours of operation under exemption.

The rulemaking specifies recordkeeping requirements for stationary diesel and dual-fuel engines in the HGB area that are operated for testing or maintenance in order to ensure compliance with the operating hour restrictions for testing and maintenance and for the purpose of engine operation.

This rulemaking is part of the [HGB SIP Revision \(2001-007-SIP-AI\)](#) (09/26/2001).

## Rule Project Adopted on 12/06/2000

### Rule project number 2000-011H-117-AI

Proposal: [25 TexReg 8275](#) (08/25/2000)

Adoption: [26 TexReg 524](#) (01/12/2001)

Date submitted to EPA: 12/20/2000

EPA approval: [66 FR 57230](#) (11/14/2001)

#### Sections affected:

- Amended: 117.201, 117.203, 117.205–117.208, 117.211, 117.213, 117.216, 117.219, and 117.221
- New: 117.210 and 117.214

#### Areas affected:

- BPA area (Hardin, Jefferson, and Orange Counties)
- DFW area (Collin, Dallas, Denton, and Tarrant Counties),
- HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties)

Compliance date: 03/31/2007 (Effective date: 01/18/2001)

#### Summary:

These rule requirements are RACM strategies adopted to help advance attainment of the one-hour ozone standard and to satisfy federal RACT requirements for major sources of NO<sub>x</sub> in the HGB area.

The rulemaking establishes new emission specifications for certain major sources; clarifies existing exemptions and adds new exemptions for specified units; and incorporates monitoring, testing, and recordkeeping requirements for units located at major sources.

The rulemaking clarifies that owners or operators of units that use liquid or gaseous streams containing chemical-bound nitrogen as a source of fuel or combustion air are prohibited from directing these streams to flares or other units which are not subject to an ESAD, unless the unit receiving the stream is participating in the Chapter 101 MECT program and uses an emissions monitoring system.

The rulemaking establishes new system cap requirements for electric generating facilities to increase compliance flexibility.

This rulemaking is part of the [HGB Attainment SIP Revision \(2000-011-SIP-AI\)](#) (12/06/2000).

## Rule Project Adopted on 04/19/2000

### Rule project numbers 1999-056-117-AI and 1999-055D-117-AI

Proposal: [24 TexReg 11977](#) (12/31/1999)

Adoption: [25 TexReg 4140](#) (05/05/2000)

EPA approval: [65 FR 64148](#) (10/26/2000) and [66 FR 15195](#) (03/16/2001)

Sections affected:

- Amended: 117.201, 117.203, 117.205, 117.207–117.209, 117.211, 117.213, 117.215, 117.217, 117.219, 117.221, and 117.223
- New: 117.206 and 117.216

Areas affected:

- BPA area (Hardin, Jefferson, and Orange Counties)
- DFW area (Collin, Dallas, Denton, and Tarrant Counties)

Compliance date: 05/01/2005 (Effective date: 05/11/2000)

Summary:

The rulemaking specifies new limits for major sources of NO<sub>x</sub> for gas-fired boilers and process heaters in the BPA area and gas-fired boilers and lean-burn, gas and gas/liquid-fired engines in the DFW area.

The revisions include revised carbon monoxide and ammonia limits to address the possible increase in these pollutants as a result of compliance with the NO<sub>x</sub> limits. The rulemaking also adds references to carbon monoxide (CO) and ammonia limits for alternative case-specific specifications.

The revisions specify that opt-in units no longer include boilers and heaters rated between 40 and 100 million British thermal units per hour that are subject to the new ESAD.

In the BPA area, the changes disallow a higher NO<sub>x</sub> limit with hydrogen fuel for major source refineries and petrochemical plants.

The changes allow fuel trim as an alternative to oxygen or carbon monoxide trim for natural gas-fired boilers. The changes require units that tie into a common stack to be monitored with a NO<sub>x</sub> continuous emissions monitoring system or a predictive emissions monitoring system if the combined heat input exceeds 250 million British thermal units per hour.

The rulemaking clarifies diluents and exhaust flow monitors and updates rule language to allow the source cap to be used as an alternative means of compliance for emission limits.

These rule requirements implement RACM to help advance attainment of the one-hour ozone standard and satisfies federal RACT requirements for lean-burn engines in the DFW area.

This rulemaking is part of the [DFW Attainment SIP Revision \(1999-055-SIP-AI\)](#) (04/19/2000) and [BPA One-Hour Ozone Attainment SIP Revision \(1999-056-SIP-AI\)](#) (04/19/2000).

## Rule Project Adopted on 10/27/1999

### Rule project number 1999-020-117-AI

Proposal: [24 TexReg 5436](#) (07/16/1999)

Adoption: [24 TexReg 10113](#) (11/12/1999)

Date submitted to EPA: 11/12/1999

EPA approval: [65 FR 53172](#) (09/01/2000)

#### Sections affected:

- Amended: 117.205, 117.207, 117.208, 117.209, 117.211, 117.213, 117.219, and 117.223

#### Areas affected:

- BPA area (Hardin, Jefferson, and Orange Counties)

Compliance date: 11/15/2001 (Effective date: 11/21/1999)

#### Summary:

The revisions adopt new NO<sub>x</sub> and CO emission specifications for lean-burn gas-fired engines.

The revisions clarify the exemption from NO<sub>x</sub> emission specifications for boilers and industrial furnaces regulated by EPA at [40 Code of Federal Regulations Part 266, Subpart H](#).

The changes eliminate the boiler trim operating requirement for wood-fired boilers.

The rulemaking provides an option to use a calibrated exhaust flow monitor for units that are monitored with a continuous emissions monitoring system.

The rulemaking clarifies the appropriate location and calibration of oxygen monitors for those units required to use the monitors.

The rulemaking adds recordkeeping requirements for exhaust flow monitoring and maintenance of engine emission control systems for certain components.

The revisions also establish new baseline dates for owners or operators wishing to use the source cap compliance option for compliance with the new lean-burn emission specification.

This rulemaking is part of the [Beaumont-Port Arthur One-Hour Ozone Attainment SIP Revision \(1999-018-SIP-AI\)](#) (10/27/1999).

## Rule Project Adopted on 02/24/1999

### Rule project number 1998-030-117-AI

Proposal: [23 TexReg 11281](#) (11/06/1998)

Adoption: [24 TexReg 1784](#) (03/12/1999)

Date submitted to EPA: 03/16/1999

EPA approval: [65 FR 53172](#) (09/01/2000)

#### Sections affected:

- Amended: 117.201, 117.203, 117.205, 117.207–117.209, 117.211, 117.213, 117.215, 117.217, 117.219, 117.221, and 117.223

#### Area affected:

- DFW area (Collin, Dallas, Denton, and Tarrant Counties)

Compliance date: 03/31/2001 (Effective date: 03/21/1999)

#### Summary:

The revisions clarify the exemption level for internal combustion engines; clarify the use of a hydrogen multiplier for combustion units; set the emission specification for rich-burn gas engines to be consistent with NO<sub>x</sub> RACT requirements for an area classified as serious nonattainment; and clarify that NO<sub>x</sub> opt-in units must comply with ammonia and CO limits to ensure good practice of NO<sub>x</sub> control.

The revisions further clarify initial control plan procedures for major sources of NO<sub>x</sub>; initial demonstration of compliance requirements; and continuous demonstration of compliance requirements.

The revisions add an exemption for two types of units that recover sulfur compounds from process streams.

The changes also clarify plant-wide emission limit and source cap reporting requirements.

The revisions extend NO<sub>x</sub> RACT requirements to the DFW area. This rulemaking is part of the [DFW Attainment SIP Revision \(1998-046-SIP-AI\)](#) (02/24/1999).

## Rule Project Adopted on 05/20/1998

### Rule project number 1997-181-117-AI

Proposal: [23 TexReg 319](#) (01/09/1998)

Adoption: [23 TexReg 5973](#) (06/05/1998)

Date submitted to EPA: 06/02/1998

EPA approval: [65 FR 11468](#) (03/03/2000)

#### Sections affected:

- Amended: 117.205, 117.211, and 117.213

#### Areas affected:

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

Compliance date: 11/15/1999 (Effective date: 06/10/1998)

#### Summary:

The rulemaking extends the final compliance date for these requirements from May 31, 1999 to November 15, 1999 for sources in the BPA and HGB areas. The rulemaking also adds an alternative monitoring option for carbon monoxide from industrial units and adjusts the averaging period for demonstrating compliance.

The commission originally adopted these NOx RACT requirements on April 9, 1993 for the BPA and HGB areas. On April 12, 1995, the EPA approved a temporary exemption from the federally required NOx RACT measures in these areas. Upon expiration of this exemption, the NOx RACT rules were fully effective. This rulemaking facilitates the transition to compliance with these NOx RACT rules.

## Rule Project Adopted on 05/25/1994

Proposal: [19 TexReg 30](#) (01/04/1994)

Adoption: [19 TexReg 4523](#) (06/10/1994)

Date submitted to EPA: 06/09/1994

EPA approval: [65 FR 11468](#) (03/03/2000)

Sections affected:

- Amended: 117.203, 117.205, 117.207–117.209, 117.211, 117.213, 117.215, 117.217, 117.219, and 117.221

Areas affected:

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

Compliance date: (Effective date: 06/23/1994)

- 04/01/1994 or 09/01/1994 - Initial control plan
- 05/31/1995 or 07/31/1995 - Tests for units with continuous emissions monitoring system (CEMS) or predictive emissions monitoring system (PEMS)

Summary:

The rulemaking clarifies that new functionally identical replacements for existing units are not exempt from the rule; limits the emission credits resulting from operation of replacement units to the cumulative maximum rated capacity of the units replaced; clarifies that compliance with this rule does not eliminate the Chapter 116 new source review requirement for replacement units; and allows replacement units to be included in a revision to the final control plan.

The rulemaking adds calculation procedures inadvertently deleted during the previous rulemaking and adds a new CO emission limit for wood-fired boilers and process heaters. The rulemaking revises the alternative plant-wide emission specifications to clarify the methods for applying emission limits and allow certain boilers and industrial furnaces to participate.

The rulemaking establishes contents of the initial control plan required to be submitted.

The rulemaking allows the use PEMS as an alternative to CEMS and adds associated compliance demonstration, notification, recordkeeping, and reporting requirements. The rulemaking allows certain gas turbines using steam or water injection to use steam-to-fuel or water-to-fuel ratio monitoring data to demonstrate continuous compliance and specifies procedures for determining periods of excess emissions.

The rulemaking corrects and updates references and test methods; specifies conditions for approval of alternate test methods; specifies procedures for performing relative accuracy test audits; adds exceptions and alternatives to the requirements of 40 Code of Federal Regulations Part 75, Subpart E; allows the use

of totalizing fuel flow meter or elapsed run time meter data to document low annual capacity factor; and adds procedures for units that fail to meet exemption criteria.

## Rule Project Adopted on 10/27/1993

Proposal: [18 TexReg 3745](#) (06/15/1993)

Adoption: [18 TexReg 8956](#) (12/03/1993)

Date submitted to EPA: 11/12/1993

EPA approval: [65 FR 11468](#) (03/03/2000)

Sections affected:

- Amended: 117.205

Areas affected:

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

Compliance date: 05/31/1995 (Effective date: 12/15/1993)

Summary:

The rulemaking clarifies that the more stringent of the NO<sub>x</sub> emission limit in a Chapter 116 permit or the appropriate RACT limit of Section 117.205 apply. This revision makes the calculation of the alternative plant-wide emission limit more consistent with EPA guidance and addresses the possibility of using unreasonably high permit limits as RACT limits.

## Rule Project Adopted on 05/11/1993

Proposal: [17 TexReg 8136](#) (11/20/1992)

Adoption: [18 TexReg 3409](#) (05/28/1993)

Date submitted to EPA: 06/15/1993

EPA approval: [65 FR 11468](#) (03/03/2000)

Sections affected:

- New: 117.201, 117.203, 117.205, 117.207–117.209, 117.211, 117.213, 117.215, 117.217, 117.219, and 117.221

Areas affected:

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

Compliance date: 05/31/1995 (Effective date: 06/09/1993)

Summary:

The rulemaking establishes new requirements for boilers, process heaters, stationary gas turbines, and stationary internal combustion engines located at existing commercial, institutional and industrial major sources in the BPA and HGB areas. The rulemaking also repeals the existing 117.1 concerning gas fired steam generating rules, 117.3 concerning modification dates, and 117.4 concerning effective dates.

This rulemaking implements RACT requirements for major sources of this alternative control technology category ([EPA-453/3-91-026](#)).

## Rule Project Adopted on 04/23/1976

Proposal: [1 TexReg 545](#) (03/09/1976)

Adoption: [1 TexReg 1173](#) (05/04/1976)

Date submitted to EPA: Not available

EPA approval: Not available

Sections affected:

- Amended: 131.09.00.001

Areas affected:

- DFW area
- HGB area

Effective date: May 26, 1976

Summary:

The rulemaking sets the NOx emission limits for gas-fired steam generating units meeting a certain pounds per hour threshold and provides an exemption for electric generating "peaking units."

## Rule Project Adopted on 07/27/1972

Adoption: [Regulation VII](#) (07/27/1972)

Date Submitted to the EPA: 08/08/1972

EPA Approval: [42 FR 8967](#) (03/02/1976)

Sections Affected:

- Amended: 701–703
- New: 704

Areas affected:

- DFW area
- HGB area

Compliance date: 8/31/1972

Summary:

The rulemaking restricts the emissions of nitrogen oxides from steam generating units. The rulemaking modifies the compliance date for rule 701 and sets the compliance schedule.

## Rule Project Adopted on 1/26/1972

Adoption: [Regulation VII](#) (01/26/1972)

Date Submitted to the EPA: 02/25/1972

EPA Approval: [41 FR 8966](#) (03/02/1976)

Sections Affected:

- New: 701-703

Area affected:

Compliance date: 12/31/1972

Summary:

This rulemaking initiates the investigation of controls on nitrogen oxides from stationary sources and establishes controls on nitrogen oxide emissions from nitric acid manufacturing. The rule also sets up the compliance schedule for testing the pollution abatement equipment and procedures.