

Rule Interpretation Memos for 30 TAC 115, Storage of Volatile Organic Compounds

- ! [Determination of applicability for internal floating roof tanks with secondary seals](#) (Retired) [December 11, 1998]
- ! [Determination of applicability when claiming exemptions in §115.117\(a\) or \(b\)\(1\)](#) [October 18, 1996]
- ! [Determination of applicability of secondary seal requirements when storing waxy, high pour point crude oil](#) [October 18, 1996]
- ! [Requirements for tanks with external floating roofs by choice.](#) [October 10, 1996]
- ! [Determination of applicability for tanks with external floating roofs not required to have secondary seals](#) [October 16, 1996]
- ! [Determination of applicability for gunbarrels used as storage tanks](#) [October 18, 1996]
- ! [Revision - Applicability of 30 TAC Chapter 115 to Underground Storage Caverns \(USC\) and brine ponds](#) [June 10, 2003]
- ! [Revision - Applicability of the Storage of VOC and Vent Control requirements of 30 TAC Chapter 115 to process vessels](#) - [June 26, 2003]

Last Modified: June 26, 2003

Rule Interpretation Summary Form

REQUEST:

Rule/Regulation Citation(s):	Federal Rule: <input type="checkbox"/> State Regulation: <input checked="" type="checkbox"/>
30 TAC 115, §115.112, §115.114	Description: General Volatile Organic Compound Sources Storage of Volatile Organic Compounds
Interpretation Request:	
Determination of applicability of Title 30 Texas Administrative Code, Section (§)115.112(a)(2)(F) (30 TAC 115.112 [a][2][F]) and §115.114(a) for internal floating roof tanks with secondary seals.	

DETERMINATION:

Summary of Request:
<p>The Operating Permits Division requested clarification/opinion on the questions listed below:</p> <ol style="list-style-type: none"> 1. Do internal floating roof storage tanks with secondary seals have to comply with §115.112(a)(2)(F)? 2. Do internal floating roof storage tanks with secondary seals have to comply with §115.114(a)?
Determination:
<p>After review by the Rule Interpretation Team, the team concurred with the following determination made by the Engineering Services Section:</p> <p>The Texas Natural Resource Conservation Commission has addressed these questions in past determinations (see attached memos). To summarize the memos, in accordance with the tables shown in §115.112, when an internal floating roof is required to comply with §115.112(a)(1), a secondary seal is not required for compliance. Therefore, since the secondary seal is not required, the facility is not required to comply with 30 TAC 115.112(a)(2)(F). The facility is required to comply with 30 TAC 115.114(a)(1) only with respect to the internal floating roof and the primary seal requirements.</p>

Rule Interpretation Summary Form

REQUEST:

Rule/Regulation Citation(s):	Federal Rule: <input type="checkbox"/> State Regulation: <input checked="" type="checkbox"/>
30 TAC 115, §115.116, §115.117	Description: General Volatile Organic Compound Sources Storage of Volatile Organic Compounds
Interpretation Request:	
Determination of applicability of Title 30 Texas Administrative Code, Sections (§§)115.116(a) and (b)(2) (30 TAC 115.116 [a]) and (b)(1) when claiming the exemptions in §§115.117(a) and (b)(1)	

DETERMINATION:

Summary of Request:
The Operating Permits Division requested clarification/opinion on the following: Do the exemptions in §115.117 grant an exemption from <u>all</u> of the requirements of the undesignated head?
Determination:
After review by the Rule Interpretation Team, the team concurred with the following determination made by the Engineering Services Section: The monitoring and recordkeeping requirements of §115.116(a)(1) and §115.116(b)(1) both mandate the exempted sources maintain records for the type of volatile organic compound stored and the average monthly true vapor pressure (TVP) of the stored liquid. This includes sources which meet the exemption but contain liquids with TVPs greater than 1.0 psia.

Rule Interpretation Summary Form

REQUEST:

Rule/Regulation Citation(s):	Federal Rule: <input type="checkbox"/> State Regulation: <input checked="" type="checkbox"/>
30 TAC 115, §115.117(a)(5)	Description: General Volatile Organic Compound Sources Storage of Volatile Organic Compounds
Interpretation Request:	
Determination of applicability of secondary seal requirements for external floating roof tanks storing waxy, high pour point crude oil.	

DETERMINATION:

Summary of Request:
The Operating Permits Division requested clarification/opinion of the question given below: In Title 30 Texas Administrative Code, Chapter 115 (30 TAC 115), are external floating roof storage tanks, which store waxy, high pour point crude, exempt from having <u>any</u> secondary seal?
Determination:
After review by the Rule Interpretation Team, the team concurred with the following determination made by the Engineering Services Section: If a storage tank meets the exemption in Section (§)115.117(a)(5) and the compound in the storage tank is not changed to a non-exempt compound, the storage tank would not be required to have a secondary seal of any kind.

Rule Interpretation Summary Form

REQUEST:

Rule/Regulation Citation(s):	Federal Rule: <input type="checkbox"/> State Regulation: <input checked="" type="checkbox"/>
30 TAC 115, §115.116-117	Description: General Volatile Organic Compound Sources Storage of Volatile Organic Compounds
Interpretation Request:	
Would a tank equipped with an external floating roof by choice (i.e. not required by Regulation V) which also meets the criteria in Title 30 Texas Administrative Code, Section (§)115.116(a)(1) [30 TAC 115.116(a)(1)] and §115.116(b)(1) (i.e., meets the secondary seal exemption)] be required to keep the records stated in those two citations?	

DETERMINATION:

Summary of Request:
The Operating Permits Division requested to determine if a storage tank, equipped with an external floating roof by choice (i.e., not required in Chapter 115 regulations) which also meets the criteria of §115.116(a)(1) and §115.116(b)(1) (i.e., meets the secondary seal exemptions) is required to keep the records stated in those two citations.
Determination:
After review by the Rule Interpretation Team, the team concurred with the following determination made by the Engineering Services Section (ESS): The recordkeeping requirements of §115.116(a)(1) and (b)(1) would not be applicable for a volatile organic compound (VOC), which is not required to be stored in a tank with a floating roof to meet the emission control requirements of §115.112, but is equipped with an external floating roof by choice. If a liquid VOC is placed in such a tank, which has a better emission control system than required by §115.112, Control Requirements, the recordkeeping requirements are determined by the applicable control system required for the liquid, as stated in §115.112, and not by the control system installed on the tank.

Rule Interpretation Summary Form

REQUEST:

Rule/Regulation Citation(s):	Federal Rule: <input type="checkbox"/> State Regulation: <input checked="" type="checkbox"/>
30 TAC 115, §115.114(b)(2)-(4)	Description: General Volatile Organic Compound Sources Storage of Volatile Organic Compounds
Interpretation Request:	
Determination of applicability of Title 30 Texas Administrative Code, Section (§)115.114(b)(2)-(4) (30 TAC 115.114[b][2]-[2][4]) for tanks with external floating roofs not required to have secondary seals.	

DETERMINATION:

Summary of Request:
<p>The Operating Permits Division (OPD) requested clarification of §§115.114(b)(2) through (b)(4), relating to Inspection Requirements of tanks storing volatile organic compounds (VOC) other than crude oil and condensate. Specifically, OPD requested a response to the following question:</p> <p>Do the requirements of §§115.114(b)(2) through (b)(4) still apply to tanks with external floating roofs that are not required to have secondary seals?</p>
Determination:
<p>After review by the Rule Interpretation Team, the team concurred with the following determination made by the Engineering Services Section:</p> <p>It was determined that secondary seal inspection rules are not applicable for the category of tanks in question because there is no requirement for having secondary seals.</p>

Rule Interpretation Summary Form

REQUEST:

Rule/Regulation Citation(s):	Federal Rule: <input type="checkbox"/> State Regulation: <input checked="" type="checkbox"/>
30 TAC 115, §§115.112-119, §§115.131-139	Description: General Volatile Organic Compound Sources Storage of Volatile Organic Compounds Water Separation
Interpretation Request:	
Determination of whether "gun barrels" should be classified as tanks or volatile organic compound (VOC) water separators.	

DETERMINATION:

Summary of Request:
<p>The Operating Permits Division requested the following question with respect to a determination of applicability for a gun barrel.</p> <p>Are gun barrels used at oil and gas producing sites, to be considered as a VOC water separator subject to the regulations in Title 30 Texas Administrative Code (30 TAC, 115.131-139), Sections (§§)115.131-139 (relating to Water Separation) or as a storage tank subject to the regulations 30 TAC §§115.112-119 (relating to Storage of VOCs)?</p>
Determination:
<p>Gun barrels should be considered as water separators and are subject to the water separation rules stated in 30 TAC §§115.131-139. In rare situations, a gun barrel may perform the storage of VOC containing liquids. If a gun barrel is used in this manner, then it should be considered a storage tank or container and would then be subject to Storage of VOC rules stated in §§115.112-119.</p>

Air Rule Interpretation Summary Form

Code Number	R5-112.007 R5-121.008
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Applicability of 30 Chapter 115 to Underground Storage Caverns (USC) and brine ponds.	June 10, 2003
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Rule/Regulation Citation(s):	Federal Rule: <input type="checkbox"/> State Regulation: <input checked="" type="checkbox"/>
	Description:
30 TAC Chapter 115 §§ 115.112-119 §§ 115.121-129	Subchapter B: General Volatile Organic Compound Sources Division 1: Storage of Volatile Organic Compounds Division 2: Vent Gas Control
Interpretation Request:	
Determination of applicability of Title 30 Texas Administrative Code (TAC) Chapter 115 to underground storage caverns (USC), brine ponds, and associated transfer equipment in petroleum storage service.	
Determination:	
<p>USCs USCs are considered to be reservoirs and are subject to the volatile organic compounds storage (VOC) rules in §§ 115.112-119. However, USCs which maintain working pressure sufficient at all times to prevent any vapor or gas loss to the atmosphere are only subject to the control requirements of either § 115.112(a)(1), (b)(1), (c)(1), or (c)(3).</p> <p>Brine Ponds Associated w/USCs Brine ponds are considered reservoirs under Chapter 115 and are subject to the VOC storage rules in §§ 115.112-119. However, exemptions found in § 115.117 for low vapor pressure VOCs may apply because the brine is primarily water and contains only small quantities of VOCs.</p> <p>USC/Brine Pond Transfer Equipment The open-end of the transfer pipe is considered to be a “process vent” and is therefore subject to the vent gas control rules in §§ 115.121-129. Please note that the exemption stated in § 115.127(a)(6) cannot be applicable to the transfer pipe because the pipe is considered to be a separate source (from a USC and a brine pond); and because no other rules under Chapter 115 apply to the transfer piping, the piping is only subject to the vent gas control rules in Chapter 115. However, exemptions as stated in § 115.127 for a vent gas stream with a low VOC concentration may apply.</p>	

Bibliography:

30 TAC Chapter 101 (2002). [Sept. 12, 2002]

30 TAC Chapter 115 (2003). [Jan. 17, 2003]

Air Rule Interpretation Summary Form

Code Number	R5-112.008 R5-121.010
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Applicability of the Storage of VOC and Vent Control Requirements of 30 TAC Chapter 115 to process vessels.	June 26, 2003
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Rule/Regulation Citation(s):	Federal Rule: <u> </u>	State Regulation: <u> X </u>
	Description:	
30 TAC Chapter 115, §§ 115.112-119 §§ 115.121-129	Subchapter B: General Volatile Organic Compound Sources Division 1: Storage of Volatile Organic Compounds Division 2: Vent Gas Control	
Interpretation Request:		
Title 30 Texas Administrative Code (TAC) Chapter 115 contains one set of volatile organic compounds (VOC) control requirements for process vents and another set of requirements for storage vessels. Many vessels used in industrial facilities are designed and/or utilized for process operations or for a combination of process and storage operations. This rule interpretation is being requested to clarify the difference between storage vessels and process vessels.		
Determination:		
A determination of the applicability of 30 TAC Chapter 115 should be based on the primary function of the vessel at a given time. In general, if there is a fairly constant flow into and out of the vessel and the flow in roughly equals the flow out, the vessel should be considered a process vessel subject to the Vent Gas Control requirements of 30 TAC §§ 115.121-123, 115.125-127, and 115.129 and not a storage vessel.		

Bibliography:

Texas Department of Health interoffice memorandum from Mr. Sam Crowther to Pete Roberts/Art Kellogg (July 30, 1973).

Texas Department of Health interoffice memorandum from Mr. Sam Crowther to Mr. Jim Hutchinson (Aug. 17, 1973).

TNRCC interoffice memorandum from Mr. Bertie Fernando, Engineering Services Section, to Ms. Jeanne Philquist, Compliance Section (May 24, 1994).

40 CFR § 63.101 (1997). [July 1, 1997].

40 CFR § 280.12 (1998). [July 1, 1998].

40 CFR § 60.111b (1998). [July 1, 1998].

30 TAC Chapter 115 (2003). [Jan. 17, 2003].

30 TAC Chapter 101 (2002). [Sept. 12, 2002].

TNRCC Air Permits Division, Federal Operating Permit Application Guidance Document (Feb. 1999).

Interpretation/Opinion, Code Number R5-131.003/R5-112.006.

EPA Applicability Determination Index for NSPS Subpart Kb, Control Number 0000017.

Air RIT Rule Interpretation/Opinion Code #: R5-112.008/R5-121.010

Please note, in the event that an external customer feels that this rule interpretation is in error or a source of information has been overlooked which would change the determination, a request for reconsideration may be submitted. Requests must be submitted on a Reconsideration Process Form which is available at the TCEQ's homepage: <http://www.tnrcc.state.tx.us/permitting/airperm/opd/rimhmpg.htm>, or from any of the air rule interpretation team members.