

CHAPTER 118
CONTROL OF AIR POLLUTION EPISODES
§§118.1-118.6
Effective March 5, 2000

§118.1. Generalized Air Pollution Episodes.

(a) A generalized air pollution episode is a widespread condition of air pollution as specified in the Texas Water Code, §5.514, that requires immediate action to protect human health or safety. An episode may be declared for one or more air contaminants and will apply to any geographical area affected by the generalized condition of air pollution.

(b) A Level 1 air pollution episode exists if the criteria specified in paragraphs (1) and (2) of this subsection are met.

(1) The concentration of any of the air contaminants is equal to or greater than the levels specified for Level 1 in Table 1.

(2) In the case of all air contaminants except ozone, meteorological conditions conducive to high levels of air contamination are predicted to continue for at least 12 hours. In the case of ozone, meteorological conditions conducive to high levels of ozone are likely to recur within the next 24 hours.

Figure: 30 TAC §118.1(b)(2)

TABLE 1
 AIR POLLUTION EPISODES - AMBIENT CONCENTRATION CRITERIA

Pollutant	Averaging Time	Level 1	Level 2
Sulfur Dioxide (SO ₂)	24 hr.	0.6 ppm (1600 Fg/m ³)	0.8 ppm(2100 Fg/m ³)
Inhalable Particulate Matter (PM ₁₀)*	24 hr.	420 Fg/m ³	500 Fg/m ³
Carbon Monoxide	8 hr.	30 ppm (34 mg/m ³)	40 ppm (46 mg/m ³)
Ozone	1 hr.	0.4 ppm (800 Fg/m ³)	0.5 ppm (1000 Fg/m ³)
Nitrogen Dioxide	1 hr.	1.2 ppm (2260 Fg/m ³)	1.6 ppm (3000 Fg/m ³)
	24 hr.	0.3 ppm (565 Fg/m ³)	0.4 ppm (750 Fg/m ³)

ppm = parts per million by volume
Fg = microgram
mg = milligram
m³ = cubic meter

*THESE CRITERIA DO NOT APPLY TO EPISODES CAUSED BY DUST STORMS.

(c) A level 2 air pollution episode exists if the commission determines that emergency reductions of emissions must be initiated to prevent ambient concentrations specified for Level 2 in Table 1.

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§118.2. Provisions Governing Generalized Episode Control.

(a) Whenever the commission determines that a Level 1 air pollution episode exists, the commission shall issue an order, with the concurrence of the governor, declaring a Level 1 air pollution episode. A Level 1 episode may be declared for one or more air contaminants and may apply to any geographical area affected by the generalized condition of air pollution. Any person responsible for the operation of an emission source of a specified air contaminant in the designated area shall take the following actions:

(1) determine the existing emission levels for all specified contaminants involved in the episode;

(2) immediately implement all reasonably available methods to reduce the emission of the specified contaminant(s); and

(3) prepare to curtail operation of all affected emission sources in anticipation that a Level 2 episode will be declared.

(b) Whenever the commission determines that Level 2 concentrations may be reached unless emergency curtailment of source emissions is initiated, the commission shall issue an order, with the concurrence of the governor, declaring a Level 2 air pollution episode. A Level 2 episode may be declared for one or more air contaminants and may apply to any geographical area affected by the generalized condition of air pollution. If a Level 2 episode is declared, the commission shall identify the primary sources of the specified contaminants and shall order those sources to curtail or cease operations. The notice and hearing requirements of §118.4 of this title (relating to Hearings) shall apply.

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§118.3. Localized Air Pollution Episodes.

Whenever the commission determines that emissions from one or more air contaminant sources are causing localized imminent danger to human health or safety, but that there is not a generalized condition of air pollution of the type referred to in the Texas Water Code, §5.514, the commission shall order the person or persons responsible for the emissions to reduce or discontinue the emissions immediately. In such event, the notice and hearing requirements of §118.4 of this title (relating to Hearings) shall apply.

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§118.4. Hearings.

Any emission reduction order issued under the provisions of this chapter shall set a time and place for a hearing under the Texas Water Code, §5.514, to be held before the commission as soon as practicable after the order is issued. The commission shall give such general notice of the hearing as in its judgment is practicable under the circumstances.

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§118.5. Emission Reduction Plan.

Any owner or operator of a major stationary source in El Paso, Galveston, Harris, Jefferson, and Orange Counties which emits 100 tons or more per year of any air contaminant specified in Table 1 of §118.1 of this title (relating to Generalized Air Pollution Episodes) or volatile organic compounds (VOC) shall prepare and maintain an emission reduction plan. A plan for any existing source shall be completed within six months after the effective date of this section. A plan for any new or modified source shall be completed within six months after the source begins operations. The emission reduction plan shall be made available to the commission or a local air pollution control agency upon request and shall contain at least the following:

- (1) identification of all sources of air contaminants specified in Table 1 and sources of VOC to account for at least 95% of the total major stationary source emissions for each contaminant specified in Table 1 and VOC;
- (2) the approximate amount of each air contaminant specified in Table 1 and amount of VOC from each facility;
- (3) a description of the specified actions to be taken during a Level 1 episode and the amount of emissions reduction expected for VOC and for each air contaminant specified in Table 1;
- (4) a description of specific actions to be taken to curtail or cease operations if so directed during a Level 2 episode;

(5) identification of processes which require relatively lengthy shutdown procedures and of practical limits of production curtailment to prevent equipment damage; and

(6) identification of processes which, under conditions of curtailed production, would affect adversely the activities of raw materials suppliers or product users.

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§118.6. Texas Air Pollution Episode Contingency Plan.

The commission shall prepare a contingency plan which will include detailed procedures for public notification of actual or impending air pollution episodes; actions required by the commission and local air pollution control personnel; notification of public officials; and transmission of information to contiguous states as may be necessary.

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