

Texas Commission on Environmental Quality

5 Chapter 115 - Control of Air Pollution from Volatile Organic Compounds

5C Subchapter C : Volatile Organic Compound Transfer Operations

5C3 DIVISION 3 : CONTROL OF VOLATILE ORGANIC COMPOUND LEAKS FROM TRANSPORT VESSELS

As approved by EPA December 21, 2017 (82 FR 60546) SIP effective January 22, 2018 (TXd204), Regulations.gov docket EPA-R06-OAR-2015-0832 [TX179]

Outline:

- §115.234. Inspection Requirements. 5-62 TXd14
- §115.235. Approved Test Methods. 5-62 TXd14
- §115.236. Recordkeeping Requirements. 5-62 TXd14
- §115.237. Exemptions. 5-62 TXd14
- §115.239. Counties and Compliance Schedules. 5-96 TXd204 TX179

*****end outline tx5C3d204*****y58****

EPA Approval Information for Current SIP-Approved Sections

5-62 TXd14

Sections 234, 235, 236 237:

As adopted by TNRCC June 30, 1999, effective July 21, 1999 (5-62).

Approved by EPA December 20, 2000 (65 FR 79745) effective February 20, 2001 (TXd14).

Approved by EPA before EPA Region 6 began putting SIP submittals in Regulations.gov.

5-62 TXd73 TX020

Correction of entries in 40 CFR 52.2270(c) table for Sections 234, 235, 236, 237:

Approved by EPA January 19, 2006 (71 FR 3009) effective March 20, 2006 (TXd73),

Regulations.gov docket EPA-R06-OAR-2005-TX-0014 [TX020].

5-96 TXd204 TX179

Section 239:

As adopted by TCEQ June 3, 2015 effective June 25, 2015 (5-96),

Submitted to EPA July 10, 2015 (TX-377),

Regulations.gov document EPA-R06-OAR-2015-0832-0003 [TX179.03].

Approved by EPA December 21, 2017 (82 FR 60546) SIP effective January 22, 2018 (TXd204),

Regulations.gov docket EPA-R06-OAR-2015-0832 [TX179].

Error in Federal Register amendatory language: State approval date should be

June 3, 2015, NOT June 15, 2015.

5C3TXd204***end SIP-Approved Information***TX179***y58*** 6 pages***

Tx5C3 TXd204 VOC Leaks from Transport Vessels SIP effective January 22 2018 TX179 y58

**SUBCHAPTER C: VOLATILE ORGANIC COMPOUND
TRANSFER OPERATIONS
DIVISION 3: CONTROL OF VOLATILE ORGANIC COMPOUND
LEAKS FROM TRANSPORT VESSELS
§§115.234 - 115.237, 115.239
Effective June 25, 2015**

§115.234. Inspection Requirements.

(a) No person in the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas, as defined in §115.10 of this title (relating to Definitions), shall allow a tank-truck tank to be filled with or emptied of gasoline at any facility subject to §115.214(a)(1)(C) or §115.224(2) of this title (relating to Inspection Requirements), or filled with non-gasoline volatile organic compounds (VOC) having a true vapor pressure greater than or equal to 0.5 pounds per square inch absolute under actual storage conditions at any facility subject to §115.214(a)(1)(C) of this title, unless the tank-truck tank has passed a leak-tight test within the past year as evidenced by a prominently displayed certification affixed near the United States Department of Transportation certification plate which:

(1) shows the date the tank-truck tank last passed the leak-tight test required by §115.235 of this title (relating to Approved Test Methods); and

(2) shows the identification number of the tank-truck tank.

(b) No person in the covered attainment counties, as defined in §115.10 of this title, shall allow a gasoline tank-truck tank to be filled or emptied at any facility subject to §115.214(b)(1)(C) or §115.224(2) of this title unless the tank-truck tank has passed a leak-tight test within the past year as evidenced by a prominently displayed certification affixed near the United States Department of Transportation certification plate which:

(1) shows the date the gasoline tank-truck tank last passed the leak-tight test required by §115.235 of this title; and

(2) shows the identification number of the tank-truck tank.

Adopted June 30, 1999

Effective July 21, 1999

§115.235. Approved Test Methods.

(a) In the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas, the following testing requirements apply.

(1) The owner or operator of any tank-truck which is filled with or emptied of gasoline at any facility subject to §115.214(a)(1)(C) or §115.224(2) of this title (relating to Inspection Requirements), or which is filled with non-gasoline volatile organic compounds (VOC) at any facility subject to §115.214(a)(1)(C) of this title shall cause each such tank to be tested annually to ensure that the tank is vapor-tight.

(2) Any tank failing to meet the testing criteria of paragraph (1) of this subsection shall be repaired and retested within 15 days.

(3) Testing required in paragraph (1) of this subsection shall be conducted in accordance with the following test methods, as appropriate:

(A) Test Method 27 (40 Code of Federal Regulations (CFR) 60, Appendix A) for determining vapor-tightness of gasoline delivery tank using pressure-vacuum test such that the pressure in the tank must change no more than three inches of water (0.75 kPa) in five minutes when pressurized to a gauge pressure of 18 inches of water (4.5 kPa) and when evacuated to a vacuum of six inches of water (1.5 kPa); or

(B) minor modifications to these test methods approved by the executive director.

(4) For tank-truck tanks which are filled with non-gasoline VOC at a facility subject to §115.214(a)(1)(C) of this title, annual testing using the leakage test method described in 49 CFR 180.407(h) for specification cargo tanks is an acceptable alternative to Test Method 27 (40 CFR 60, Appendix A).

(b) In the covered attainment counties, the following testing requirements shall apply.

(1) The owner or operator of any tank-truck which is filled or emptied at any facility subject to §115.214(b)(1)(C) or §115.224(2) of this title shall cause each such tank to be tested annually to ensure that the tank is vapor-tight.

(2) Any tank failing to meet the testing criteria of paragraph (1) of this subsection shall be repaired and retested within 15 days.

(3) Testing required in paragraph (1) of this subsection shall be conducted in accordance with the following test methods, as appropriate:

(A) Test Method 27 (40 CFR 60, Appendix A) for determining vapor tightness of gasoline delivery tank using pressure-vacuum test such that the pressure in the tank must change no more than three inches of water (0.75 kPa) in five minutes

when pressurized to a gauge pressure of 18 inches of water (4.5 kPa) and when evacuated to a vacuum of six inches of water (1.5 kPa); or

(B) minor modifications to these test methods approved by the executive director.

Adopted June 30, 1999

Effective July 21, 1999

§115.236. Recordkeeping Requirements.

The following recordkeeping requirements shall apply.

(1) The owner or operator of each tank-truck subject to this division (relating to Control of Volatile Organic Compound Leaks from Transport Vessels) shall maintain records of all certification testing and repairs. The records must be maintained for at least two years after the date the testing or repair was completed.

(2) The record of each Test Method 27 certification test required by paragraph (1) of this section shall, at a minimum, contain:

(A) company name;

(B) date and location of the test;

(C) name and title of person conducting the test;

(D) tank identification number;

(E) initial test pressure and the time of the reading;

(F) final test pressure and the time of the reading;

(G) initial test vacuum and the time of the reading; and

(H) final test vacuum and the time of the reading.

(3) Records of each leakage test conducted under §115.235(a)(4) of this title (relating to Approved Test Methods) shall be maintained as specified in 49 Code of Federal Regulations 180.417.

(4) Copies of all records required by this section shall be made available for review upon request by representatives of the executive director, EPA, or any local air pollution control agency with jurisdiction.

Adopted June 30, 1999

Effective July 21, 1999

§115.237. Exemptions.

(a) The following exemptions apply in the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas.

(1) Any tank-truck tank which is used exclusively to transport volatile organic compounds (VOC) with a true vapor pressure less than 0.5 pounds per square inch absolute under actual storage conditions is exempt from the requirements of this division (relating to Control of Volatile Organic Compound Leaks From Transport Vessels).

(2) Transport vessels other than tank-trucks are exempt from the requirements of this division (relating to Control of Volatile Organic Compound Leaks From Transport Vessels).

(3) Any tank-truck tank that is a portable tank, as defined in 49 Code of Federal Regulations 171.8, is exempt from the requirements of this division (relating to Control of Volatile Organic Compound Leaks from Transport Vessels).

(b) In the covered attainment counties, transport vessels other than tank-trucks are exempt from the requirements of this division (relating to Control of Volatile Organic Compound Leaks From Transport Vessels).

Adopted June 30, 1999

Effective July 21, 1999

§115.239. Counties and Compliance Schedules.

(a) In Brazoria, Chambers, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Hardin, Harris, Jefferson, Liberty, Montgomery, Orange, Tarrant, and Waller Counties, the compliance date has passed and the owner or operator of each tank-truck tank shall continue to comply with this division.

(b) In the covered attainment counties, as defined in §115.10 of this title (relating to Definitions), the compliance date has passed and the owner or operator of each gasoline tank-truck tank shall continue to comply with this division.

(c) The owner or operator of each tank-truck tank in Ellis, Johnson, Kaufman, Parker, and Rockwall Counties shall comply with this division as soon as practicable, but no later than March 1, 2009.

(d) The owner or operator of each tank-truck tank in Wise County shall comply with this division as soon as practicable, but no later than January 1, 2017. The owner or operator of each gasoline tank-truck tank in Wise County shall continue to comply with the applicable requirements in §115.234(b) and §115.235(b) of this title (relating to Inspection Requirements and Approved Test Methods) until the facility achieves compliance with the newly applicable requirements in §115.234(a) and §115.235(a) of this title.

(e) Upon the date the commission publishes notice in the *Texas Register* that the Wise County nonattainment designation for the 2008 Eight-Hour Ozone National Ambient Air Quality Standard is no longer legally effective, the owner or operator of each tank-truck tank in Wise County is not required to comply with the requirements in §115.234(a) and §115.235(a) of this title and shall continue to comply with the requirements in §115.234(b) and §115.235(b) of this title.

Adopted June 3, 2015

Effective June 25, 2015