

The commission proposes new §§122.511-122.515, concerning the requirements for specific general permits. The proposed general permits are based on available guidance from the United States Environmental Protection Agency (EPA) on general permits and the interpretation by the commission of the requirements of the June 7, 1995, Federal Register notice entitled “Clean Air Act Proposed Interim Approval Operating Permits Program for the State of Texas” that are applicable to general permits. The new sections will be included in a new undesignated head entitled “Available General Permits”; the new undesignated head will be located in new Subchapter F entitled “General Permits.” The proposed rules concerning General Permits have been developed to facilitate a simplified alternate permitting mechanism to comply with the requirement for states to implement an operating permit program mandated by the 1990 Amendments to the Federal Clean Air Act (FCAA).

The rules regarding General Permits are proposed for the entire State of Texas.

The new undesignated head in the new Subchapter F will list specific general permits that have been developed as an alternate permitting method to assist sites subject to the Texas Interim Operating Permits Program (which is implemented by Title 30, Texas Administrative Code, Chapter 122 (30 TAC Chapter 122)) in complying with the requirement to obtain an operating permit. The Texas Interim Operating Permits Program affects business activities with Standard Industrial Classification (SIC) codes of 1311, 1321, 4911, 4922, 4923, and 5171. However, general permits for acid rain sources (SIC code 4911) shall not be authorized, as stated in Title 40, Code of Federal Regulations, Part 70 in §70.6(d)(1). Therefore, the business activities that are eligible to obtain a general permit include oil and gas operations (SIC codes 1311, 1321, 4922, and 4923) and bulk fuel storage terminals (SIC code

5171). Four general permits have been developed for oil and gas operations and they are listed in §§122.511-122.514. Section 122.515 is the general permit which has been developed for bulk fuel storage terminals. Each general permit will contain three subsections containing qualification criteria, general conditions, and permit tables which list the requirements that apply to emission units at a site subject to the Texas Interim Operating Permits Program.

The proposed §122.511, concerning Oil and Gas General Permit - Brazoria, Chambers, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Hardin, Harris, Jefferson, Liberty, Montgomery, Orange, Tarrant, and Waller Counties, provides sites subject to 30 TAC Chapter 122 which are located in these counties the authority to operate under this general permit, provided that the units meet the Qualification Criteria listed in subsection (a) of this section. General Provisions that the owner or operator must comply with are listed in subsection (b) of this section.

The proposed §122.512, concerning Oil and Gas General Permit - Gregg, Nueces, and Victoria Counties, provides sites subject to 30 TAC Chapter 122 which are located in these counties the authority to operate under this general permit, provided that the units meet the Qualification Criteria listed in subsection (a) of this section. General Provisions that the owner or operator must comply with are listed in subsection (b) of this section.

The proposed §122.513, concerning Oil and Gas General Permit - Aransas, Bexar, Calhoun, Matagorda, San Patricio, and Travis Counties, provides sites subject to 30 TAC Chapter 122 which are located in these counties the authority to operate under this general permit, provided that the units meet

the Qualification Criteria listed in subsection (a) of this section. General Provisions that the owner or operator must comply with are listed in subsection (b) of this section.

The proposed §122.514, concerning Oil and Gas General Permit - All Texas Counties Except for Aransas, Bexar, Brazoria, Calhoun, Chambers, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Gregg, Hardin, Harris, Jefferson, Liberty, Matagorda, Montgomery, Nueces, Orange, San Patricio, Tarrant, Travis, Victoria, and Waller Counties, provides sites subject to 30 TAC Chapter 122 which are located in these counties the authority to operate under this general permit, provided that the units meet the Qualification Criteria listed in subsection (a) of this section. General Provisions that the owner or operator must comply with are listed in subsection (b) of this section.

The proposed §122.515, concerning Bulk Fuel Storage Terminal General Permit, provides sites subject to 30 TAC Chapter 122 the authority to operate under this general permit, provided that the units meet the Qualification Criteria listed in subsection (a) of this section. General Provisions that the owner or operator must comply with are listed in subsection (b) of this section.

The requirements for each site subject to 30 TAC Chapter 122 which apply on a unit-specific basis for purposes of these general permits are listed in subsection (c) of each new section of §§122.511-122.515; these requirements are merely a tabular listing of requirements that have been previously codified in separate federal and state rulemakings. For this reason, should there be any errors in incorporating all requirements, the correction of these errors during the adoption of these rules would not constitute adding new requirements against the units or the site. Furthermore, failure to include all

requirements in these rules does not relieve an owner or operator from having to comply with the absent requirement. All general permits are required to comply with the conditions listed in §122.143, which includes the condition that compliance with the federal operating permit does not relieve the permittee's obligation to comply with any other applicable commission rules, regulations, or orders. The intent of general permits is to codify as many commonly occurring requirements, as possible, for emission units at oil and gas sites and bulk fuel storage terminal sites subject to the provisions of 30 TAC Chapter 122. It is anticipated that some sites may contain emission units that cannot be authorized to operate under a general permit because they have requirements that are not codified in the general permit. Those emission units will require another type of federal operating permit (either a site operating permit or a temporary operating permit). However, the remaining emission units at the site can still apply for and be authorized to operate under a general permit.

A similar situation exists where there are emission units that are out of compliance at the site. Since general permits are only to be used to cover emission units at the site subject to the provisions of 30 TAC Chapter 122 that are in compliance, emission units that are out of compliance at the time of application must apply for another type of federal operating permit (either a site operating permit or a temporary operating permit). However, this does not affect the ability of the other emission units at the site to be authorized to operate under a general permit.

The general permits do not codify the requirements for all physically possible combinations of unit attributes (e.g., for tanks, the date of construction, volume, type of material stored, true vapor pressure of material stored, etc.) Combinations of unit attributes which were rarely thought to exist or that were

extremely difficult to codify in the permit tables were not codified in the permit table. For example, the oil and gas general permits in §§122.511-122.514 do not address the requirements from Title 40, Code of Federal Regulations, Part 60 (40 CFR 60), Subparts K, Ka, and Kb for floating roof storage tanks. The exclusion of floating roof storage tanks and their 40 CFR 60 requirements is listed as a qualification criteria in subsection (a) in §§122.511-122.514. The commission is soliciting comments on this and other exclusions that result in a qualification criteria being listed in each general permit.

The commission has proposed certain requirements which are codified in subsection (c) of each general permit that may not apply to sources seeking to be authorized to operate under a general permit, due to the unit attributes of the sources. For instance, the permit table in §122.511(c)(8) for Process Heaters/Furnaces includes the requirements from Title 30, Texas Administrative Code, Chapter 112 (30 TAC Chapter 112) for the instances when one of these units fires liquid fuel. If there are no comments received that support the inclusion of these provisions in the general permits, then the listing of the 30 TAC Chapter 112 requirements may be deleted from the permit table and a qualification criteria would be added to reflect this in subsection (a) of §122.511. The same issue exists for liquid fuel-firing of Boilers/Steam Generators and their requirements as they are listed in the qualification criteria in §122.511(a)(10) and in the permit table in §122.511(c)(16). The commission is soliciting comments to learn if there are any liquid fuel-fired process heaters and furnaces or boilers and steam generators in use by the oil and gas industry that would require that 30 TAC Chapter 112 requirements be codified in the general permit.

There is a general provision in subsection (b) of each general permit which states that detailed applicability determinations and the underlying basis for each applicability determination submitted in the application shall become conditions under which the owner or operator shall operate. This general provision is enforceable by both the commission and the EPA. The portions of the permit application that do not provide the detailed applicability determinations and the underlying basis are not enforceable.

The commission has developed the permit tables to assist the general permit applicants in completing the applications. The permit tables list a unique identifier (called an index number) for each possible requirement based on the emission unit's attributes. There is only one possible index number that applies, based on the unit's attributes that are listed in the permit table. This allows for both positive and negative applicability determinations for the requirements that potentially apply to each emission unit. The listing of the applicable requirements follows to the right of each index number in the permit tables. The index number is used to link specific units in the application to applicable requirements in the permit.

The following 32 issues are being reviewed by the staff for the purposes of developing official interpretations of applicable rules. The commission requests comment on each preliminary determination. Preliminary determinations have been utilized to develop the Qualification Criteria, General Provisions, and Permit Tables in each of the general permits. These preliminary determinations may be altered in the final rule based on the analysis of testimony and the continuing review of these determinations by the staff during the public comment period. In the case of

determinations involving federal standards, the commission staff has utilized available guidance from EPA. Comments on federal standards should be based on EPA guidance.

1. Determination of applicability of Title 30, Texas Administrative Code, Chapter 115 (30 TAC Chapter 115) in §115.342 versus §115.352 for volatile organic compound (VOC) fugitive emission controls at natural gas/gasoline processing plants.

Preliminarily determined that only the requirements contained in §§115.352-115.359 would apply, and that the requirements of §§115.342-115.349 should be repealed after the November 15, 1996 compliance date. After November 15, 1996 and until such time as §§115.342-115.349 are repealed, sources shall only be required to comply with §§115.352-115.359. Affects the permit table in §122.511(c)(7).

2. Determination of applicability of nitrogen oxides (NO_x) monitoring requirements under 40 CFR 60, Subpart GG when exempted from NO_x emission standards of Subpart GG.

Preliminarily determined that the reporting (notification) requirements in 40 CFR, §60.334(c)(3) and the monitoring requirements in 40 CFR, §60.334(a) apply when claiming the exemption in 40 CFR, §60.332(f). Affects the permit table in §122.511(c)(1).

3. Determination of applicability of §115.126(a)(2) and (b)(2) when complying with §115.126(a)(3) and (b)(3).

Preliminarily determined that compliance with §115.126(a)(3) and (b)(3) would be sufficient to determine compliance with §115.126(a)(2) and (b)(2). Affects the permit tables in §122.511(c)(14) and §122.512(c)(13).

4. Determination of whether a “depressurization of a compressor” would trigger applicability of §§115.121-115.129, relating to the undesignated head Vent Gas Control in 30 TAC Chapter 115.

Preliminarily determined that a “depressurization of a compressor” is considered to be exempt from §§115.121-115.129, relating to the undesignated head Vent Gas Control, if the notification requirements of §101.7, relating to Notification Requirements for Maintenance are met. Additionally, other maintenance activities meeting the notification requirements of §101.7 may also be exempt from §§115.121-115.129. Affects the permit tables in §§122.511(c)(14); 122.512(13); and 122.513(c)(13).

5. Determination of whether a flare may be considered a direct-flame incinerator.

Preliminarily determined that except for the case where a vapor combustion device (i.e., incinerator) contains a flame that is totally enclosed and/or incorporates a forced-draft air blower or other air-damping device, a direct-flame incinerator shall be considered to be a flare. Affects the permit tables in

§§122.511(c)(4), (14), (17), and (18); 122.512(c)(4), (13), (15), and (16); and 122.515(c)(4), (5), (10), (11), (13), and (14).

6. Determination of any applicable monitoring, testing, recordkeeping, and reporting requirements when claiming any exemptions in §115.137(b)(1), (2), and (4).

Preliminarily determined that sources exempted from §115.137(b)(1), (2), and (4) would have to comply with the monitoring and recordkeeping requirements of §115.136(b)(1) and (4). There are no testing or reporting requirements when claiming the exemption. Affects the permit tables in §122.512(c)(16) and §122.515(c)(14).

7. Determination of any applicable monitoring and recordkeeping requirements in §115.136 when claiming the exemptions in §115.137(a)(3) and (c)(4).

Preliminarily determined that sources exempted from §115.137(a)(3) would have to comply with the monitoring and recordkeeping requirements of §115.136(a)(1) and that sources exempted from §115.137(c)(4) would exempt from all other requirements of §§115.131-115.137. Affects the permit tables in §§122.511(c)(18); 122.513(c)(16); and 122.515(c)(13) and (15).

8. Determination of applicability of §115.112(a)(2)(F) and §115.114(a) for internal floating roof tanks with secondary seals.

Preliminarily determined that internal floating roof tanks with secondary seals are not required to comply with the secondary seal requirements of §115.112(a)(2)(F) and §115.114(a). Affects the permit table in §122.515(c)(4).

9. Determination of applicability of §115.116(a) and (b)(1) when claiming the exemptions in §115.117(a) and (b)(1).

Preliminarily determined that the requirements of §115.116(a)(1) and (b)(1) are applicable only when storing material with a true vapor pressure between 1.0 and 1.5 pounds per square inch absolute. Affects the permit tables in §§122.511(c)(4); 122.512(c)(4); and 122.515(c)(4) and (5).

10. Determination of applicability of secondary seal requirements for external floating roof tanks storing waxy, high pour point crude oil.

Preliminarily determined that external floating roof tanks storing waxy, high pour point crude oil are not required to comply with any secondary seal requirements in §§115.112(a)-115.119(a). Affects the permit table in §122.515(c)(4) and (5).

11. Determination of whether “gun barrels” should be classified as tanks or VOC water separators.

Preliminarily determined that “gun barrels” should be classified as a VOC water separator per a Texas Natural Resource Conservation Commission (TNRCC) memo dated August 1, 1994. Affects the permit tables in §§122.511(c)(4) and (18); 122.512(c)(4) and (16); 122.513(c)(4) and (16); and 122.515(c)(13), (14), and (15).

12. Determination of applicability of Title 30, Texas Administrative Code, Chapter 111 (30 TAC Chapter 111) in §111.111(a)(1)(B) for vents with multiple sources.

Preliminarily determined that for vents with multiple sources of which any source is constructed after January 31, 1972, the opacity limits of §111.111(a)(1)(B) would apply to that vent. Affects the permit table in §122.511(c)(13).

13. Determination of applicability of §115.214(a)(3) when claiming the exemption in §115.217(a)(5).

Preliminarily determined that the inspection requirement contained in §115.214(a)(3) is applicable when claiming the exemption in §115.217(a)(5). Affects the permit table in §122.515(c)(4).

14. Determination of the definition of a VOC process vent for use in determining the applicability of §§115.121-115.129, relating to the undesignated head Vent Gas Control.

Preliminarily determined that a VOC process vent in the oil and gas industry which would be potentially subject to the requirements of §§115.121-115.129 would be any vent originating from or associated with oil/gas processing or treatment equipment containing VOCs such as crude oil or natural gas with non-methane, non-ethane components. Affects the permit tables in §§122.511(c)(14); 122.512(c)(13); and 122.513(c)(13).

15. Determination of whether a vent on a VOC water separator should be considered a VOC process vent for purposes of determining applicability of 30 TAC Chapter 115.

Preliminarily determined that vents on equipment covered under another undesignated head in 30 TAC Chapter 115 are not subject to the Vent Gas Control requirements of 30 TAC Chapter 115, effective March 7, 1996. Affects the permit tables in §§122.511(c)(14); 122.512(c)(13); and 122.513(c)(13).

16. Determination of the requirements (including 30 TAC Chapter 111) for flares used only for emergencies and/or upsets.

Preliminarily determined that the only requirement for flares in emergency or upset service may only be the requirements under §111.111(a)(1), and that these are generally waived as allowed by 30 TAC Chapter 101 in times of upset. Affects the permit table in §122.511(c)(13) and §122.515(c)(8).

17. Determination of whether the alternative standards in 40 CFR, §60.483-1 and §60.483-2 are allowed for all valves, or only for valves in gas/vapor or light liquid service.

Preliminarily determined that the alternative standards in 40 CFR, §60.483-1 and §60.483-2 are allowed only for valves in gas/vapor or light liquid service. Affects the permit table in §122.511(c)(6).

18. Determination of the requirements under 40 CFR 60, Subpart LLL for gas sweetening units with a design capacity of greater than or equal to 2.0 long tons per day, but less than 2.0 long tons per day *actual* sulfur feed rate.

Preliminarily determined that 40 CFR 60, Subpart LLL would still apply for actual sulfur feed rates less than 2.0 long tons per day, but that there are no applicable reduction efficiencies for actual rates below 2.0 long tons per day. Therefore, the owner or operator can bypass the sulfur recovery unit when operating under the scenario described in the issue as stated. Recordkeeping requirements for the sulfur recovery unit still apply, however. Affects the permit table in §122.511(c)(5).

19. Determination of whether water injection and steam injection are considered different NO_x control methods under 40 CFR 60, Subpart GG, or if the terms are used interchangeably.

Preliminarily determined that the use of the terms “water injection” and “steam injection” can be considered to be interchangeable. Affects the permit table in §122.511(c)(1).

20. Determination of the meaning of the exemption stated in 40 CFR, §60.332(j).

Preliminarily determined that all industrial turbines and pipeline turbines located in a Metropolitan Statistical Area with heat inputs at peak loads of greater than or equal to 100 million British thermal units per hour, but less than 30 megawatts for a manufacturer's rated base load at International Standards Organization conditions, and installed after October 3, 1977, but on or before January 27, 1982, would be exempt from the NO_x requirements of 40 CFR, §60.332(a). Affects the permit table in §122.511(c)(1).

21. Determination of whether an incinerator may be defined as a furnace, and under what circumstances. 30 TAC Chapter 112 impacts.

Preliminarily determined that an incinerator *used for the purposes of burning waste process vent gases* would not be subject to the requirements of 30 TAC Chapter 112. Affects the permit table in §122.511(c)(8).

22. Determination of any other NO_x requirements (e.g., monitoring, testing, etc.) or sulfur dioxide requirements for turbines in which 40 CFR 60, Subpart GG applies, but are exempt from a NO_x standard in 40 CFR, §60.332(a).

Preliminarily determined that no other NO_x requirements apply; however, sulfur dioxide requirements must still be complied with for facilities affected by this subpart that are exempt from a NO_x standard but still subject to 40 CFR 60, Subpart GG. Affects the permit table in §122.511(c)(1).

23. Determination of the definition of a natural gas processing plant as it relates to 40 CFR 60, Subpart KKK.

Preliminarily determined that the definition would include those sites which remove natural gas liquids from feedstock gas, or that separates mixed natural gas liquids into gas products and would not include production sites which extract without fractionation unless they are co-located at a site which meets the definition as previously stated. Affects the permit table in §122.511(c)(6).

24. Determination of applicability of 30 TAC §112.7 when combusting the sulfur recovery unit's waste gas stream.

Preliminarily determined that §112.7 would still apply when combusting waste gas stream from the sulfur recovery unit. Affects the permit table in §122.511(c)(12).

25. Determination of whether gas sweetening units located in marshes or bays are considered a part of the territorial seas or not for purposes of determining 40 CFR 60, Subpart LLL applicability.

Preliminarily determined that marshes or bays where gas sweetening units are located are not considered to be located in territorial seas; therefore, the gas sweetening units located in marshes or bays are considered to be located onshore for purposes of determining 40 CFR 60, Subpart LLL applicability. Affects the permit tables in §122.511(c)(5) and (11).

26. Determination of whether a glycol dehydrator firebox that burns reboiler exhaust can be considered both a process heater and a control device.

Preliminarily determined that a glycol dehydrator firebox that burns reboiler exhaust can be considered both a process heater and a control device; furthermore, this situation is akin to utilizing an alternative control method for vent gas streams subject to the Vent Gas Control rules under 30 TAC Chapter 115 and controlling emissions by the scenario described in this issue. Affects the permit tables in §§122.511(c)(14), 122.512(c)(13), and 122.513(c)(13).

27. Determination of whether the construction date described in 40 CFR, §60.330(b) is the manufactured date of the turbine or the installation of the turbine at the site.

Preliminarily determined that the construction date is interpreted to mean the installation date at the site, or the date on which a contractual obligation, such as a construction contract or a purchase order, is entered into by both affected parties. Affects the permit table in §122.511(c)(1).

28. Determination of applicability of 30 TAC §115.116(a)(1) and (b)(1) for external floating roof tanks not required by 30 TAC Chapter 115.

Preliminarily determined that §115.116(a)(1) and (b)(1) do not apply when an external floating roof is not required by 30 TAC Chapter 115. Affects the permit tables in §122.515(c)(4) and (5).

29. Determination of applicability of 30 TAC §112.9(b) when §112.9(c) applies.

Preliminarily determined that §112.9(b) could also apply when §112.9(c) applies. Affects the permit table in §122.511(c)(12).

30. Determination of applicability of 30 TAC §115.114(b)(2) - (4) for tanks with external floating roofs not required to have secondary seals.

Preliminarily determined that external floating roof tanks that are not required to have secondary seals are not required to comply with §115.114(b)(2) - (4). Affects the permit table in §122.515(c)(5).

31. Determination of the meaning of the phrase “as appropriate” in the testing citations in §111.111(a)(1)(F), (7)(B), and (8)(B).

Preliminarily determined that the phrase “as appropriate” means as appropriate between the two available methods. Affects the permit table in §122.511(c)(13).

32. Determination of the applicability of the surface coating requirements in 30 TAC Chapter 115 to maintenance painting activities and the coating of miscellaneous metal parts and products.

Preliminarily determined that the requirements relating to §§115.421-115.429 are not applicable to surface coating operations performed on in-place and on-site equipment, and which are classified as “maintenance coating” operations. Surface coating operations performed at a central location, however, are subject to requirements unless meeting one of the exemptions in §115.427(a) or (b) and any associated recordkeeping requirements. Does not affect any table, since this would be a site-wide provision.

Two of the requirements listed in the General Provisions are programs that the EPA has not delegated to the State of Texas. These programs include provisions from Title VI of the 1990 FCAA Amendments and risk management plans required by §112(r)(7). Until the EPA delegates these programs to the State of Texas, these programs are only enforced by the Administrator of the EPA.

Alternate test methods for stationary gas turbines subject to 40 CFR 60, Subpart GG have been included as a General Provision in each of the general permits. The commission is looking for guidance and approval from EPA for the proposed methodology in lieu of individual requests by an applicant.

Custom fuel monitoring is allowed as an alternative as stated in 40 CFR, §60.334(b)(2).

The commission has prepared a Takings Impact Assessment for this rule proposal pursuant to Texas Government Code, §2007.043. The purpose of this rulemaking is to provide affected persons with an

alternate permitting mechanism to achieve compliance with 30 TAC Chapter 122. These proposed rules will substantially advance this specific purpose because they will codify the general permits which may be used by the applicants who are required to submit an operating permit. The promulgation and enforcement of these rules will not burden private real property, and this rulemaking proposal is also an exempt action pursuant to Texas Government Code, §2007.003(b)(4), since the commission is fulfilling its requirement to implement a federal mandate (Title V of the 1990 FCAA Amendments).

Stephen Minick, Strategic Planning and Appropriations, has determined that for each year of the first five-year period the proposed sections are in effect, there will be no significant costs to state government or units of local government as a result of administration or enforcement of the sections. The commission may realize some reduced demand on agency resources and a related cost savings as a result of affected persons using the alternative general permitting mechanism proposed. The actual fiscal implications to the commission will depend on the number, type, and location of potential applicants for general permits and have not been determined at this time.

Mr. Minick also has determined that for the first five years the proposed sections are in effect, the public benefit anticipated as a result of enforcement of and compliance with the sections will be the satisfaction of FCAA Amendments and EPA requirements and more cost-effective regulation of sources of air emissions. The effect on persons subject to these sections will be a reduction in the potential costs of application for a federal operating permit and the operation of such permitted facilities. The actual fiscal impact on any emission unit at a site subject to the provisions of 30 TAC Chapter 122 and which is eligible to be authorized to operate under a general permit cannot be determined prospectively.

It is estimated, however, that affected persons will realize a reduction in cost of at least 20% for each general permit as a result of reducing the requirements for public notice procedures that are otherwise imposed for a federal operating permit. Additional savings are realized by the avoidance of engineering and consulting costs that would otherwise be required to determine the permit requirements for an operating unit that will now be codified in the proposed general permit. The potential cost savings will affect small businesses on the same basis as any larger business and will vary with the specific characteristics of the emission unit(s) at a site authorized to operate under a general permit. There are no economic costs anticipated for any person required to comply with these sections as proposed.

A public hearing on this proposal will be held July 8, 1996, at 10:00 a.m. in Room 2210 of Texas Natural Resource Conservation Commission (TNRCC) Building F, located at 12100 Park 35 Circle, Austin. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion within the audience will not occur during the hearing; however, an agency staff member will be available to discuss the proposal 30 minutes prior to each hearing and will answer questions before and after the hearing.

Written comments may be mailed to Lisa Martin, TNRCC Office of Policy and Regulatory Development, MC 205, P.O. Box 13087, Austin, Texas 78711-3087 or faxed to (512) 239-4808. All comments should reference Rule Log Number 96118-122-AI. Comments must be received by 5:00 p.m., July 19, 1996. For further information or questions concerning this proposal, contact Kevin Bloomer of the Operating Permits Division, Office of Air Quality, (512) 239-5730.

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

The new sections are proposed under the Texas Health and Safety Code, the Texas Clean Air Act (TCAA), §382.017, which provides the commission with the authority to adopt rules consistent with the policy and purposes of the TCAA.

The proposed new sections implement Texas Health and Safety Code, §382.051(b)(2) and §382.054.

AVAILABLE GENERAL PERMITS

§122.511. Oil and Gas General Permit - Brazoria, Chambers, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Hardin, Harris, Jefferson, Liberty, Montgomery, Orange, Tarrant, and Waller Counties.

(a) Qualification criteria. Emission units authorized to operate under this general permit shall meet each of the following criteria.

(1) Emission units which are authorized to operate under this general permit shall not have a federal prevention of significant deterioration permit or a federal nonattainment permit.

(2) Emission units which are authorized to operate under this general permit shall not use an alternative means of compliance which must be approved by the executive director of the commission or the Administrator of the United States Environmental Protection Agency (EPA).

(3) At the time of application submittal, emission units which are authorized to operate under this general permit shall be in compliance with all requirements as stated in subsections (b) and (c) of this section.

(4) Degassing and cleaning of volatile organic chemical transport vessels with a capacity greater than 8,000 gallons at sites located in counties subject to the regulatory requirements of Chapter 115 of this title (relating to Control of Air Pollution From Volatile Organic Compounds) is not authorized to operate under this general permit.

(5) Equipment in benzene service is not authorized to operate under this general permit unless the plant site is designed to produce or use less than 1,000 megagrams (1,100 tons) of benzene per year as determined according to the provisions of Title 40, Code of Federal Regulations, Part 61 (40 CFR 61) in 40 CFR, §61.245(d).

(6) Cooling towers which are authorized to operate under this general permit shall not have operated with chromium-based water treatment chemicals on or after September 8, 1994, pursuant to Title 40, Code of Federal Regulations, Part 63 (40 CFR 63), Subpart Q.

(7) Loading and unloading operations authorized to operate under this general permit shall not include the loading of volatile organic compounds (VOC) with a true vapor pressure greater than 11.0 pounds per square inch absolute (psia) into transport vessels unless the VOC is exempt from all of the control requirements of Chapter 115 of this title.

(8) Emission units in marine terminal loading and unloading operations are not authorized to operate under this general permit.

(9) For storage vessels, tanks, or containers which are authorized to operate under this general permit, the following subparagraphs shall apply.

(A) The storage vessels shall not store benzene having a specific gravity within the range of specific gravities specified in American Society for Testing and Materials (ASTM) D836-84 for Industrial Grade Benzene, ASTM D835-85 for Refined Benzene-485, ASTM D2359-85a for Refined Benzene-535, and ASTM D4734-87 for Refined Benzene-545.

(B) Internal or external floating roof vessels must be exempt from all regulatory requirements of Title 40, Code of Federal Regulations, Part 60 (40 CFR 60), Subparts K, Ka, and Kb.

(C) Internal or external floating roof tanks must be exempt from all of the regulatory requirements of Chapter 115 of this title.

(D) Volatile organic compounds shall have a true vapor pressure less than 11.0 psia, at storage conditions, if stored in vessels or tanks subject to the regulatory requirements of Chapter 115 of this title or 40 CFR 60, Subparts K and Ka.

(E) Volatile organic compounds shall have a true vapor pressure less than 11.1 psia, at storage conditions, if stored in vessels with a capacity greater than and equal to 19,800 gallons and subject to the regulatory requirements of 40 CFR 60, Subpart Kb.

(F) Degassing or cleaning of storage tanks greater than one million gallons of storage capacity is not authorized to operate under this general permit.

(G) Storage vessels shall not store waste mixtures of indeterminate or variable composition which are subject to the regulatory requirements of 40 CFR 60, Subpart Kb.

(10) Boilers and steam generators which are authorized to operate under this general permit shall only be fired with liquid fuel or natural gas, and:

(A) not have a rated capacity greater than 2,500 million British thermal units per hour (MMBtu/hr) if fired with natural gas and constructed, reconstructed, or modified on or before June 19, 1984;

(B) not have a rated capacity greater than 250 MMBtu/hr if fired with liquid fuel and constructed, reconstructed, or modified on or before June 19, 1984; or

(C) not exceed 100 MMBtu/hr rated capacity if constructed, reconstructed, or modified after June 19, 1984.

(11) Stationary gas turbines which are authorized to operate under this general permit shall:

(A) only be fired with pipeline quality natural gas;

(B) not be fired with an emergency fuel;

(C) not be supplied its fuel from an intermediate bulk storage tank;

(D) not use 40 CFR, §60.333(a) as a means to comply with the requirements of 40 CFR 60, Subpart GG; and

(E) not exceed the following if constructed, reconstructed, or modified on or after October 3, 1977:

(i) the manufacturer's rated base load at International Standards Organization conditions of 30 megawatts; or

(ii) a heat input at peak load greater than 100 MMBtu/hr based on the lower heating value of the fuel fired.

(12) Emission units subject to the regulatory requirements of 40 CFR 60, Subpart XX are not authorized to operate under this general permit.

(13) Degreasing operations which are authorized to operate under this general permit shall not utilize the following:

(A) a VOC for open-top vapor or conveyORIZED degreasing; or

(B) individual batch vapor, in-line vapor, in-line cold, or batch cold solvent cleaning machines subject to the regulatory requirements of 40 CFR 63, Subpart T.

(14) Emission units which are authorized to operate under this general permit and are subject to Chapter 111 of this title (relating to Control of Air Pollution From Visible Emissions and Particulate Matter) may not claim an exemption from the continuous emission monitoring requirements of §111.111(a)(3) of this title (relating to Requirements for Specified Sources).

(15) VOC water separators which are authorized to operate under this general permit shall not have been subject to the control requirements of §115.132(a)(1) - (3) of this title (relating to Control Requirements) at any time since July 17, 1991, which later were exempted from control requirements by satisfying the conditions of §115.132(a)(4)(A) and (B) of this title.

(16) Process vents which are authorized to operate under this general permit:

(A) shall not be subject to the emission specifications of §115.121(a)(2)-(4) of this title (relating to Emission Specifications) and the control requirements of §115.122(a)(2) and (3) of this title (relating to Control Requirements); or

(B) shall not have been subject to the emission specifications of §115.121(a)(1) of this title and the control requirements of §115.122(a)(1) of this title at any time since July 17, 1991, which later were exempted from control requirements by satisfying the conditions of §115.122(a)(4)(A) and (B) of this title.

(17) VOC loading/unloading which is authorized to operate under this general permit shall not have been subject to the control requirements of §115.212(a)(2) and (4) - (6) of this title (relating to Control Requirements) at any time since November 15, 1996, which later were exempted from these control requirements by satisfying the conditions of §115.212(a)(12) of this title.

(18) Loading racks at a benzene production facility shall not be authorized to operate under this general permit unless these loading racks load only the following: gasoline, crude oil, natural gas liquids, or petroleum distillates.

(19) Surface coating operations, other than those performed on equipment that is located on-site and in-place, which are authorized to operate under this general permit shall not emit,

when uncontrolled, a combined weight of VOC greater than or equal to three pounds per hour and 15 pounds in any consecutive 24-hour period.

(b) General provisions.

(1) The owner or operator shall comply with the requirements relating to General Permits which are contained in this chapter.

(2) The owner or operator shall comply with the conditions listed in §122.143 of this title (relating to Permit Conditions).

(3) If there are any requirements that apply to an emission unit that are not codified in subsections (b) or (c) of this section, then that emission unit shall be required to be authorized to operate under another federal operating permit.

(4) For any unit subject to any subpart in 40 CFR 60, the owner or operator shall comply with the following unless otherwise stated in the applicable subpart:

(A) Section 60.1 - Applicability;

(B) Section 60.7 - Notification and Recordkeeping;

(C) Section 60.8 - Performance Tests;

(D) Section 60.9 - Availability of Information;

(E) Section 60.11 - Compliance with Standards and Maintenance

Requirements;

(F) Section 60.12 - Circumvention;

(G) Section 60.13 - Monitoring Requirements;

(H) Section 60.14 - Modification;

(I) Section 60.15 - Reconstruction; and

(J) Section 60.19 - General Notification and Reporting Requirements.

(5) The owner or operator shall submit compliance certifications to the commission at least every 12 months and, upon request, to the EPA.

(6) The owner or operator of sites subject to the provisions of this chapter that are affected by the requirements of Chapter 115, Subchapter C of this title (relating to Volatile Organic Compound Transfer Operations) shall comply with the following.

(A) The requirements in the undesignated head Loading and Unloading of Volatile Organic Compounds in Chapter 115, Subchapter C of this title, are as follows:

(i) Section 115.212(a)(4), (5)(D), and (12) of this title;

(ii) Section 115.214(a)(3) of this title (relating to Inspection Requirements);

(iii) Section 115.215(a) of this title (relating to Approved Test Methods); and

(iv) Section 115.216(a)(4) and (5) of this title (relating to Monitoring and Recordkeeping Requirements).

(B) The requirements in the undesignated head Filling of Gasoline Storage Vessels (Stage I) for Motor Vehicle Fuel Dispensing Facilities in Chapter 115, Subchapter C of this title, are as follows:

- (i) Section 115.221 of this title (relating to Emission Specifications);
- (ii) Section 115.222 of this title (relating to Control Requirements);
- (iii) Section 115.224 of this title (relating to Inspection Requirements);
- (iv) Section 115.225(1) - (5) of this title (relating to Testing Requirements);
- (v) Section 115.226 of this title (relating to Recordkeeping Requirements); and
- (vi) Section 115.227 of this title (relating to Exemptions).

(C) The requirements in the undesignated head Control of Volatile Organic Compound Leaks From Transport Vessels in Chapter 115, Subchapter C of this title, are as follows:

- (i) Section 115.234 of this title (relating to Inspection Requirements);

(ii) Section 115.235(1), (2), (3)(A), and (4) of this title (relating to Approved Test Methods);

(iii) Section 115.236 of this title (relating to Recordkeeping Requirements); and

(iv) Section 115.237 of this title (relating to Exemptions).

(D) The requirements in the undesignated head Control of Vehicle Refueling Emissions (Stage II) at Motor Vehicle Fuel Dispensing Facilities in Chapter 115, Subchapter C of this title, are as follows:

(i) Section 115.241 of this title (relating to Emission Specifications);

(ii) Section 115.242 of this title (relating to Control Requirements);

(iii) Section 115.244 of this title (relating to Inspection Requirements);

(iv) Section 115.245(1), (2), (3), (5), and (6) of this title (relating to Testing Requirements);

(v) Section 115.246 of this title (relating to Recordkeeping Requirements); and

(vi) Section 115.247 of this title (relating to Exemptions).

(E) The requirements in the undesignated head Control of Reid Vapor Pressure of Gasoline in Chapter 115, Subchapter C of this title for the El Paso ozone nonattainment area are as follows:

(i) Section 115.252 of this title (relating to Control Requirements);

(ii) Section 115.255 of this title (relating to Approved Test Methods);

(iii) Section 115.256 of this title (relating to Recordkeeping Requirements); and

(iv) Section 115.257 of this title (relating to Exemptions).

(7) Owners or operators shall comply with the following requirements of Chapter 111 of this title.

(A) Visible emissions from stationary vents constructed on or before January 31, 1972 shall not exceed 30% opacity averaged over a six-minute period as required in §111.111(a)(1)(A) of this title. Compliance with the visible emission standard of §111.111(a)(1)(A) of this title shall be determined as required in §111.111(a)(1)(F)(ii) of this title by Test Method 9 (40 CFR 60, Appendix A), or as required in §111.111(a)(1)(F)(iii) of this title by Alternate Method 1 to Method 9, Light Detection and Ranging (40 CFR 60, Appendix A).

(B) Visible emissions from stationary vents constructed after January 31, 1972 shall not exceed 20% opacity averaged over a six-minute period as required in §111.111(a)(1)(B) of this title. Compliance with the visible emission standard of §111.111(a)(1)(B) of this title shall be determined as required in §111.111(a)(1)(F)(ii) of this title by Test Method 9 (40 CFR 60, Appendix A), or as required in §111.111(a)(1)(F)(iii) of this title by Alternate Method 1 to Method 9, Light Detection and Ranging (40 CFR 60, Appendix A).

(C) Visible emissions from structures shall not exceed 30% opacity for any six-minute period from any building, enclosed facility, or other structure as required in §111.111(a)(7)(A) of this title. Compliance with the visible emission standard of §111.111(a)(7)(A) of this title shall be determined as required in §111.111(a)(7)(B)(i) of this title by Test Method 9 (40 CFR 60, Appendix A).

(D) Visible emissions during the cleaning of a firebox or the building of a new fire, soot blowing, equipment changes, ash removal, and rapping of precipitators may exceed the limits

set forth in §111.111 of this title for a period aggregating not more than six minutes in any 60 consecutive minutes, nor more than six hours in any ten-day period as required in §111.111(a)(1)(E) of this title. This exemption shall not apply to the emissions mass rate standard, as outlined in §111.151(a) of this title (relating to Allowable Emissions Limits).

(E) Visible emissions from all other sources not specified in §111.111(a)(1), (4), or (7) of this title shall not exceed 30% opacity for any six-minute period from any building, enclosed facility, or other structure as required in §111.111(a)(8)(A) of this title. Compliance with the visible emission standard of §111.111(a)(8)(A) of this title shall be determined by applying Test Method 9 (40 CFR 60, Appendix A) as required in §111.111(a)(8)(B)(i) of this title.

(F) Certification of opacity readers determining opacities under Method 9 (as outlined in 40 CFR 60, Appendix A) to comply with §111.111(a)(1)(G) of this title shall be accomplished by completing the Texas Natural Resource Conservation Commission Visible Emissions Evaluators Course, or approved agency equivalent, no more than 180 days before the opacity reading.

(G) Emission limits on nonagricultural processes are as follows.

(i) Emissions of particulate matter from any source may not exceed the allowable rates specified in Table 1 as required in §111.151(a) of this title. Figure 1: 30 TAC §122.511(b)(7)(G)(i)

(ii) Sources with an effective stack height (h_e) less than the standard effective stack height (H_e), as determined from Table 2, must reduce the allowable emission level by multiplying it by $[h_e/H_e]^2$ as required in §111.151(b) of this title. Figure 2: 30 TAC §122.511(b)(7)(G)(ii)

(iii) Effective stack height shall be calculated by the following equation as required in §111.151(c) of this title. Figure 3: 30 TAC §122.511(b)(7)(G)(iii)

(H) Open burning, as stated in §111.101 of this title (relating to General Prohibition), shall not be authorized unless the following requirements are satisfied:

(i) Section 111.103(b)(1), (5), and (7) of this title (relating to Exceptions to Prohibition of Outdoor Burning);

(ii) Section 111.105 of this title (relating to General Requirements for Allowable Outdoor Burning); and

(iii) Section 111.107 of this title (relating to Responsibility for Consequences of Outdoor Burning).

(I) Owners or operators of sites subject to the provisions of this chapter that have Materials Handling, Construction, Roads, Streets, Alleys, and Parking Lots shall comply with the

requirements of §§111.143, 111.145, 111.147, and 111.149 of this title (relating to Materials Handling; Construction and Demolition; Roads, Streets, and Alleys; and Parking Lots) if they are located in the following areas:

(i) the City of El Paso, including the Fort Bliss Military Reservation, except for training areas as referenced in §111.141 of this title (relating to Geographic Areas of Application and Date of Compliance); or

(ii) the area of Harris County located inside Beltway 8 (Sam Houston Tollway).

(J) Abrasive blasting of water storage tanks performed by portable operations shall not be authorized unless the following requirements are satisfied:

(i) Section 111.133(a)(1) and (2), (b), and (c) of this title (relating to Testing Requirements);

(ii) Section 111.135(a), (b), and (c)(1)-(4) of this title (relating to Control Requirements for Surfaces with Coatings Containing Lead);

(iii) Section 111.137(a), (b)(1)-(4), and (c) of this title (relating to Control Requirements for Surfaces with Coatings Containing Less than One Percent Lead); and

(iv) Section 111.139(a) and (b) of this title (relating to Exemptions).

(8) For covered processes subject to the Risk Management Program for Chemical Accidental Release Prevention, the owner or operator shall submit a risk management plan or a schedule to submit a plan to the appropriate agency, in accordance with the regulations promulgated pursuant to the 1990 Amendments to the Federal Clean Air Act (FCAA), §112(r)(7). This requirement is enforceable only by the Administrator of the EPA.

(9) Owners and operators of a site subject to Title VI of the FCAA (which is enforceable only by the Administrator of the EPA) shall meet the following requirements for protection of stratospheric ozone.

(A) Operation, servicing, maintenance, and repair on refrigeration and non-motor vehicle air conditioning equipment using ozone-depleting refrigerants on-site shall be conducted in accordance with Title 40, Code of Federal Regulations, Part 82 (40 CFR 82), Subpart F. Owners or operators shall ensure that repairs or refrigerant removal are performed only by properly certified technicians.

(B) Servicing, maintenance, and repair of fleet vehicle air conditioning using ozone-depleting refrigerants shall be conducted in accordance with 40 CFR 82, Subpart B. Owners or operators shall ensure that repairs or refrigerant removal are performed only by properly certified technicians.

(C) Owners or operators shall maintain records of each repair or refrigerant removal/recycling activity as described in subparagraphs (A) and (B) of this paragraph. Records shall include identification of equipment, nature of service performed, date, and a statement indicating the technician was properly certified at time of servicing.

(10) For emission units located in the Houston/Galveston or Beaumont/Port Arthur ozone nonattainment areas and subject to the provisions of the undesignated head Commercial, Institutional, and Industrial Sources in Chapter 117, Subchapter B of this title (relating to Combustion at Existing Major Sources), the owner or operator shall have submitted a complete initial control plan as required by §117.209 of this title (relating to Initial Control Plan Procedures).

(11) For emission units located in the Houston/Galveston or Beaumont/Port Arthur ozone nonattainment areas and subject to the requirements of the undesignated head Commercial, Institutional, and Industrial Sources in Chapter 117, Subchapter B of this title, the owner or operator shall comply with the requirements of the undesignated head Commercial, Institutional, and Industrial Sources by the compliance date specified in §117.520 of this title (relating to Compliance Schedule for Commercial, Institutional, and Industrial Combustion Sources).

(12) Stationary gas turbines subject to 40 CFR 60, Subpart GG shall only comply with the requirements of 40 CFR, §60.333(b) for fuel sulfur content.

(13) Stationary gas turbines subject to 40 CFR 60, Subpart GG will be allowed to utilize a custom fuel monitoring schedule, as an alternative provided for under 40 CFR, §60.334(b)(2), as long as the provisions are at least as stringent as the following.

(A) Monitoring of fuel nitrogen is not required while pipeline quality natural gas is the only fuel fired in the gas turbine.

(B) Analysis for fuel sulfur content of the natural gas shall be conducted using one of the approved ASTM Test Methods for the measurement of sulfur in gaseous fuels, as referenced in 40 CFR, §60.335(d), or the Gas Processors Association (GPA) test method entitled “Test for Hydrogen Sulfide and Carbon Dioxide in Natural Gas Using Length of Stain Tubes.” The test methods are listed as follows:

(i) ASTM D1072-80;

(ii) ASTM D3031-81;

(iii) ASTM D3246-81;

(iv) ASTM D4084-82; or

(v) GPA Standard 2377-86.

(C) Effective the date of this custom schedule, sulfur monitoring shall be conducted twice monthly for six months. If this monitoring shows little variability in the fuel sulfur content, and indicates consistent compliance with 40 CFR, §60.333(b), then sulfur monitoring shall be conducted once per quarter for six quarters.

(D) If after the monitoring required in subparagraph (C) of this paragraph, or herein, the sulfur content of the fuel shows little variability and, calculated as sulfur dioxide, represents consistent compliance with the sulfur dioxide emission limits specified under 40 CFR, §60.333, sample analysis shall be conducted twice per annum. This monitoring shall be conducted during the first and third quarters of each calendar year.

(E) Should any sulfur analysis as required in subparagraphs (C) or (D) of this paragraph indicate noncompliance with 40 CFR, §60.333, the owner or operator shall notify the commission within two weeks of such excess emissions. The commission will then reexamine the custom schedule. Sulfur monitoring shall be conducted weekly during the interim period when this custom schedule is being reexamined.

(F) Stationary gas turbines that use the same supply of pipeline quality natural gas to fuel multiple gas turbines may monitor the fuel sulfur content at a single common location.

(G) Applicants shall attach the custom fuel monitoring schedule to their general permit application.

(H) Compliance with this provision fulfills the requirement that custom schedules be approved by the Administrator before being used as an alternative means of compliance.

(14) Stationary gas turbines using water or steam injection need not comply with the nitrogen oxide control requirements of 40 CFR, §60.332(a) during conditions when ice fog is deemed a traffic hazard by the owner or operator of the stationary gas turbine.

(15) Surface coating operations, other than those performed on equipment that is located on-site and in-place, which are authorized to operate under this general permit and are subject to the conditions for exemptions referenced in §115.427(a)(3)(A) of this title (relating to Exemptions) shall maintain sufficient records to document applicability as required by §115.426(a)(4) of this title (relating to Monitoring and Recordkeeping Requirements).

(16) The owner or operator shall keep records as required in 40 CFR, §61.246(i) if claiming the exemption in 40 CFR, §61.110(c)(2), pertaining to National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene.

(17) Upon the granting of this general permit, detailed applicability determinations and the underlying basis for those determinations in the general permit application submitted to comply with the requirements of this chapter shall become conditions under which the owner or operator shall operate.

(c) Permit tables.

(1) The following permit table lists the requirements for Stationary Gas Turbines affected by 40 CFR 60, Subpart GG. Figure 4: 30 TAC §122.511(c)(1)

(2) The following permit table lists the requirements for Storage Vessels affected by 40 CFR 60, Subparts K and Ka. Figure 5: 30 TAC §122.511(c)(2)

(3) The following permit table lists the requirements for Storage Vessels affected by 40 CFR 60, Subpart Kb. Figure 6: 30 TAC §122.511(c)(3)

(4) The following permit table lists the requirements for Storage Vessels affected by Chapter 115 of this title. Figure 7: 30 TAC §122.511(c)(4)

(5) The following permit table lists the requirements for Gas Sweetening Units Not Utilizing Sulfur Recovery affected by 40 CFR 60, Subpart LLL. Figure 8: 30 TAC §122.511(c)(5)

(6) The following permit table lists the requirements for Natural Gas Processing Plant Fugitive Emissions affected by 40 CFR 60, Subpart KKK. Figure 9: 30 TAC §122.511(c)(6)

(7) The following permit table lists the requirements for Natural Gas Processing Operations Fugitive Emissions affected by Chapter 115 of this title. Figure 10: 30 TAC §122.511(c)(7)

(8) The following permit table lists the requirements for Process Heaters/Furnaces affected by Chapter 112 of this title (relating to Control of Air Pollution From Sulfur Compounds).

Figure 11: 30 TAC §122.511(c)(8)

(9) The following permit table lists the requirements for Flares affected by 40 CFR 60, Subpart A. Figure 12: 30 TAC §122.511(c)(9)

(10) The following permit table lists the requirements for Flares affected by Chapter 111 of this title. Figure 13: 30 TAC §122.511(c)(10)

(11) The following permit table lists the requirements for Gas Sweetening Units Utilizing Sulfur Recovery affected by 40 CFR 60, Subpart LLL. Figure 14: 30 TAC §122.511(c)(11)

(12) The following permit table lists the requirements for Gas Sweetening Units Utilizing Sulfur Recovery affected by Chapter 112 of this title (relating to Control of Air Pollution From Sulfur Compounds). Figure 15: 30 TAC §122.511(c)(12)

(13) The following permit table lists the requirements for Stationary Vents affected by Chapter 111 of this title. Figure 16: 30 TAC §122.511(c)(13)

(14) The following permit table lists the requirements for Stationary Vents affected by Chapter 115 of this title. Figure 17: 30 TAC §122.511(c)(14)

(15) The following permit table lists the requirements for Combustion Units affected by Chapter 117 of this title. Figure 18: 30 TAC §122.511(c)(15)

(16) The following permit table lists the requirements for Boilers/Steam Generators affected by Chapter 112 of this title and 40 CFR 60, Subparts Db and Dc. Figure 19: 30 TAC §122.511(c)(16)

(17) The following permit table lists the requirements for Non-Marine VOC Loading/Unloading Operations affected by Chapter 115 of this title. Figure 20: 30 TAC §122.511(c)(17)

(18) The following permit table lists the requirements for VOC Water Separators affected by Chapter 115 of this title. Figure 21: 30 TAC §122.511(c)(18)

(19) The following permit table lists the requirements for Cold Cleaning Degreasing Operations affected by Chapter 115 of this title. Figure 22: 30 TAC §122.511(c)(19)

§122.512. Oil and Gas General Permit - Gregg, Nueces, and Victoria Counties.

(a) Qualification criteria. Emission units authorized to operate under this general permit shall meet each of the following criteria.

(1) Emission units which are authorized to operate under this general permit shall not have a federal prevention of significant deterioration permit or a federal nonattainment permit.

(2) Emission units which are authorized to operate under this general permit shall not use an alternative means of compliance which must be approved by the executive director of the commission or the Administrator of the United States Environmental Protection Agency (EPA).

(3) At the time of application submittal, emission units which are authorized to operate under this general permit shall be in compliance with all requirements as stated in subsections (b) and (c) of this section.

(4) Degassing and cleaning of volatile organic chemical transport vessels with a capacity greater than 8,000 gallons at sites located in counties subject to the regulatory requirements of Chapter 115 of this title (relating to Control of Air Pollution From Volatile Organic Compounds) is not authorized to operate under this general permit.

(5) Equipment in benzene service is not authorized to operate under this general permit unless the plant site is designed to produce or use less than 1,000 megagrams (1,100 tons) of benzene per year as determined according to the provisions of Title 40, Code of Federal Regulations, Part 61 (40 CFR 61) in 40 CFR, §61.245(d).

(6) Cooling towers which are authorized to operate under this general permit shall not have operated with chromium-based water treatment chemicals on or after September 8, 1994, pursuant to Title 40, Code of Federal Regulations, Part 63 (40 CFR 63), Subpart Q.

(7) Loading and unloading operations authorized to operate under this general permit shall not include the loading of volatile organic compounds (VOC) with a true vapor pressure greater than 11.0 pounds per square inch absolute (psia) into transport vessels unless the VOC is exempt from all of the control requirements of Chapter 115 of this title.

(8) Emission units in marine terminal loading and unloading operations are not authorized to operate under this general permit.

(9) For storage vessels, tanks, or containers which are authorized to operate under this general permit, the following subparagraphs shall apply.

(A) The storage vessels shall not store benzene having a specific gravity within the range of specific gravities specified in American Society for Testing and Materials (ASTM) D836-84 for Industrial Grade Benzene, ASTM D835-85 for Refined Benzene-485, ASTM D2359-85a for Refined Benzene-535, and ASTM D4734-87 for Refined Benzene-545.

(B) Internal or external floating roof vessels must be exempt from all regulatory requirements of Title 40, Code of Federal Regulations, Part 60 (40 CFR 60), Subparts K, Ka, and Kb.

(C) Internal or external floating roof tanks must be exempt from all of the regulatory requirements of Chapter 115 of this title.

(D) Volatile organic compounds shall have a true vapor pressure less than 11.0 psia, at storage conditions, if stored in vessels or tanks subject to the regulatory requirements of Chapter 115 of this title or 40 CFR 60, Subparts K and Ka.

(E) Volatile organic compounds shall have a true vapor pressure less than 11.1 psia, at storage conditions, if stored in vessels with a capacity greater than and equal to 19,800 gallons and subject to the regulatory requirements of 40 CFR 60, Subpart Kb.

(F) Storage vessels shall not store waste mixtures of indeterminate or variable composition which are subject to the regulatory requirements of 40 CFR 60, Subpart Kb.

(10) Boilers and steam generators which are authorized to operate under this general permit shall only be fired with liquid fuel or natural gas, and:

(A) not have a rated capacity greater than 2,500 million British thermal units per hour (MMBtu/hr) if fired with natural gas and constructed, reconstructed, or modified on or before June 19, 1984;

(B) not have a rated capacity greater than 250 MMBtu/hr if fired with liquid fuel and constructed, reconstructed, or modified on or before June 19, 1984; or

(C) not exceed 100 MMBtu/hr rated capacity if constructed, reconstructed, or modified after June 19, 1984.

(11) Stationary gas turbines which are authorized to operate under this general permit shall:

(A) only be fired with pipeline quality natural gas;

(B) not be fired with an emergency fuel;

(C) not be supplied its fuel from an intermediate bulk storage tank;

(D) not use 40 CFR, §60.333(a) as a means to comply with the requirements of 40 CFR 60, Subpart GG; and

(E) not exceed the following if constructed, reconstructed, or modified on or after October 3, 1977:

(i) the manufacturer's rated base load at International Standards

Organization conditions of 30 megawatts; or

(ii) a heat input at peak load greater than 100 MMBtu/hr based on the lower heating value of the fuel fired.

(12) Emission units subject to the regulatory requirements of 40 CFR 60, Subpart XX are not authorized to operate under this general permit.

(13) Degreasing operations subject to this general permit and located on any property shall not emit, when uncontrolled, a combined weight of VOC greater than or equal to 550 pounds in any consecutive 24-hour period; or, utilize the following:

(A) a VOC for open-top vapor or conveyORIZED degreasing; or

(B) individual batch vapor, in-line vapor, in-line cold, or batch cold solvent cleaning machines subject to the regulatory requirements of 40 CFR 63, Subpart T.

(14) Emission units which are authorized to operate under this general permit and are subject to Chapter 111 of this title (relating to Control of Air Pollution From Visible Emissions and Particulate Matter) may not claim an exemption from the continuous emission monitoring requirements of §111.111(a)(3) of this title (relating to Requirements for Specified Sources).

(15) Loading racks at a benzene production facility shall not be authorized to operate under this general permit unless these loading racks load only the following: gasoline, crude oil, natural gas liquids, or petroleum distillates.

(16) Surface coating operations, other than those performed on equipment that is located on-site and in-place, which are authorized to operate under this general permit shall not emit, when uncontrolled, a combined weight of VOC greater than or equal to 550 pounds (249.5 kilograms) in any consecutive 24-hour period.

(b) General provisions.

(1) The owner or operator shall comply with the requirements relating to General Permits which are contained in this chapter.

(2) The owner or operator shall comply with the conditions listed in §122.143 of this title (relating to Permit Conditions).

(3) If there are any requirements that apply to an emission unit that are not codified in subsections (b) or (c) of this section, then that emission unit shall be required to be authorized to operate under another federal operating permit.

(4) For any unit subject to any subpart in 40 CFR 60, the owner or operator shall comply with the following unless otherwise stated in the applicable subpart:

(A) Section 60.1 - Applicability;

(B) Section 60.7 - Notification and Recordkeeping;

(C) Section 60.8 - Performance Tests;

(D) Section 60.9 - Availability of Information;

(E) Section 60.11 - Compliance with Standards and Maintenance

Requirements;

(F) Section 60.12 - Circumvention;

(G) Section 60.13 - Monitoring Requirements;

(H) Section 60.14 - Modification;

(I) Section 60.15 - Reconstruction; and

(J) Section 60.19 - General Notification and Reporting Requirements.

(5) The owner or operator shall submit compliance certifications to the commission at least every 12 months and, upon request, to the EPA.

(6) Owners or operators shall comply with the following requirements of Chapter 111 of this title.

(A) Visible emissions from stationary vents constructed on or before January 31, 1972, shall not exceed 30% opacity averaged over a six-minute period as required in §111.111(a)(1)(A) of this title. Compliance with the visible emission standard of §111.111(a)(1)(A) of this title shall be determined as required in §111.111(a)(1)(F)(ii) of this title by Test Method 9 (40 CFR 60, Appendix A), or as required in §111.111(a)(1)(F)(iii) of this title by Alternate Method 1 to Method 9, Light Detection and Ranging (40 CFR 60, Appendix A).

(B) Visible emissions from stationary vents constructed after January 31, 1972, shall not exceed 20% opacity averaged over a six-minute period as required in §111.111(a)(1)(B) of this title. Compliance with the visible emission standard of §111.111(a)(1)(B) of this title shall be

determined as required in §111.111(a)(1)(F)(ii) of this title by Test Method 9 (40 CFR 60, Appendix A), or as required in §111.111(a)(1)(F)(iii) of this title by Alternate Method 1 to Method 9, Light Detection and Ranging (40 CFR 60, Appendix A).

(C) Visible emissions from structures shall not exceed 30% opacity for any six-minute period from any building, enclosed facility, or other structure as required in §111.111(a)(7)(A) of this title. Compliance with the visible emission standard of §111.111(a)(7)(A) of this title shall be determined as required in §111.111(a)(7)(B)(i) of this title by Test Method 9 (40 CFR 60, Appendix A).

(D) Visible emissions during the cleaning of a firebox or the building of a new fire, soot blowing, equipment changes, ash removal, and rapping of precipitators may exceed the limits set forth in §111.111 of this title for a period aggregating not more than six minutes in any 60 consecutive minutes, nor more than six hours in any ten-day period as required in §111.111(a)(1)(E) of this title. This exemption shall not apply to the emissions mass rate standard, as outlined in §111.151(a) of this title (relating to Allowable Emissions Limits).

(E) Visible emissions from all other sources not specified in §111.111(a)(1), (4), or (7) of this title shall not exceed 30% opacity for any six-minute period from any building, enclosed facility, or other structure as required in §111.111(a)(8)(A) of this title. Compliance with the visible emission standard of §111.111(a)(8)(A) of this title shall be determined by applying Test Method 9 (40 CFR 60, Appendix A) as required in §111.111(a)(8)(B)(i) of this title.

(F) Certification of opacity readers determining opacities under Method 9 (as outlined in 40 CFR 60, Appendix A) to comply with §111.111(a)(1)(G) of this title shall be accomplished by completing the Texas Natural Resource Conservation Commission Visible Emissions Evaluators Course, or approved agency equivalent, no more than 180 days before the opacity reading.

(G) Emission limits on nonagricultural processes are as follows.

(i) Emissions of particulate matter from any source may not exceed the allowable rates specified in Table 1 as required in §111.151(a) of this title. Figure 1 : 30 TAC

§122.512(b)(6)(G)(i)

(ii) Sources with an effective stack height (h_e) less than the standard effective stack height (H_e), as determined from Table 2, must reduce the allowable emission level by multiplying it by $[h_e/H_e]^2$ as required in §111.151(b) of this title. Figure 2 : 30 TAC

§122.512(b)(6)(G)(ii)

(iii) Effective stack height shall be calculated by the following equation as required in §111.151(c) of this title. Figure 3 : 30 TAC §122.512(b)(6)(G)(iii)

(H) Open burning, as stated in §111.101 of this title (relating to General Prohibition), shall not be authorized unless the following requirements are satisfied:

(i) Section 111.103(b)(1), (5), and (7) of this title (relating to Exceptions to Prohibition of Outdoor Burning);

(ii) Section 111.105 of this title (relating to General Requirements for Allowable Outdoor Burning); and

(iii) Section 111.107 of this title (relating to Responsibility for Consequences of Outdoor Burning).

(I) Owners or operators of sites subject to the provisions of this chapter that have Materials Handling, Construction, Roads, Streets, Alleys, and Parking Lots shall comply with the requirements of §§111.143, 111.145, 111.147, and 111.149 of this title (relating to Materials Handling; Construction and Demolition; Roads, Streets, and Alleys; and Parking Lots) if they are located in the area of Nueces County outlined in the Group II State Implementation Plan for Inhalable Particulate Matter.

(J) Abrasive blasting of water storage tanks performed by portable operations shall not be authorized unless the following requirements are satisfied:

(i) Section 111.133(a)(1) and (2), (b), and (c) of this title (relating to Testing Requirements);

(ii) Section 111.135(a), (b), and (c)(1)-(4) of this title (relating to Control Requirements for Surfaces with Coatings Containing Lead);

(iii) Section 111.137(a), (b)(1)-(4), and (c) of this title (relating to Control Requirements for Surfaces with Coatings Containing Less than One Percent Lead); and

(iv) Section 111.139(a) and (b) of this title (relating to Exemptions).

(7) For covered processes subject to the Risk Management Program for Chemical Accidental Release Prevention, the owner or operator shall submit a risk management plan or a schedule to submit a plan to the appropriate agency, in accordance with the regulations promulgated pursuant to the 1990 Amendments to the Federal Clean Air Act (FCAA), §112(r)(7). This requirement is enforceable only by the Administrator of the EPA.

(8) Owners and operators of a site subject to Title VI of the FCAA (which is enforceable only by the Administrator of the EPA) shall meet the following requirements for protection of stratospheric ozone.

(A) Operation, servicing, maintenance, and repair on refrigeration and non-motor vehicle air conditioning equipment using ozone-depleting refrigerants on-site shall be conducted in accordance with Title 40, Code of Federal Regulations, Part 82 (40 CFR 82), Subpart F. Owners or

operators shall ensure that repairs or refrigerant removal are performed only by properly certified technicians.

(B) Servicing, maintenance, and repair of fleet vehicle air conditioning using ozone-depleting refrigerants shall be conducted in accordance with 40 CFR 82, Subpart B. Owners or operators shall ensure that repairs or refrigerant removal are performed only by properly certified technicians.

(C) Owners or operators shall maintain records of each repair or refrigerant removal/recycling activity as described in subparagraphs (A) and (B) of this paragraph. Records shall include identification of equipment, nature of service performed, date, and a statement indicating the technician was properly certified at time of servicing.

(9) Stationary gas turbines subject to 40 CFR 60, Subpart GG shall only comply with the requirements of 40 CFR, §60.333(b) for fuel sulfur content.

(10) Stationary gas turbines subject to 40 CFR 60, Subpart GG will be allowed to utilize a custom fuel monitoring schedule, as an alternative provided for under 40 CFR, §60.334(b)(2), as long as the provisions are at least as stringent as the following.

(A) Monitoring of fuel nitrogen is not required while pipeline quality natural gas is the only fuel fired in the gas turbine.

(B) Analysis for fuel sulfur content of the natural gas shall be conducted using one of the approved ASTM Test Methods for the measurement of sulfur in gaseous fuels, as referenced in 40 CFR, §60.335(d), or the Gas Processors Association (GPA) test method entitled “Test for Hydrogen Sulfide and Carbon Dioxide in Natural Gas Using Length of Stain Tubes.” The test methods are listed as follows:

(i) ASTM D1072-80;

(ii) ASTM D3031-81;

(iii) ASTM D3246-81;

(iv) ASTM D4084-82; or

(v) GPA Standard 2377-86.

(C) Effective the date of this custom schedule, sulfur monitoring shall be conducted twice monthly for six months. If this monitoring shows little variability in the fuel sulfur content, and indicates consistent compliance with 40 CFR, §60.333(b), then sulfur monitoring shall be conducted once per quarter for six quarters.

(D) If after the monitoring required in subparagraph (C) of this paragraph, or herein, the sulfur content of the fuel shows little variability and, calculated as sulfur dioxide, represents consistent compliance with the sulfur dioxide emission limits specified under 40 CFR, §60.333, sample analysis shall be conducted twice per annum. This monitoring shall be conducted during the first and third quarters of each calendar year.

(E) Should any sulfur analysis as required in subparagraphs (C) or (D) of this paragraph indicate noncompliance with 40 CFR, §60.333, the owner or operator shall notify the commission within two weeks of such excess emissions. The commission will then reexamine the custom schedule. Sulfur monitoring shall be conducted weekly during the interim period when this custom schedule is being reexamined.

(F) Stationary gas turbines that use the same supply of pipeline quality natural gas to fuel multiple gas turbines may monitor the fuel sulfur content at a single common location.

(G) Applicants shall attach the custom fuel monitoring schedule to their general permit application.

(H) Compliance with this provision fulfills the requirement that custom schedules be approved by the Administrator before being used as an alternative means of compliance.

(11) Stationary gas turbines using water or steam injection need not comply with the nitrogen oxide control requirements of 40 CFR, §60.332(a) during conditions when ice fog is deemed a traffic hazard by the owner or operator of the stationary gas turbine.

(12) The owner or operator of sites subject to the provisions of this chapter that are affected by the requirements of the undesignated head Loading and Unloading of Volatile Organic Compounds in Chapter 115, Subchapter C of this title (relating to Volatile Organic Compound Transfer Operations), shall comply with the following requirements:

(A) Section 115.212(b)(2) and (3)(C) of this title (relating to Control Requirements);

(B) Section 115.215(b) of this title (relating to Approved Test Methods); and

(C) Section 115.216(b)(5) of this title (relating to Monitoring and Recordkeeping Requirements).

(13) Surface coating operations, other than those performed on equipment that is located on-site and in-place, which are authorized to operate under this general permit and are subject to the conditions for exemptions referenced in §115.427(b)(1) of this title (relating to Exemptions), shall maintain sufficient records to document applicability as required by §115.426(b)(3) of this title (relating to Monitoring and Recordkeeping Requirements).

(14) The owner or operator shall keep records as required in 40 CFR, §61.246(i) if claiming the exemption in 40 CFR, §61.110(c)(2), pertaining to National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene.

(15) Upon the granting of this general permit, detailed applicability determinations and the underlying basis for those determinations in the general permit application submitted to comply with the requirements of this chapter shall become conditions under which the owner or operator shall operate.

(c) Permit tables.

(1) The permit table which lists the requirements for Stationary Gas Turbines affected by 40 CFR 60, Subpart GG is contained in §122.511(c)(1) of this title (relating to Oil and Gas General Permit - Brazoria, Chambers, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Hardin, Harris, Jefferson, Liberty, Montgomery, Orange, Tarrant, and Waller Counties).

(2) The permit table which lists the requirements for Storage Vessels affected by 40 CFR 60, Subparts K and Ka is contained in §122.511(c)(2) of this title.

(3) The permit table which lists the requirements for Storage Vessels affected by 40 CFR 60, Subpart Kb is contained in §122.511(c)(3) of this title.

(4) The following permit table lists the requirements for Storage Vessels affected by Chapter 115 of this title. Figure 4: 30 TAC §122.512(c)(4)

(5) The permit table which lists the requirements for Gas Sweetening Units Not Utilizing Sulfur Recovery affected by 40 CFR 60, Subpart LLL is contained in §122.511(c)(5) of this title.

(6) The permit table which lists the requirements for Natural Gas Processing Plant Fugitive Emissions affected by 40 CFR 60, Subpart KKK is contained in §122.511(c)(6) of this title.

(7) The permit table which lists the requirements for Process Heaters/Furnaces affected by Chapter 112 of this title (relating to Control of Air Pollution From Sulfur Compounds) is contained in §122.511(c)(8) of this title.

(8) The permit table which lists the requirements for Flares affected by 40 CFR 60, Subpart A is contained in §122.511(c)(9) of this title.

(9) The permit table which lists the requirements for Flares affected by Chapter 111 of this title is contained in §122.511(c)(10) of this title.

(10) The permit table which lists the requirements for Gas Sweetening Units Utilizing Sulfur Recovery affected by 40 CFR 60, Subpart LLL is contained in §122.511(c)(11) of this title.

(11) The permit table which lists the requirements for Gas Sweetening Units Utilizing Sulfur Recovery affected by Chapter 112 of this title is contained in §122.511(c)(12) of this title.

(12) The permit table which lists the requirements for Stationary Vents affected by Chapter 111 of this title is contained in §122.511(c)(13) of this title.

(13) The following permit table lists the requirements for Stationary Vents affected by Chapter 115 of this title. Figure 5: 30 TAC §122.512(c)(13)

(14) The following permit table lists the requirements for Boilers/Steam Generators affected by Chapter 112 of this title and 40 CFR 60, Subparts Db and Dc. Figure 6: 30 TAC §122.512(c)(14)

(15) The following permit table lists the requirements for Non-Marine VOC Loading/Unloading Operations affected by Chapter 115 of this title. Figure 7: 30 TAC §122.512(c)(15)

(16) The following permit table lists the requirements for VOC Water Separators affected by Chapter 115 of this title. Figure 8: 30 TAC §122.512(c)(16)

§122.513. Oil and Gas General Permit - Aransas, Bexar, Calhoun, Matagorda, San Patricio, and Travis Counties.

(a) Qualification criteria. Emission units authorized to operate under this general permit shall meet each of the following criteria.

(1) Emission units which are authorized to operate under this general permit shall not have a federal prevention of significant deterioration permit or a federal nonattainment permit.

(2) Emission units which are authorized to operate under this general permit shall not use an alternative means of compliance which must be approved by the executive director of the commission or the Administrator of the United States Environmental Protection Agency (EPA).

(3) At the time of application submittal, emission units which are authorized to operate under this general permit shall be in compliance with all requirements as stated in subsections (b) and (c) of this section.

(4) Degassing and cleaning of volatile organic chemical transport vessels with a capacity greater than 8,000 gallons at sites located in counties subject to the regulatory requirements of Chapter 115 of this title (relating to Control of Air Pollution From Volatile Organic Compounds) is not authorized to operate under this general permit.

(5) Equipment in benzene service is not authorized to operate under this general permit unless the plant site is designed to produce or use less than 1,000 megagrams (1,100 tons) of benzene per year as determined according to the provisions of Title 40, Code of Federal Regulations, Part 61 (40 CFR 61) in 40 CFR §61.245(d).

(6) Cooling towers which are authorized to operate under this general permit shall not have operated with chromium-based water treatment chemicals on or after September 8, 1994, pursuant to Title 40, Code of Federal Regulations, Part 63 (40 CFR 63), Subpart Q.

(7) Loading and unloading operations authorized to operate under this general permit shall not include the loading of volatile organic compounds (VOC) with a true vapor pressure greater than 11.0 pounds per square inch absolute (psia) into transport vessels unless the VOC is exempt from all of the control requirements of Chapter 115 of this title.

(8) Emission units in marine terminal loading and unloading operations are not authorized to operate under this general permit.

(9) For storage vessels, tanks, or containers which are authorized to operate under this general permit the following subparagraphs shall apply.

(A) The storage vessels shall not store benzene having a specific gravity within the range of specific gravities specified in American Society for Testing and Materials (ASTM)

D836-84 for Industrial Grade Benzene, ASTM D835-85 for Refined Benzene-485, ASTM D2359-85a for Refined Benzene-535, and ASTM D4734-87 for Refined Benzene-545.

(B) Internal or external floating roof vessels must be exempt from all regulatory requirements of Title 40, Code of Federal Regulations, Part 60 (40 CFR 60), Subparts K, Ka, and Kb.

(C) Internal or external floating roof tanks must be exempt from all of the regulatory requirements of Chapter 115 of this title.

(D) Volatile organic compounds shall have a true vapor pressure less than 11.0 psia, at storage conditions, if stored in vessels or tanks subject to the regulatory requirements of Chapter 115 of this title or 40 CFR 60, Subparts K and Ka.

(E) Volatile organic compounds shall have a true vapor pressure less than 11.1 psia, at storage conditions, if stored in vessels with a capacity greater than and equal to 19,800 gallons and subject to the regulatory requirements of 40 CFR 60, Subpart Kb.

(F) Storage vessels shall not store waste mixtures of indeterminate or variable composition which are subject to the regulatory requirements of 40 CFR 60, Subpart Kb.

(10) Boilers and steam generators which are authorized to operate under this general permit shall only be fired with liquid fuel or natural gas, and:

(A) not have a rated capacity greater than 2,500 million British thermal units per hour (MMBtu/hr) if fired with natural gas and constructed, reconstructed, or modified on or before June 19, 1984;

(B) not have a rated capacity greater than 250 MMBtu/hr if fired with liquid fuel and constructed, reconstructed, or modified on or before June 19, 1984; or

(C) not exceed 100 MMBtu/hr rated capacity if constructed, reconstructed, or modified after June 19, 1984.

(11) Stationary gas turbines which are authorized to operate under this general permit shall:

(A) only be fired with pipeline quality natural gas;

(B) not be fired with an emergency fuel;

(C) not be supplied its fuel from an intermediate bulk storage tank;

(D) not use 40 CFR, §60.333(a) as a means to comply with the requirements of 40 CFR 60, Subpart GG; and

(E) not exceed the following if constructed, reconstructed, or modified on or after October 3, 1977:

(i) the manufacturer's rated base load at International Standards Organization conditions of 30 megawatts; or

(ii) a heat input at peak load greater than 100 MMBtu/hr based on the lower heating value of the fuel fired.

(12) Emission units subject to the regulatory requirements of 40 CFR 60, Subpart XX are not authorized to operate under this general permit.

(13) Emission units which are authorized to operate under this general permit and are subject to Chapter 111 of this title (relating to Control of Air Pollution From Visible Emissions and Particulate Matter) may not claim an exemption from the continuous emission monitoring requirements of §111.111(a)(3) of this title (relating to Requirements for Specified Sources).

(14) Loading racks at a benzene production facility shall not be authorized to operate under this general permit unless these loading racks load only the following: gasoline, crude oil, natural gas liquids, or petroleum distillates.

(15) Process vents which are authorized to operate under this general permit shall not be subject to the emission specifications of §115.121(c)(2)-(4) of this title (relating to Emission Specifications) and the control requirements of §115.122(c)(2)-(4) of this title (relating to Control Requirements).

(b) General provisions.

(1) The owner or operator shall comply with the requirements relating to General Permits which are contained in this chapter.

(2) The owner or operator shall comply with the conditions listed in §122.143 of this title (relating to Permit Conditions).

(3) If there are any requirements that apply to an emission unit that are not codified in subsections (b) or (c) of this section, then that emission unit shall be required to be authorized to operate under another federal operating permit.

(4) For any unit subject to any subpart in 40 CFR 60, the owner or operator shall comply with the following unless otherwise stated in the applicable subpart:

(A) Section 60.1 - Applicability;

(B) Section 60.7 - Notification and Recordkeeping;

(C) Section 60.8 - Performance Tests;

(D) Section 60.9 - Availability of Information;

(E) Section 60.11 - Compliance with Standards and Maintenance Requirements;

(F) Section 60.12 - Circumvention;

(G) Section 60.13 - Monitoring Requirements;

(H) Section 60.14 - Modification;

(I) Section 60.15 - Reconstruction; and

(J) Section 60.19 - General Notification and Reporting Requirements.

(5) The owner or operator shall submit compliance certifications to the commission at least every 12 months and, upon request, to the EPA.

(6) Owners or operators shall comply with the following requirements of Chapter 111 of this title.

(A) Visible emissions from stationary vents constructed on or before January 31, 1972, shall not exceed 30% opacity averaged over a six-minute period as required in §111.111(a)(1)(A) of this title. Compliance with the visible emission standard of §111.111(a)(1)(A) of this title shall be determined as required in §111.111(a)(1)(F)(ii) of this title by Test Method 9 (40 CFR 60, Appendix A), or as required in §111.111(a)(1)(F)(iii) of this title by Alternate Method 1 to Method 9, Light Detection and Ranging (40 CFR 60, Appendix A).

(B) Visible emissions from stationary vents constructed after January 31, 1972, shall not exceed 20% opacity averaged over a six-minute period as required in §111.111(a)(1)(B) of this title. Compliance with the visible emission standard of §111.111(a)(1)(B) of this title shall be determined as required in §111.111(a)(1)(F)(ii) of this title by Test Method 9 (40 CFR 60, Appendix A), or as required in §111.111(a)(1)(F)(iii) of this title by Alternate Method 1 to Method 9, Light Detection and Ranging (40 CFR 60, Appendix A).

(C) Visible emissions from structures shall not exceed 30% opacity for any six-minute period from any building, enclosed facility, or other structure as required in §111.111(a)(7)(A) of this title. Compliance with the visible emission standard of §111.111(a)(7)(A) of this title shall be determined as required in §111.111(a)(7)(B)(i) of this title by Test Method 9 (40 CFR 60, Appendix A).

(D) Visible emissions during the cleaning of a firebox or the building of a new fire, soot blowing, equipment changes, ash removal, and rapping of precipitators may exceed the limits set forth in §111.111 of this title for a period aggregating not more than six minutes in any 60 consecutive minutes, nor more than six hours in any ten-day period as required in §111.111(a)(1)(E) of this title. This exemption shall not apply to the emissions mass rate standard, as outlined in §111.151(a) of this title (relating to Allowable Emissions Limits).

(E) Visible emissions from all other sources not specified in §111.111(a)(1), (4), or (7) of this title shall not exceed 30% opacity for any six-minute period from any building, enclosed facility, or other structure as required in §111.111(a)(8)(A) of this title. Compliance with the visible emission standard of §111.111(a)(8)(A) of this title shall be determined by applying Test Method 9 (40 CFR 60, Appendix A) as required in §111.111(a)(8)(B)(i) of this title.

(F) Certification of opacity readers determining opacities under Method 9 (as outlined in 40 CFR 60, Appendix A) to comply with §111.111(a)(1)(G) of this title shall be accomplished by completing the Texas Natural Resource Conservation Commission Visible Emissions Evaluators Course, or approved agency equivalent, no more than 180 days before the opacity reading.

(G) Emission limits on nonagricultural processes are as follows.

(i) Emissions of particulate matter from any source may not exceed the allowable rates specified in Table 1 as required in §111.151(a) of this title. Figure 1: 30 TAC §122.513(b)(6)(G)(i)

(ii) Sources with an effective stack height (h_e) less than the standard effective stack height (H_e), as determined from Table 2, must reduce the allowable emission level by multiplying it by $[h_e/H_e]^2$ as required in §111.151(b) of this title. Figure 2: 30 TAC §122.513(b)(6)(G)(ii)

(iii) Effective stack height shall be calculated by the following equation as required in §111.151(c) of this title. Figure 3: 30 TAC §122.513(b)(6)(G)(iii)

(H) Open burning, as stated in §111.101 of this title (relating to General Prohibition), shall not be authorized unless the following requirements are satisfied:

- (i) Section 111.103(b)(1), (5), and (7) of this title (relating to Exceptions to Prohibition of Outdoor Burning);
 - (ii) Section 111.105 of this title (relating to General Requirements for Allowable Outdoor Burning); and
 - (iii) Section 111.107 of this title (relating to Responsibility for Consequences of Outdoor Burning).
- (J) Abrasive blasting of water storage tanks performed by portable operations shall not be authorized unless the following requirements are satisfied:
- (i) Section 111.133(a)(1) and (2), (b), and (c) of this title (relating to Testing Requirements);
 - (ii) Section 111.135(a), (b), and (c)(1)-(4) of this title (relating to Control Requirements for Surfaces with Coatings Containing Lead);
 - (iii) Section 111.137(a), (b)(1)-(4), and (c) of this title (relating to Control Requirements for Surfaces with Coatings Containing Less than One Percent Lead); and
 - (iv) Section 111.139(a) and (b) of this title (relating to Exemptions).

(7) For covered processes subject to the Risk Management Program for Chemical Accidental Release Prevention, the owner or operator shall submit a risk management plan or a schedule to submit a plan to the appropriate agency, in accordance with the regulations promulgated pursuant to the 1990 Amendments to the Federal Clean Air Act (FCAA), §112(r)(7). This requirement is enforceable only by the Administrator of the EPA.

(8) Owners and operators of a site subject to Title VI of the FCAA (which is enforceable only by the Administrator of the EPA) shall meet the following requirements for protection of stratospheric ozone.

(A) Operation, servicing, maintenance, and repair on refrigeration and non-motor vehicle air conditioning equipment using ozone-depleting refrigerants on-site shall be conducted in accordance with Title 40, Code of Federal Regulations, Part 82 (40 CFR 82), Subpart F. Owners or operators shall ensure that repairs or refrigerant removal are performed only by properly certified technicians.

(B) Servicing, maintenance, and repair of fleet vehicle air conditioning using ozone-depleting refrigerants shall be conducted in accordance with 40 CFR 82, Subpart B. Owners or operators shall ensure that repairs or refrigerant removal are performed only by properly certified technicians.

(C) Owners or operators shall maintain records of each repair or refrigerant removal/recycling activity as described in subparagraphs (A) and (B) of this paragraph. Records shall include identification of equipment, nature of service performed, date, and a statement indicating the technician was properly certified at time of servicing.

(9) Stationary gas turbines subject to 40 CFR 60, Subpart GG shall only comply with the requirements of 40 CFR, §60.333(b) for fuel sulfur content.

(10) Stationary gas turbines subject to 40 CFR 60, Subpart GG will be allowed to utilize a custom fuel monitoring schedule, as an alternative provided for under 40 CFR, §60.334(b)(2), as long as the provisions are at least as stringent as the following.

(A) Monitoring of fuel nitrogen is not required while pipeline quality natural gas is the only fuel fired in the gas turbine.

(B) Analysis for fuel sulfur content of the natural gas shall be conducted using one of the approved ASTM Test Methods for the measurement of sulfur in gaseous fuels, as referenced in 40 CFR, §60.335(d), or the Gas Processors Association (GPA) test method entitled "Test for Hydrogen Sulfide and Carbon Dioxide in Natural Gas Using Length of Stain Tubes." The test methods are listed as follows:

(i) ASTM D1072-80;

(ii) ASTM D3031-81;

(iii) ASTM D3246-81;

(iv) ASTM D4084-82; or

(v) GPA Standard 2377-86.

(C) Effective the date of this custom schedule, sulfur monitoring shall be conducted twice monthly for six months. If this monitoring shows little variability in the fuel sulfur content, and indicates consistent compliance with 40 CFR, §60.333(b), then sulfur monitoring shall be conducted once per quarter for six quarters.

(D) If after the monitoring required in subparagraph (C) of this paragraph, or herein, the sulfur content of the fuel shows little variability and, calculated as sulfur dioxide, represents consistent compliance with the sulfur dioxide emission limits specified under 40 CFR, §60.333, sample analysis shall be conducted twice per annum. This monitoring shall be conducted during the first and third quarters of each calendar year.

(E) Should any sulfur analysis as required in subparagraphs (C) or (D) of this paragraph indicate noncompliance with 40 CFR, §60.333, the owner or operator shall notify the commission within two weeks of such excess emissions. The commission will then reexamine the

custom schedule. Sulfur monitoring shall be conducted weekly during the interim period when this custom schedule is being reexamined.

(F) Stationary gas turbines that use the same supply of pipeline quality natural gas to fuel multiple gas turbines may monitor the fuel sulfur content at a single common location.

(G) Applicants shall attach the custom fuel monitoring schedule to their general permit application.

(H) Compliance with this provision fulfills the requirement that custom schedules be approved by the Administrator before being used as an alternative means of compliance.

(11) Stationary gas turbines using water or steam injection need not comply with the nitrogen oxide control requirements of 40 CFR, §60.332(a) during conditions when ice fog is deemed a traffic hazard by the owner or operator of the stationary gas turbine.

(12) The owner or operator of sites subject to the provisions of this chapter that are affected by the requirements of the undesignated head Loading and Unloading of Volatile Organic Compounds in Chapter 115, Subchapter C of this title (relating to Volatile Organic Compound Transfer Operations), shall comply with §115.212(c)(2) and (3)(C) of this title (relating to Control Requirements).

(13) The owner or operator shall keep records as required in 40 CFR, §61.246(i) if claiming the exemption in 40 CFR, §61.110(c)(2), pertaining to National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene.

(14) Upon the granting of this general permit, detailed applicability determinations and the underlying basis for those determinations in the general permit application submitted to comply with the requirements of this chapter shall become conditions under which the owner or operator shall operate.

(c) Permit tables.

(1) The permit table which lists the requirements for Stationary Gas Turbines affected by 40 CFR 60, Subpart GG is contained in §122.511(c)(1) of this title (relating to Oil and Gas General Permit - Brazoria, Chambers, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Hardin, Harris, Jefferson, Liberty, Montgomery, Orange, Tarrant, and Waller Counties).

(2) The permit table which lists the requirements for Storage Vessels affected by 40 CFR 60, Subparts K and Ka is contained in §122.511(c)(2) of this title.

(3) The permit table which lists the requirements for Storage Vessels affected by 40 CFR 60, Subpart Kb is contained in §122.511(c)(3) of this title.

(4) The following permit table lists the requirements for Storage Vessels affected by Chapter 115 of this title. Figure 4: 30 TAC §122.513(c)(4)

(5) The permit table which lists the requirements for Gas Sweetening Units Not Utilizing Sulfur Recovery affected by 40 CFR 60, Subpart LLL is contained in §122.511(c)(5) of this title.

(6) The permit table which lists the requirements for Natural Gas Processing Plant Fugitive Emissions affected by 40 CFR 60, Subpart KKK is contained in §122.511(c)(6) of this title.

(7) The permit table which lists the requirements for Process Heaters/Furnaces affected by Chapter 112 of this title (relating to Control of Air Pollution From Sulfur Compounds) is contained in §122.511(c)(8) of this title.

(8) The permit table which lists the requirements for Flares affected by 40 CFR 60, Subpart A is contained in §122.511(c)(9) of this title.

(9) The permit table which lists the requirements for Flares affected by Chapter 111 of this title is contained in §122.511(c)(10) of this title.

(10) The permit table which lists the requirements for Gas Sweetening Units Utilizing Sulfur Recovery affected by 40 CFR 60, Subpart LLL is contained in §122.511(c)(11) of this title.

(11) The permit table which lists the requirements for Gas Sweetening Units Utilizing Sulfur Recovery affected by Chapter 112 of this title is contained in §122.511(c)(12) of this title.

(12) The permit table which lists the requirements for Stationary Vents affected by Chapter 111 of this title is contained in §122.511(c)(13) of this title.

(13) The following permit table lists the requirements for Stationary Vents affected by Chapter 115 of this title. Figure 5 : 30 TAC §122.513(c)(13)

(14) The permit table which lists the requirements for Boilers/Steam Generators affected by Chapter 112 of this title and 40 CFR 60, Subparts Db and Dc is contained in §122.512(c)(14) of this title (relating to Oil and Gas General Permit - Gregg, Nueces, and Victoria Counties).

(15) The following permit table lists the requirements for Non-Marine VOC Loading/Unloading Operations affected by Chapter 115 of this title. Figure 6: 30 TAC §122.513(c)(15)

(16) The following permit table lists the requirements for VOC Water Separators affected by Chapter 115 of this title. Figure 7: 30 TAC §122.513(c)(16)

§122.514. Oil and Gas General Permit - All Texas Counties Except for Aransas, Bexar, Brazoria, Calhoun, Chambers, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Gregg, Hardin, Harris, Jefferson, Liberty, Matagorda, Montgomery, Nueces, Orange, San Patricio, Tarrant, Travis, Victoria, and Waller Counties.

(a) Qualification criteria. Emission units authorized to operate under this general permit shall meet each of the following criteria.

(1) Emission units which are authorized to operate under this general permit shall not have a federal prevention of significant deterioration permit or a federal nonattainment permit.

(2) Emission units which are authorized to operate under this general permit shall not use an alternative means of compliance which must be approved by the executive director of the commission or the Administrator of the United States Environmental Protection Agency (EPA).

(3) At the time of application submittal, emission units which are authorized to operate under this general permit shall be in compliance with all requirements as stated in subsections (b) and (c) of this section.

(4) Equipment in benzene service is not authorized to operate under this general permit unless the plant site is designed to produce or use less than 1,000 megagrams (1,100 tons) of benzene per year as determined according to the provisions of Title 40, Code of Federal Regulations, Part 61 (40 CFR 61) in 40 CFR, §61.245(d).

(5) Cooling towers which are authorized to operate under this general permit shall not have operated with chromium-based water treatment chemicals on or after September 8, 1994, pursuant to Title 40, Code of Federal Regulations, Part 63 (40 CFR 63), Subpart Q.

(6) For storage vessels, tanks, or containers which are authorized to operate under this general permit, the following subparagraphs shall apply.

(A) The storage vessels shall not store benzene having a specific gravity within the range of specific gravities specified in American Society for Testing and Materials (ASTM) D836-84 for Industrial Grade Benzene, ASTM D835-85 for Refined Benzene-485, ASTM D2359-85a for Refined Benzene-535, and ASTM D4734-87 for Refined Benzene-545.

(B) Internal or external floating roof vessels must be exempt from all regulatory requirements of Title 40, Code of Federal Regulations, Part 60 (40 CFR 60), Subparts K, Ka, and Kb.

(C) Volatile organic compounds shall have a true vapor pressure less than 11.0 psia, at storage conditions, if stored in vessels subject to the regulatory requirements of 40 CFR 60, Subparts K and Ka.

(D) Volatile organic compounds shall have a true vapor pressure less than 11.1 psia, at storage conditions, if stored in vessels with a capacity greater than and equal to 19,800 gallons and subject to the regulatory requirements of 40 CFR 60, Subpart Kb.

(E) Storage vessels shall not store waste mixtures of indeterminate or variable composition which are subject to the regulatory requirements of 40 CFR 60, Subpart Kb.

(7) Boilers and steam generators which are authorized to operate under this general permit shall only be fired with liquid fuel or natural gas, and:

(A) not have a rated capacity greater than 2,500 million British thermal units per hour (MMBtu/hr) if fired with natural gas and constructed, reconstructed, or modified on or before June 19, 1984;

(B) not have a rated capacity greater than 250 MMBtu/hr if fired with liquid fuel and constructed, reconstructed, or modified on or before June 19, 1984; or

(C) not exceed 100 MMBtu/hr rated capacity if constructed, reconstructed, or modified after June 19, 1984.

(8) Stationary gas turbines which are authorized to operate under this general permit shall:

(A) only be fired with pipeline quality natural gas;

(B) not be fired with an emergency fuel;

(C) not be supplied its fuel from an intermediate bulk storage tank;

(D) not use 40 CFR, §60.333(a) as a means to comply with the requirements of 40 CFR 60, Subpart GG; and

(E) not exceed the following if constructed, reconstructed, or modified on or after October 3, 1977:

(i) the manufacturer's rated base load at International Standards Organization conditions of 30 megawatts; or

(ii) a heat input at peak load greater than 100 MMBtu/hr based on the lower heating value of the fuel fired.

(9) Emission units subject to the regulatory requirements of 40 CFR 60, Subpart XX are not authorized to operate under this general permit.

(10) Emission units which are authorized to operate under this general permit and are subject to Chapter 111 of this title (relating to Control of Air Pollution From Visible Emissions and Particulate Matter) may not claim an exemption from the continuous emission monitoring requirements of §111.111(a)(3) of this title (relating to Requirements for Specified Sources).

(11) Loading racks at a benzene production facility shall not be authorized to operate under this general permit unless these loading racks load only the following: gasoline, crude oil, natural gas liquids, or petroleum distillates.

(b) General provisions.

(1) The owner or operator shall comply with the requirements relating to General Permits which are contained in this chapter.

(2) The owner or operator shall comply with the conditions listed in §122.143 of this title (relating to Permit Conditions).

(3) If there are any requirements that apply to an emission unit that are not codified in subsections (b) or (c) of this section, then that emission unit shall be required to be authorized to operate under another federal operating permit.

(4) For any unit subject to any subpart in 40 CFR 60, the owner or operator shall comply with the following unless otherwise stated in the applicable subpart:

(A) Section 60.1 - Applicability;

(B) Section 60.7 - Notification and Recordkeeping;

(C) Section 60.8 - Performance Tests;

(D) Section 60.9 - Availability of Information;

(E) Section 60.11 - Compliance with Standards and Maintenance

Requirements;

(F) Section 60.12 - Circumvention;

(G) Section 60.13 - Monitoring Requirements;

(H) Section 60.14 - Modification;

(I) Section 60.15 - Reconstruction; and

(J) Section 60.19 - General Notification and Reporting Requirements.

(5) The owner or operator shall submit compliance certifications to the commission at least every 12 months and, upon request, to the EPA.

(6) Owners or operators shall comply with the following requirements of Chapter 111 of this title.

(A) Visible emissions from stationary vents constructed on or before January 31, 1972, shall not exceed 30% opacity averaged over a six-minute period as required in §111.111(a)(1)(A) of this title. Compliance with the visible emission standard of §111.111(a)(1)(A) of this title shall be determined as required in §111.111(a)(1)(F)(ii) of this title by Test Method 9 (40 CFR 60, Appendix A), or as required in §111.111(a)(1)(F)(iii) of this title by Alternate Method 1 to Method 9, Light Detection and Ranging (40 CFR 60, Appendix A).

(B) Visible emissions from stationary vents constructed after January 31, 1972, shall not exceed 20% opacity averaged over a six-minute period as required in §111.111(a)(1)(B) of this title. Compliance with the visible emission standard of §111.111(a)(1)(B) of this title shall be

determined as required in §111.111(a)(1)(F)(ii) of this title by Test Method 9 (40 CFR 60, Appendix A), or as required in §111.111(a)(1)(F)(iii) of this title by Alternate Method 1 to Method 9, Light Detection and Ranging (40 CFR 60, Appendix A).

(C) Visible emissions from structures shall not exceed 30% opacity for any six-minute period from any building, enclosed facility, or other structure as required in §111.111(a)(7)(A) of this title. Compliance with the visible emission standard of §111.111(a)(7)(A) of this title shall be determined as required in §111.111(a)(7)(B)(i) of this title by Test Method 9 (40 CFR 60, Appendix A).

(D) Visible emissions during the cleaning of a firebox or the building of a new fire, soot blowing, equipment changes, ash removal, and rapping of precipitators may exceed the limits set forth in §111.111 of this title for a period aggregating not more than six minutes in any 60 consecutive minutes, nor more than six hours in any ten-day period as required in §111.111(a)(1)(E) of this title. This exemption shall not apply to the emissions mass rate standard, as outlined in §111.151(a) of this title (relating to Allowable Emissions Limits).

(E) Visible emissions from all other sources not specified in §111.111(a)(1), (4), or (7) of this title shall not exceed 30% opacity for any six-minute period from any building, enclosed facility, or other structure as required in §111.111(a)(8)(A) of this title. Compliance with the visible emission standard of §111.111(a)(8)(A) of this title shall be determined by applying Test Method 9 (40 CFR 60, Appendix A) as required in §111.111(a)(8)(B)(i) of this title.

(F) Certification of opacity readers determining opacities under Method 9 (as outlined in 40 CFR 60, Appendix A) to comply with §111.111(a)(1)(G) of this title shall be accomplished by completing the Texas Natural Resource Conservation Commission Visible Emissions Evaluators Course, or approved agency equivalent, no more than 180 days before the opacity reading.

(G) Emission limits on nonagricultural processes are as follows.

(i) Emissions of particulate matter from any source may not exceed the allowable rates specified in Table 1 as required in §111.151(a) of this title. Figure 1 : 30 TAC §122.514(b)(6)(G)(i)

(ii) Sources with an effective stack height (h_e) less than the standard effective stack height (H_e), as determined from Table 2, must reduce the allowable emission level by multiplying it by $[h_e/H_e]^2$ as required in §111.151(b) of this title. Figure 2 : 30 TAC §122.514(b)(6)(G)(ii)

(iii) Effective stack height shall be calculated by the following equation as required in §111.151(c) of this title: Figure 3 : 30 TAC §122.514(b)(6)(G)(iii)

(H) Open burning, as stated in §111.101 of this title (relating to General Prohibition), shall not be authorized unless the following requirements are satisfied:

- (i) Section 111.103(b)(1), (5), and (7) of this title (relating to Exceptions to Prohibition of Outdoor Burning);
 - (ii) Section 111.105 of this title (relating to General Requirements for Allowable Outdoor Burning); and
 - (iii) Section 111.107 of this title (relating to Responsibility for Consequences of Outdoor Burning).
- (I) Abrasive blasting of water storage tanks performed by portable operations shall not be authorized unless the following requirements are satisfied:
- (i) Section 111.133(a)(1) and (2), (b), and (c) of this title (relating to Testing Requirements);
 - (ii) Section 111.135(a), (b), and (c)(1)-(4) of this title (relating to Control Requirements for Surfaces with Coatings Containing Lead);
 - (iii) Section 111.137(a), (b)(1)-(4), and (c) of this title (relating to Control Requirements for Surfaces with Coatings Containing Less than One Percent Lead); and
 - (iv) Section 111.139(a) and (b) of this title (relating to Exemptions).

(7) For covered processes subject to the Risk Management Program for Chemical Accidental Release Prevention, the owner or operator shall submit a risk management plan or a schedule to submit a plan to the appropriate agency, in accordance with the regulations promulgated pursuant to the 1990 Amendments to the Federal Clean Air Act (FCAA), §112(r)(7). This requirement is enforceable only by the Administrator of the EPA.

(8) Owners and operators of a site subject to Title VI of the FCAA (which is enforceable only by the Administrator of the EPA) shall meet the following requirements for protection of stratospheric ozone.

(A) Operation, servicing, maintenance, and repair on refrigeration and non-motor vehicle air conditioning equipment using ozone-depleting refrigerants on-site shall be conducted in accordance with Title 40, Code of Federal Regulations, Part 82 (40 CFR 82), Subpart F. Owners or operators shall ensure that repairs or refrigerant removal are performed only by properly certified technicians.

(B) Servicing, maintenance, and repair of fleet vehicle air conditioning using ozone-depleting refrigerants shall be conducted in accordance with 40 CFR 82, Subpart B. Owners or operators shall ensure that repairs or refrigerant removal are performed only by properly certified technicians.

(C) Owners or operators shall maintain records of each repair or refrigerant removal/recycling activity as described in subparagraphs (A) and (B) of this paragraph. Records shall include identification of equipment, nature of service performed, date, and a statement indicating the technician was properly certified at time of servicing.

(9) Stationary gas turbines subject to 40 CFR 60, Subpart GG shall only comply with the requirements of 40 CFR, §60.333(b) for fuel sulfur content.

(10) Stationary gas turbines subject to 40 CFR 60, Subpart GG will be allowed to utilize a custom fuel monitoring schedule, as an alternative provided for under 40 CFR, §60.334(b)(2), as long as the provisions are at least as stringent as the following.

(A) Monitoring of fuel nitrogen is not required while pipeline quality natural gas is the only fuel fired in the gas turbine.

(B) Analysis for fuel sulfur content of the natural gas shall be conducted using one of the approved ASTM Test Methods for the measurement of sulfur in gaseous fuels, as referenced in 40 CFR, §60.335(d), or the Gas Processors Association (GPA) test method entitled "Test for Hydrogen Sulfide and Carbon Dioxide in Natural Gas Using Length of Stain Tubes." The test methods are listed as follows:

(i) ASTM D1072-80;

(ii) ASTM D3031-81;

(iii) ASTM D3246-81;

(iv) ASTM D4084-82; or

(v) GPA Standard 2377-86.

(C) Effective the date of this custom schedule, sulfur monitoring shall be conducted twice monthly for six months. If this monitoring shows little variability in the fuel sulfur content, and indicates consistent compliance with 40 CFR, §60.333(b), then sulfur monitoring shall be conducted once per quarter for six quarters.

(D) If after the monitoring required in subparagraph (C) of this paragraph, or herein, the sulfur content of the fuel shows little variability and, calculated as sulfur dioxide, represents consistent compliance with the sulfur dioxide emission limits specified under 40 CFR, §60.333, sample analysis shall be conducted twice per annum. This monitoring shall be conducted during the first and third quarters of each calendar year.

(E) Should any sulfur analysis as required in subparagraphs (C) or (D) of this paragraph indicate noncompliance with 40 CFR, §60.333, the owner or operator shall notify the commission within two weeks of such excess emissions. The commission will then reexamine the

custom schedule. Sulfur monitoring shall be conducted weekly during the interim period when this custom schedule is being reexamined.

(F) Stationary gas turbines that use the same supply of pipeline quality natural gas to fuel multiple gas turbines may monitor the fuel sulfur content at a single common location.

(G) Applicants shall attach the custom fuel monitoring schedule to their general permit application.

(H) Compliance with this provision fulfills the requirement that custom schedules be approved by the Administrator before being used as an alternative means of compliance.

(11) Stationary gas turbines using water or steam injection need not comply with the nitrogen oxide control requirements of 40 CFR, §60.332(a) during conditions when ice fog is deemed a traffic hazard by the owner or operator of the stationary gas turbine.

(12) The owner or operator shall keep records as required in 40 CFR, §61.246(i) if claiming the exemption in 40 CFR, §61.110(c)(2), pertaining to National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene.

(13) Upon the granting of this general permit, detailed applicability determinations and the underlying basis for those determinations in the general permit application submitted to comply with

the requirements of this chapter shall become conditions under which the owner or operator shall operate.

(c) Permit tables.

(1) The permit table which lists the requirements for Stationary Gas Turbines affected by 40 CFR 60, Subpart GG is contained in §122.511(c)(1) of this title (relating to Oil and Gas General Permit - Brazoria, Chambers, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Hardin, Harris, Jefferson, Liberty, Montgomery, Orange, Tarrant, and Waller Counties).

(2) The permit table which lists the requirements for Storage Vessels affected by 40 CFR 60, Subparts K and Ka is contained in §122.511(c)(2) of this title.

(3) The permit table which lists the requirements for Storage Vessels affected by 40 CFR 60, Subpart Kb is contained in §122.511(c)(3) of this title.

(4) The permit table which lists the requirements for Gas Sweetening Units Not Utilizing Sulfur Recovery affected by 40 CFR 60, Subpart LLL is contained in §122.511(c)(5) of this title.

(5) The permit table which lists the requirements for Natural Gas Processing Plant Fugitive Emissions affected by 40 CFR 60, Subpart KKK is contained in §122.511(c)(6) of this title.

(6) The permit table which lists the requirements for Process Heaters/Furnaces affected by Chapter 112 of this title (relating to Control of Air Pollution From Sulfur Compounds) is contained in §122.511(c)(8) of this title.

(7) The permit table which lists the requirements for Flares affected by 40 CFR 60, Subpart A is contained in §122.511(c)(9) of this title.

(8) The permit table which lists the requirements for Flares affected by Chapter 111 of this title is contained in §122.511(c)(10) of this title.

(9) The permit table which lists the requirements for Gas Sweetening Units Utilizing Sulfur Recovery affected by 40 CFR 60, Subpart LLL is contained in §122.511(c)(11) of this title.

(10) The permit table which lists the requirements for Gas Sweetening Units Utilizing Sulfur Recovery affected by Chapter 112 of this title is contained in §122.511(c)(12) of this title.

(11) The permit table which lists the requirements for Stationary Vents affected by Chapter 111 of this title is contained in §122.511(c)(13) of this title.

(12) The permit table which lists the requirements for Boilers/Steam Generators affected by Chapter 112 of this title and 40 CFR 60, Subparts Db and Dc is contained in §122.512(c)(14) of this title (relating to Oil and Gas General Permit - Gregg, Nueces, and Victoria Counties).

§122.515. Bulk Fuel Storage Terminal General Permit.

(a) Qualification criteria. Emission units authorized to operate under this general permit shall meet each of the following criteria.

(1) Emission units which are authorized to operate under this general permit shall not have a federal prevention of significant deterioration permit or a federal nonattainment permit.

(2) Emission units which are authorized to operate under this general permit shall not use an alternative means of compliance which must be approved by the executive director of the commission or the Administrator of the United States Environmental Protection Agency (EPA).

(3) At the time of application submittal, emission units which are authorized to operate under this general permit shall be in compliance with all requirements as stated in subsections (b) and (c) of this section.

(4) Loading racks at a benzene production facility or bulk terminal shall not be authorized to operate under this general permit unless these loading racks load only the following: gasoline, crude oil, natural gas liquids, or petroleum distillates.

(5) Emission units in marine terminal loading and unloading operations are not authorized to operate under this general permit.

(6) For storage vessels, tanks, or containers which are authorized to operate under this general permit:

(A) the storage vessels shall not store benzene having a specific gravity within the range of specific gravities specified in American Society for Testing and Materials (ASTM) D836-84 for Industrial Grade Benzene, ASTM D835-85 for Refined Benzene-485, ASTM D2359-85a for Refined Benzene-535, and ASTM D4734-87 for Refined Benzene-545; or

(B) petroleum liquid, condensate, crude oil, or volatile organic liquid shall not be stored prior to custody transfer.

(7) Degreasing operations which are authorized under this general permit and located on any property in Gregg, Nueces, or Victoria Counties shall not emit, when uncontrolled, a combined weight of volatile organic compounds (VOC) greater than or equal to 550 pounds in any consecutive 24-hour period.

(8) Degreasing operations which are authorized to operate under this general permit shall not utilize the following:

(A) a VOC for open-top vapor or conveyORIZED degreasing in counties where the regulatory requirements of Chapter 115 of this title (relating to Control of Air Pollution From Volatile Organic Compounds) are applicable; or

(B) individual batch vapor, in-line vapor, in-line cold, or batch cold solvent cleaning machines subject to the regulatory requirements of Title 40, Code of Federal Regulations, Part 63, Subpart T.

(9) Volatile organic compound water separators which are authorized to operate under this general permit and are located in the Houston/Galveston, Beaumont/Port Arthur, Dallas/Fort Worth, or El Paso ozone nonattainment areas, shall not have been subject to the control requirements of §115.132(a)(1) - (3) of this title (relating to Control Requirements) at any time since July 17, 1991, which later were exempted from these control requirements by satisfying the conditions of §115.132(a)(4)(A) and (B) of this title.

(10) Volatile organic compound loading/unloading which is authorized to operate under this general permit and occurs in the Houston/Galveston, Beaumont/Port Arthur, Dallas/Fort Worth, or El Paso ozone nonattainment areas, shall not have been subject to the control requirements of §115.212(a)(2) and (4) - (6) of this title (relating to Control Requirements) at any time since November

15, 1996, which later were exempted from these control requirements by satisfying the conditions of §115.212(a)(12) of this title.

(11) Emission units which are authorized to operate under this general permit and are subject to Chapter 111 of this title (relating to Control of Air Pollution From Visible Emissions and Particulate Matter) may not claim an exemption from the continuous emission monitoring requirements of §111.111(a)(3) of this title (relating to Requirements for Specified Sources).

(12) Surface coating operations, other than those performed on equipment that is located on-site and in-place, which are authorized to operate under this general permit shall not emit, when uncontrolled, the following:

(A) a combined weight of VOC greater than or equal to three pounds per hour and 15 pounds in any consecutive 24-hour period at sites located in the Houston/Galveston, Beaumont/Port Arthur, Dallas/Fort Worth, or El Paso ozone nonattainment areas; or

(B) a combined weight of VOC greater than or equal to 550 pounds (249.5 kilograms) in any consecutive 24-hour period at sites located in Gregg, Nueces, or Victoria Counties.

(13) Equipment in benzene service is not authorized to operate under this general permit unless the plant site is designed to produce or use less than 1,000 megagrams (1,100 tons) of benzene per year as determined according to the provisions of Title 40, Code of Federal Regulations, Part 61 (40 CFR 61) in 40 CFR, §61.245(d).

(b) General provisions.

(1) The owner or operator shall comply with the requirements relating to General Permits which are contained in this chapter.

(2) The owner or operator shall comply with the conditions listed in §122.143 of this title (relating to Permit Conditions).

(3) If there are any requirements that apply to an emission unit that are not codified in subsections (b) or (c) of this section, then that emission unit shall be required to be authorized to operate under another federal operating permit.

(4) For any unit subject to any subpart in Title 40, Code of Federal Regulations, Part 60 (40 CFR 60), the owner or operator shall comply with the following unless otherwise stated in the applicable subpart:

(A) Section 60.1 - Applicability;

(B) Section 60.7 - Notification and Recordkeeping;

(C) Section 60.8 - Performance Tests;

(D) Section 60.9 - Availability of Information;

(E) Section 60.11 - Compliance with Standards and Maintenance

Requirements;

(F) Section 60.12 - Circumvention;

(G) Section 60.13 - Monitoring Requirements;

(H) Section 60.14 - Modification;

(I) Section 60.15 - Reconstruction; and

(J) Section 60.19 - General Notification and Reporting Requirements.

(5) The owner or operator shall submit compliance certifications to the commission at least every 12 months and, upon request, to the EPA.

(6) Owners or operators shall comply with the following requirements of Chapter 111 of this title.

(A) Visible emissions from stationary vents constructed on or before January 31, 1972, shall not exceed 30% opacity averaged over a six-minute period as required in §111.111(a)(1)(A) of this title. Compliance with the visible emission standard of §111.111(a)(1)(A) of this title shall be determined as required in §111.111(a)(1)(F)(ii) of this title by Test Method 9 (40 CFR 60, Appendix A), or as required in §111.111(a)(1)(F)(iii) of this title by Alternate Method 1 to Method 9, Light Detection and Ranging (40 CFR 60, Appendix A).

(B) Visible emissions from stationary vents constructed after January 31, 1972, shall not exceed 20% opacity averaged over a six-minute period as required in §111.111(a)(1)(B) of this title. Compliance with the visible emission standard of §111.111(a)(1)(B) of this title shall be determined as required in §111.111(a)(1)(F)(ii) of this title by Test Method 9 (40 CFR 60, Appendix A), or as required in §111.111(a)(1)(F)(iii) of this title by Alternate Method 1 to Method 9, Light Detection and Ranging (40 CFR 60, Appendix A).

(C) Visible emissions from structures shall not exceed 30% opacity for any six-minute period from any building, enclosed facility, or other structure as required in §111.111(a)(7)(A) of this title. Compliance with the visible emission standard of §111.111(a)(7)(A) of this title shall be determined as required in §111.111(a)(7)(B)(i) of this title by Test Method 9 (40 CFR 60, Appendix A).

(D) Visible emissions from all other sources not specified in §111.111(a)(1), (4), or (7) of this title shall not exceed 30% opacity for any six-minute period from any building, enclosed facility, or other structure as required in §111.111(a)(8)(A) of this title. Compliance with the visible emission standard of §111.111(a)(8)(A) of this title shall be determined by applying Test Method 9 (40 CFR 60, Appendix A) as required in §111.111(a)(8)(B)(i) of this title.

(E) Certification of opacity readers determining opacities under Method 9 (as outlined in 40 CFR 60, Appendix A) to comply with §111.111(a)(1)(G) of this title shall be accomplished by completing the Texas Natural Resource Conservation Commission Visible Emissions Evaluators Course, or approved agency equivalent, no more than 180 days before the opacity reading.

(F) Emission limits on nonagricultural processes are as follows.

(i) Emissions of particulate matter from any source may not exceed the allowable rates specified in Table 1 as required in §111.151(a) of this title (relating to Allowable Emissions Limits). Figure 1: 30 TAC §122.515(b)(6)(F)(i)

(ii) Sources with an effective stack height (h_e) less than the standard effective stack height (H_e), as determined from Table 2, must reduce the allowable emission level by multiplying it by $[h_e/H_e]^2$ as required in §111.151(b) of this title. Figure 2 : 30 TAC §122.515(b)(6)(F)(ii)

(iii) Effective stack height shall be calculated by the following equation as required in §111.151(c) of this title: Figure 3 : 30 TAC §122.515(b)(6)(F)(iii)

(G) Open burning, as stated in §111.101 of this title (relating to General Prohibition), shall not be authorized unless the following requirements are satisfied:

(i) Section 111.103(b)(1), (5), and (7) of this title (relating to Exceptions to Prohibition of Outdoor Burning);

(ii) Section 111.105 of this title (relating to General Requirements for Allowable Outdoor Burning); and

(iii) Section 111.107 of this title (relating to Responsibility for Consequences of Outdoor Burning).

(H) Owners or operators of sites subject to the provisions of this chapter that have Materials Handling, Construction, Roads, Streets, Alleys, and Parking Lots shall comply with the requirements of §§111.143, 111.145, 111.147, and 111.149 of this title (relating to Materials Handling; Construction and Demolition; Roads, Streets, and Alleys; and Parking Lots) if they are located in the following areas:

(i) the City of El Paso, including the Fort Bliss Military Reservation, except for training areas as referenced in §111.141 of this title (relating to Geographic Areas of Application and Date of Compliance);

(ii) the area of Harris County located inside Beltway 8 (Sam Houston Tollway); or

(iii) the area of Nueces County outlined in the Group II State Implementation Plan for Inhalable Particulate Matter.

(I) Abrasive blasting of water storage tanks performed by portable operations shall not be authorized unless the following requirements are satisfied:

(i) Section 111.133(a)(1) and (2), (b), and (c) of this title (relating to Testing Requirements);

(ii) Section 111.135(a), (b), and (c)(1)-(4) of this title (relating to Control Requirements for Surfaces with Coatings Containing Lead);

(iii) Section 111.137(a), (b)(1)-(4), and (c) of this title (relating to Control Requirements for Surfaces with Coatings Containing Less than One Percent Lead); and

(iv) Section 111.139(a) and (b) of this title (relating to Exemptions).

(7) The owner or operator of sites subject to the provisions of this chapter that are affected by the requirements of Chapter 115, Subchapter C of this title (relating to Volatile Organic Compound Transfer Operations) shall comply with the following.

(A) The requirements in the undesignated head Loading and Unloading of Volatile Organic Compounds in Chapter 115, Subchapter C of this title for the Houston/Galveston, Beaumont/Port Arthur, Dallas/Fort Worth, and El Paso ozone nonattainment areas are as follows:

(i) Section 115.212(a)(4), (5)(D), and (12) of this title;

(ii) Section 115.214(a)(3) of this title (relating to Inspection Requirements);

(iii) Section 115.215(a) of this title (relating to Approved Test Methods); and

(iv) Section 115.216(a)(4) and (5) of this title (relating to Monitoring and Recordkeeping Requirements).

(B) The requirements of the undesignated head Loading and Unloading of Volatile Organic Compounds in Chapter 115, Subchapter C of this title for Gregg, Nueces, and Victoria Counties are as follows:

(i) Section 115.212(b)(2) and (3)(C) of this title;

(ii) Section 115.215(b) of this title; and

(iii) Section 115.216(b)(5) of this title.

(C) The requirements of the undesignated head Loading and Unloading of Volatile Organic Compounds in Chapter 115, Subchapter C of this title for Aransas, Bexar, Calhoun, Matagorda, San Patricio, and Travis Counties are §115.212(c)(2) and (3)(C) of this title.

(D) The requirements in the undesignated head Filling of Gasoline Storage Vessels (Stage I) For Motor Vehicle Fuel Dispensing Facilities in Chapter 115, Subchapter C of this title for the Houston/Galveston, Beaumont/Port Arthur, Dallas/Fort Worth, and El Paso ozone nonattainment areas are as follows:

(i) Section 115.221 of this title (relating to Emission Specifications);

(ii) Section 115.222 of this title (relating to Control Requirements);

(iii) Section 115.224 of this title (relating to Inspection Requirements);

(iv) Section 115.225(1) - (5) of this title (relating to Testing Requirements);

(v) Section 115.226 of this title (relating to Recordkeeping Requirements); and

(vi) Section 115.227 of this title (relating to Exemptions).

(E) The requirements in the undesignated head Control of Volatile Organic Compound Leaks From Transport Vessels in Chapter 115, Subchapter C of this title for the Houston/Galveston, Beaumont/Port Arthur, Dallas/Fort Worth, and El Paso ozone nonattainment areas are as follows:

(i) Section 115.234 of this title (relating to Inspection Requirements);

(ii) Section 115.235(1), (2), (3)(A), and (4) of this title (relating to Approved Test Methods);

(iii) Section 115.236 of this title (relating to Recordkeeping Requirements); and

(iv) Section 115.237 of this title (relating to Exemptions).

(F) The requirements in the undesignated head Control of Vehicle Refueling Emissions (Stage II) at Motor Vehicle Fuel Dispensing Facilities in Chapter 115, Subchapter C of this title for the Houston/Galveston, Beaumont/Port Arthur, Dallas/Fort Worth, and El Paso ozone nonattainment areas are as follows:

(i) Section 115.241 of this title (relating to Emission Specifications);

(ii) Section 115.242 of this title (relating to Control Requirements);

(iii) Section 115.244 of this title (relating to Inspection Requirements);

(iv) Section 115.245(1), (2), (3), (5), and (6) of this title (relating to Testing Requirements);

(v) Section 115.246 of this title (relating to Recordkeeping Requirements); and

(vi) Section 115.247 of this title (relating to Exemptions).

(G) The requirements in the undesignated head Control of Reid Vapor Pressure of Gasoline in Chapter 115, Subchapter C of this title for the El Paso ozone nonattainment area are as follows:

(i) Section 115.252 of this title (relating to Control Requirements);

(ii) Section 115.255 of this title (relating to Approved Test Methods);

(iii) Section 115.256 of this title (relating to Recordkeeping Requirements); and

(iv) Section 115.257 of this title (relating to Exemptions).

(8) For the degassing or cleaning of stationary and transport vessels located in the Houston/Galveston, Beaumont/Port Arthur, Dallas/Fort Worth, or El Paso ozone nonattainment areas, the owner or operator shall comply with the requirements of Chapter 115, Subchapter F of this title (relating to Miscellaneous Industrial Sources), as follows:

(A) for the degassing or cleaning of stationary volatile organic compound storage vessels with a nominal capacity of one million gallons or more, comply with the following requirements:

(i) Section 115.541(a)(1) of this title (relating to Emission Specifications);

(ii) Section 115.542(a) of this title (relating to Control Requirements);

(iii) Section 115.544 of this title (relating to Inspection Requirements);

(iv) Section 115.545(1) - (9) of this title (relating to Approved Test Methods);

(v) Section 115.546 of this title (relating to Monitoring and Recordkeeping Requirements); and

(vi) Section 115.547 of this title (relating to Exemptions);

(B) for the degassing or cleaning of all transport vessels with a nominal capacity of 8,000 gallons or more, comply with the following requirements:

(i) Section 115.541(a)(2) of this title;

(ii) Section 115.542(a) of this title;

(iii) Section 115.544 of this title;

(iv) Section 115.545(1) - (9) of this title;

(v) Section 115.546 of this title; and

(vi) Section 115.547 of this title.

(9) For emission units located in the Houston/Galveston or Beaumont/Port Arthur ozone nonattainment areas and subject to the provisions of the undesignated head Commercial, Institutional, and Industrial Sources in Chapter 117, Subchapter B of this title (relating to Combustion at Existing Major Sources), the owner or operator shall have submitted a complete initial control plan as required by §117.209 of this title (relating to Initial Control Plan Procedures).

(10) For emission units located in the Houston/Galveston or Beaumont/Port Arthur ozone nonattainment areas and subject to the requirements of the undesignated head Commercial, Institutional, and Industrial Sources in Chapter 117, Subchapter B of this title, the owner or operator shall comply with the requirements of the undesignated head Commercial, Institutional, and Industrial Sources by the compliance date specified in §117.520 of this title (relating to Compliance Schedule for Commercial, Institutional, and Industrial Combustion Sources).

(11) For covered processes subject to the Risk Management Program for Chemical Accidental Release Prevention, the owner or operator shall submit a risk management plan or a schedule to submit a plan to the appropriate agency, in accordance with the regulations promulgated pursuant to the 1990 Amendments to the Federal Clean Air Act (FCAA), §112(r)(7). This requirement is enforceable only by the Administrator of the EPA.

(12) Owners and operators of a site subject to Title VI of the FCAA (which is enforceable only by the Administrator of the EPA) shall meet the following requirements for protection of stratospheric ozone.

(A) Operation, servicing, maintenance, and repair on refrigeration and non-motor vehicle air conditioning equipment using ozone-depleting refrigerants on-site shall be conducted in accordance with Title 40, Code of Federal Regulations, Part 82 (40 CFR 82), Subpart F. Owners or operators shall ensure that repairs or refrigerant removal are performed only by properly certified technicians.

(B) Servicing, maintenance, and repair of fleet vehicle air conditioning using ozone-depleting refrigerants shall be conducted in accordance with 40 CFR 82, Subpart B. Owners or operators shall ensure that repairs or refrigerant removal are performed only by properly certified technicians.

(C) Owners or operators shall maintain records of each repair or refrigerant removal/recycling activity as described in subparagraphs (A) and (B) of this paragraph. Records shall include identification of equipment, nature of service performed, date, and a statement indicating the technician was properly certified at time of servicing.

(13) Surface coating operations, other than those performed on equipment that is located on-site and in-place, which are authorized to operate under this general permit shall comply with the following requirements:

(A) at sites located in the Houston/Galveston, Beaumont/Port Arthur, Dallas/Fort Worth, or El Paso ozone nonattainment areas, surface coating operations that are subject to the conditions for exemptions referenced in §115.427(a)(3)(A) of this title (relating to Exemptions) shall maintain sufficient records to document applicability as required by §115.426(a)(4) of this title (relating to Monitoring and Recordkeeping Requirements); or

(B) at sites located in Gregg, Nueces, or Victoria Counties, surface coating operations that are subject to the conditions for exemptions referenced in §115.427(b)(1) of this title shall maintain sufficient records to document applicability as required by §115.426(b)(3) of this title.

(14) The owner or operator shall keep records as required in 40 CFR, §61.246(i) if claiming the exemption in 40 CFR, §61.110(c)(2), pertaining to National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene.

(15) Upon the granting of this general permit, detailed applicability determinations and the underlying basis for those determinations in the general permit application submitted to comply with the requirements of this chapter shall become conditions under which the owner or operator shall operate.

(c) Permit tables.

(1) The following permit table lists the requirements for Storage Vessels affected by 40 CFR 60, Subpart K. Figure 4: 30 TAC §122.515(c)(1)

(2) The following permit table lists the requirements for Storage Vessels affected by 40 CFR 60, Subpart Ka. Figure 5: 30 TAC §122.515(c)(2)

(3) The following permit table lists the requirements for Storage Vessels affected by 40 CFR 60, Subpart Kb. Figure 6: 30 TAC §122.515(c)(3)

(4) The following permit table lists the requirements for Storage Vessels located in Brazoria, Chambers, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Hardin, Harris, Jefferson, Liberty, Montgomery, Orange, Tarrant, or Waller Counties which are affected by Chapter 115 of this title. Figure 7: 30 TAC §122.515(c)(4)

(5) The following permit table lists the requirements for Storage Vessels located in Gregg, Nueces, or Victoria Counties which are affected by Chapter 115 of this title. Figure 8: 30 TAC §122.515(c)(5)

(6) The following permit table lists the requirements for Storage Vessels located in Aransas, Bexar, Calhoun, Matagorda, San Patricio, or Travis Counties which are affected by Chapter 115 of this title. Figure 9: 30 TAC §122.515(c)(6)

(7) The following permit table lists the requirements for Flares affected by 40 CFR 60, Subpart A. Figure 10: 30 TAC §122.515(c)(7)

(8) The following permit table lists the requirements for Flares affected by Chapter 111 of this title. Figure 11: 30 TAC §122.515(c)(8)

(9) The following permit table lists the requirements for Combustion Units affected by Chapter 117 of this title. Figure 12: 30 TAC §122.515(c)(9)

(10) The following permit table lists the requirements for Non-Marine VOC Loading/Unloading Operations located in Brazoria, Chambers, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Hardin, Harris, Jefferson, Liberty, Montgomery, Orange, Tarrant, or Waller Counties which are affected by Chapter 115 of this title. Figure 13: 30 TAC §122.515(c)(10)

(11) The following permit table lists the requirements for Non-Marine VOC Loading/Unloading Operations located in Gregg, Nueces, or Victoria Counties which are affected by Chapter 115 of this title. Figure 14: 30 TAC §122.515(c)(11)

(12) The following permit table lists the requirements for Non-Marine VOC Loading/Unloading Operations located in Aransas, Bexar, Calhoun, Matagorda, San Patricio, or Travis Counties which are affected by Chapter 115 of this title. Figure 15: 30 TAC §122.515(c)(12)

(13) The following permit table lists the requirements for VOC Water Separators located in Brazoria, Chambers, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Hardin, Harris, Jefferson, Liberty, Montgomery, Orange, Tarrant, or Waller Counties which are affected by Chapter 115 of this title. Figure 16: 30 TAC §122.515(c)(13)

(14) The following permit table lists the requirements for VOC Water Separators located in Gregg, Nueces, or Victoria Counties which are affected by Chapter 115 of this title. Figure 17: 30 TAC §122.515(c)(14)

(15) The following permit table lists the requirements for VOC Water Separators located in Aransas, Bexar, Calhoun, Matagorda, San Patricio, or Travis Counties which are affected by Chapter 115 of this title. Figure 18: 30 TAC §122.515(c)(15)

(16) The following permit table lists the requirements for Cold Cleaning Degreasing Operations located in Brazoria, Chambers, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Hardin, Harris, Jefferson, Liberty, Montgomery, Orange, Tarrant, or Waller Counties which are affected by Chapter 115 of this title. Figure 19: 30 TAC §122.515(c)(16)

(17) The following permit table lists the requirements for Bulk Gasoline Terminals affected by 40 CFR 60, Subpart XX. Figure 20: 30 TAC §122.515(c)(17)

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 May 22, 1996.