

Rule Interpretation Memos for 30 TAC 115, Industrial Wastewater

- ! [Determination fo whether "skimmer pits" are subject to any requirements under 30 TAC Chapter 115](#) [July 15, 1997]
- ! [Determination of whether emissions from filter maintenance activities are subject to any requirements under 30 TAC Chapter 115](#) [July 21, 1997]
- ! [Determination of the responsibility for rule compliance for the off-site treatment of wastewater under 30 Chapter 115](#) [March 26, 1998]
- ! [Determination of exemption status for waste streams at a site with two different SIC Codes.](#) [May 5, 1999]
- ! [Are maintenance wastewater sumps applicable to the requirements of 30 TAC Chapter 115, §§115.112-119 or 115.140-149.](#) [September 9, 1999]
- ! [Applicability of laboratory facility wastewater to the requirements of 30 TAC 115.140 - 149](#) [August 17, 2001]

Last Modified: August 17, 2001

Rule Interpretation Summary Form

REQUEST:

Rule/Regulation Citation(s):	Federal Rule: <u> </u> State Regulation: <u> X </u>
30 TAC 115, §§ 115.131-139, §§ 115.140-147	Description: Subchapter B: General Volatile Organic Compound Sources Water Separation and Industrial Wastewater
Interpretation Request:	
Determine if emissions from skimmer pits are subject to any requirements under Title 30 Texas Administrative Code (TAC) Chapter 115?	

DETERMINATION:

Summary of Request:
Determine if emissions from skimmer pits are subject to any requirements under 30 TAC Chapter 115?
Determination:
Skimmer pits are subject to either the <i>Water Separation Rules</i> (§§ 115.131 - 139) or the <i>Industrial Wastewater Rules</i> (§§ 115.140 - 149), depending on their source category and geographic location, under 30 TAC Chapter 115.
Please note there are exemptions in § 115.137 and § 115.147 that could exempt skimmer pits from the control requirements of § 115.132 and § 115.142.

Rule Interpretation Summary Form

REQUEST:

Rule/Regulation Citation(s):	Federal Rule: <u> </u> State Regulation: <u> X </u>
30 TAC 115, §§ 115.131-139, §§ 115.140-147	Description: Subchapter B: General Volatile Organic Compound Sources Water Separation and Industrial Wastewater
Interpretation Request:	
When wastewater is generated from the maintenance or cleaning of filters, do the emissions from the wastewater have any requirements under Title 30 Texas Administrative Code (TAC) Chapter 115, particularly related to volatile organic compound (VOC) Water Separation Sections (§ 115.131-139) and the Industrial Wastewater Sections (§ 115.140-149)?	

DETERMINATION:

Summary of Request:
When wastewater is generated from the maintenance or cleaning of filters and routed to a VOC water separator, do the emissions from the wastewater have any requirements under 30 TAC Chapter 115, particularly related to VOC Water Separation Sections (§ 115.131-139) and the Industrial Wastewater Sections (§ 115.140-149)?
Determination:
Wastewater resulting from filter maintenance activities and routed to a VOC water separator is categorically exempt from the Industrial Wastewater rules, but is subject to the Water Separation rules, §§ 115.131 - 139, except as provided by § 115.137.

Rule Interpretation Summary Form

REQUEST:

Rule/Regulation Citation(s):	Federal Rule: ___ State Regulation: <u>X</u> Description:
30 TAC Chapter 115 §§ 115.140-149	Subchapter B: General Volatile Organic Compound Sources Industrial Wastewater
Interpretation Request:	
When an affected volatile organic compound (VOC) wastewater stream is generated at an affected source category, but is transferred to a third party for treatment instead of being treated on-site, which entity (the generator, or the third party) is responsible for demonstrating compliance with the rule?	

DETERMINATION:

Determination:
The generator, not the third party, is responsible for rule compliance.

Bibliography:

19 Tex. Reg. 3708 (1994). [May 13, 1994]

Air Rule Interpretation Summary Form

Code Number	R5-140.004
May 5, 1999	

Rule/Regulation Citation(s):	Federal Rule: <input type="checkbox"/> State Regulation: <input checked="" type="checkbox"/>
30 Tex. Admin. Code § 115.147(1) and (2)	Description: Subchapter B: General Volatile Organic Compounds Sources Industrial Wastewater
Interpretation Request:	
A facility operates under the primary Standard Industrial Classification (SIC) code 7389 (Business Services, Not Elsewhere Classified) and the secondary SIC code 2869 (Industrial Organic Chemicals, Not Elsewhere Classified). The facility is a batch operation and the wastewater streams are easily separated as to the process in which they are produced. When determining if the facility meets one of the exemptions listed in Title 30 Texas Administrative Code (Tex. Admin. Code) § 115.147(1) and (2), would the determination be based on the entire plant's wastewater streams (<i>i.e.</i> , wastewater generated from both SIC code products) or just the wastewater that is generated when the batch process is producing product under SIC code 2869?	
Determination:	
The Industrial Wastewater rule (30 Tex. Admin. Code §§ 115.140, 142-149) is intended to regulate only those wastewater streams which are produced by affected source categories. A determination on the exemption from control requirements of 30 Tex. Admin. Code § 115.142 is based on the sum of the annual volatile organic compounds (VOC) loading in wastewater for each affected VOC wastewater stream for a plant (which includes all facilities included within the same Texas Natural Resource Conservation Commission account number). The characteristics of a wastewater stream shall be determined before the wastewater stream is mixed with another wastewater stream. If an affected VOC wastewater stream is mixed or combined with a wastewater stream from a non-affected source category, then the combined industrial wastewater stream is subject to the requirements for treatment of affected VOC wastewater streams.	

Bibliography:

Title 30 Tex. Admin. Code §§ 115.140, 142-149. [Effective Date: September 20, 1998]

Evaluation of Public Testimony for proposed rule language changes to Chapter 115. [Effective Date: May 27, 1994]

Standard Industrial Classification Manual, 1987, National Technical Information Service.

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 TNRCC's homepage: <http://www.tnrcc.state.tx.us/air/opd/rimhmpg.htm>, or from any of the air rule interpretation team members. [AOPDG95A/11226-v2]

Air Rule Interpretation Summary Form

Code Number	R5-140.005
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Are maintenance wastewater sumps applicable to the requirements of 30 TAC 115, §§115.112-119 or 115.140-149	September 9, 1999
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Rule/Regulation Citation(s):	Federal Rule: <input type="checkbox"/> State Regulation: <input checked="" type="checkbox"/>
30 Tex. Admin. Code Chapter 115, §§ 115.140, 115.142-149.	Subchapter B: General Volatile Organic Compound Sources Division 4: Industrial Wastewater
Interpretation Request:	
Determine whether the provisions of Title 30 Texas Administrative Code (Tex. Admin. Code) Chapter 115, §§ 115.140, 115.142-149 apply to wastewater generated during maintenance activities or to additional wastewater streams generated at a facility (rainfall runoff, equipment leaks, spills, etc). If these types of wastewater are not subject to 30 Tex. Admin. Code §§ 115.140, 115.142-149, then are the wastewater components subject to <u>other</u> provisions of 30 Tex. Admin. Code Chapter 115 or would the exemption of 30 Tex. Admin. Code § 115.147(3) apply?	
Determination:	
Maintenance wastewater, maintenance-turnaround wastewater, and wastewater generated by rainfall runoff, exigency use of water, once through non-contact cooling water, equipment leaks, and spills are not considered Volatile Organic Compound (VOC) wastewater as defined in 30 Tex. Admin. Code § 115.140. Therefore, wastewater components processing maintenance wastewater, maintenance-turnaround wastewater, and wastewater generated by rainfall runoff, exigency use of water, once through non-contact cooling water, equipment leaks, and spills are not subject to the provisions of 30 Tex. Admin. Code §§ 115.140, 115.142-149, Industrial Wastewater. Since these components are not subject to the provisions of 30 Tex. Admin. Code §§115.140, 115.142-149, then the exemption given in 30 Tex. Admin. Code § 115.147(3) does not apply and the wastewater components are potentially subject to other portions of 30 Tex. Admin. Code Chapter 115.	

Bibliography:

Air RIT Interpretation/Opinion, Control Number R5-131.008/R5-140.002.

Title 30 Tex. Admin. Code Chapter 115 (1999) [March 21, 1999].

Evaluation of Testimony for revisions to 30 Tex. Admin. Code Chapter 115. Effective date of adoption: May 27, 1994.

19 Tex. Reg. 3707-3708 (1994) [May 13, 1994].

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 TNRCC's homepage: <http://www.tnrcc.state.tx.us/air/opd/rimhmpg.htm>, or from any of the air rule interpretation team members.

Air Rule Interpretation Summary Form

Code Number	R5-140.006
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Applicability of laboratory facility wastewater to the requirements of 30 TAC 115.140 - 149	August 17, 2001
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Rule/Regulation Citation(s):	Federal Rule: <u> </u> State Regulation: <u> X </u>
30 Tex. Admin. Code, Chapter 115 §§ 115.140-149	Description: Subchapter B: General Volatile Organic Compound Sources Division 4: Industrial Wastewater
Interpretation Request:	
Is wastewater from laboratory facilities on the premises of refineries, chemical plants, etc. subject to the requirements of 30 Texas Administrative Code (Tex. Admin. Code) §§ 115.140-149? The wastewater in question is generated from cleaning lab glassware and sample containers which contained samples of process volatile organic compounds (VOCs).	
Determination:	
Lab-generated wastewater resulting from cleaning glassware and sample containers is not subject to the requirements of 30 Tex. Admin. Code §§ 115.140-149, because it is not covered by the definition of "VOC wastewater." However, if a lab at an affected source category generates wastewater which meets the definition of VOC wastewater, the lab wastewater would be subject to 30 Tex. Admin. Code §§ 115.140-149.	

Bibliography:

Title 30 Tex. Admin. Code Chapter 115 (Effective: Jan. 18, 2001).

19 Tex. Reg. 3,707-3,708 (May 13, 1994).

20 Tex. Reg. 227 (Jan. 13, 1995).

22 Tex. Reg. 4,213 (May 13, 1997).

24 Tex. Reg. 10,095-10,109 (Nov. 12, 1999).

Air RIT Interpretation/Opinion, Code Number R5-140.005.

Air RIT Interpretation/Opinion, Code Number R5-140.002.

Air RIT Interpretation/Opinion, Code Number R5-352.002.

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 TNRCC's homepage: <http://www.tnrcc.state.tx.us/air/opd/rimhmpg.htm>, or from any of the air rule interpretation team members.