



TOXIC EMISSIONS REPORTED

NEW DATA USED TO FOCUS ON FUTURE

New data on the amounts of toxic compounds being emitted to the air, water, and land is available to supplement the TACB toxic emission monitoring and control programs. The data was recently released by EPA in a report of the results of the first toxic release inventory collected under the community right-to-know provisions of the Superfund Act. Although the emissions totals provided by the inventory reports cannot be used directly to evaluate public health impacts, the new information will significantly enhance ongoing efforts (see related article) to detect potential problem areas where additional monitoring and/or engineering reviews should be implemented.

"More and more information is becoming available through expanded inventory and monitoring programs both on a state and national level, and that new information will be important to our efforts to detect potential health problems and design effective control programs," said Steve Spaw, TACB Deputy Executive Director. Other new efforts are underway to work with industries to expand monitoring of ambient levels of toxic compounds around major emitting facilities, and new resources have been made available to conduct in-depth engineering

reviews of certain existing sites with high levels of emissions of potentially toxic compounds.

The recently issued EPA Toxic Release Inventory System report summarized the results of the first

cation codes which deal with manufacturing, and that produce or use specified toxic chemicals. These facilities were required to submit information regarding their toxic chemical emissions to EPA by July 1, 1988, and annually thereafter.

EPA developed a list of 328 specified chemicals to be inventoried, based on whether the chemical was known to cause adverse chronic/long-term health effects such as cancer or genetic mutations, acute/short-term effects such as eye and skin irritation, or environmental effects because of

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“We need to know more about toxic emissions and the ambient concentrations of these chemicals to be able to determine the extent and nature of the public exposure to these substances.”

Steve Spaw

required systematic multi-media toxics inventory. Following the accidental release of methyl isocyanate that killed thousands of people in Bhopal, India in 1984, the U.S. Congress passed the Superfund Amendments and Reauthorization Act of 1986. This Act contains emergency planning and community right-to-know provisions, established to increase the public's knowledge of and access to information about the presence of hazardous chemicals in their communities and the releases of these chemicals into the environment.

Section 313 of the Act deals with reporting toxic chemical releases. It requires EPA to establish an inventory of toxic chemical emissions from facilities that have at least 10 employees, that are categorized by the standardized classifi-

PERMIT PROCESSING STREAMLINED

Steps to streamline and improve the timeliness of the agency permit review process are underway based on the recommendations made by the Legislative Budget Board (LBB) staff in their review of the existing program. Additional personnel, a new organizational structure, and regulatory and procedural changes are all a part of this extensive program designed to meet the challenge of an increasing

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TOXIC EMISSIONS REPORTED

toxicity or tendency to bioaccumulate.

The EPA inventory summary report included data from over 30,000 U.S. industries. It listed Texas as leading the nation in emissions of toxic substances into the air, with approximately 8.8 percent or 240 million pounds of the total 2.7 billion pounds reported.

Texas having the largest single state total is not surprising. The report indicates that approximately 45 percent of the nation's toxic emissions were from chemical, rubber, and plastics, and petroleum and coal products industries. Approximately 40 percent of the nation's petrochemicals are produced in Texas. Texas refineries produce approximately 23 percent of the nation's oil and gasoline. Considering the level of production of these types of products in the state, the fact that the emissions totals are not a larger portion of the national total reflects well on the stringency of the existing emissions control program. Notes Spaw, "even though Texas provides nearly half of the nation's petrochemicals and one-fourth of the nation's refined oil and gas, less than 10 percent of the nation's toxic emissions occur in Texas."

Although emissions totals such as those included in this EPA report are important indicators of potential problem areas, they do not indicate whether an actual public health problem exists at any particular site. The actual public health impacts of these emissions

REDESIGNATION REQUEST SUBMITTED FOR GREGG COUNTY

A request for redesignation of Gregg County to attainment for the National Ambient Air Quality Standard (NAAQS) for ozone has been submitted to the Environmental Protection Agency (EPA) through the governor's office. Analysis by the TACB staff of monitored ozone data from the county for the last five years supports the redesignation request.

Analysis of ambient ozone data for the last five years indicate that there was no exceedance of the NAAQS in 1984 and 1985 for the county. There have been no exceedances for the years following 1985, however, data was not collected in 1986. The requirement, based on EPA guidelines, is that the standard cannot be exceeded more than three times in three years.

"We believe the data supports our redesignation request for Gregg County. It takes approximately six months for EPA action, and in the meantime, our monitoring efforts in the county will continue. This additional information will enable us to confirm the attainment status and verify maintenance of the standard in the future," said Lane Hartscock, TACB Regulation Development Section. ■

will have to be reviewed on a case-by-case basis. Impacts are determined by the length and concentration of exposure to a substance. Thus, the proximity to the emission source and the concentration and duration of the emission release, plus the dispersion characteristics of the area, become important.

The toxicity of the chemical is also very important in determining whether there are potential adverse health impacts from emissions. For example, review of the latest scientific data available on ethylene, which is the "toxic" substance emitted in largest quantities in the state, shows that it is essentially non-toxic to humans. Health impacts occur only when concentrations are high enough to cause asphyxiation. Information on propylene and aluminum oxide, the next highest emitted compounds, is similar. These three substances

account for over 88 million of the 240 million pounds total of "toxic" substances the report lists as being emitted in Texas.

"We need to know more about toxic emissions and the ambient concentrations of these chemicals to be able to determine the extent and nature of the public exposure to these substances," said Spaw. Special monitoring studies in the immediate vicinity of toxic emission sources in the Texas Gulf Coast area have been conducted by EPA, local industries, and TACB. For the most part, these studies have confirmed that ambient concentrations are below levels which could create a health risk. When levels of concern have been found, appropriate control actions have been taken. "We're not aware of any public health emergency at this time," said Spaw. "There is a lot that we don't know, but we intend to find out." ■

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P *from page 1* PERMIT PROCESSING

workload while maintaining quality and timely review.

In the spring of 1988, the agency requested the LBB to evaluate the agency permit program and recommend changes to improve agency efficiency and effectiveness in the timely processing of permit applications. Approximately 800 permit, special permit, permit amendment, and permit revision applications are reviewed each year. The report concluded that permit processing time has increased over the past few years primarily because the permit review workload has grown while staffing has not. The report included recommendations for additional resources and for a number of changes in agency policies and procedures to optimize the efficiency of the process.

Jim Myers, director of the agency's Enforcement Program said, "We've known for some time now that the number and complexity of these reviews were increasing faster than we were, but this is the first time that an independent review has been conducted to confirm that and to suggest some constructive remedies for the situation."

As a result of the LBB work, 13 new staff members have been added to the Permits Division to total 48 positions designated to perform this agency function. In addition, the agency has initiated rulemaking to revise the permits regulations to simplify the process by eliminating the special permit category, requiring a 20 day public comment period on all construction permits not subject to federal requirements, and specifying conditions under which the agency could void an application.

The division has also changed organizationally and functionally. A CORE Section has been established to minimize administrative delays and expedite preliminary application reviews. The section will: (1) review and evaluate all permit applications for administrative

completeness and technical suitability; (2) prepare permits guidance documents; and (3) manage the microcomputer reporting processes necessary to track the division status on timely review of pending applications. The section will be staffed with a section chief and three engineering positions, all of which will initially be filled with experienced personnel. The section, which became fully operational on May 1, has already developed several new informational docu-

ments and a permit application completeness checklist. Additional materials are under development and should be available for the June 20-21 permit workshop (see related article).

"We're excited about all the changes and feel that the permit applicants will really benefit as a result," said Myers. Additional information about the CORE Section or any of the other permit process changes is available from the CORE Section. ■

PERMITS WORKSHOP

A workshop on agency permitting procedures will be held June 20-21 at the Capitol Marriott Hotel in Austin. The workshop is being sponsored by the Texas Chemical Council and will include presentations by a number of the TACB permit engineers and review staff. Board Chairman Dick Whittington and Executive Director Eli Bell will be the luncheon speakers for the two day workshop.

This workshop is the second in a series designed to improve applicants understanding of what information is needed to complete a permit review and how that information will be used so that original applications will be more complete and require less backtracking by the permit staff. This should result

in more efficient and quicker processing of permits. Understanding the permit requirements has become especially important in the past few years as numerous changes have been made in the state and federal permit procedures that are implemented by the TACB. The first workshop, held last fall, was attended by approximately 170 industry representatives. Comments were generally favorable and supportive of a continuation of this type of information exchange.

Attendance at the June workshop is open to the public. A registration fee of \$95.00 will cover the cost of both luncheons and the workshop materials. Registration can be made in advance by contacting Ed Fiesensinger at (713) 393-4486. ■

BE A CLEAN AIR BUDDY

A new educational program aimed at elementary school children throughout the state was kicked off during "Clean Air Week", May 1-7. The "TACB Clean Air Buddy Club" gives students an opportunity to learn about things they can do to improve or preserve air resources.

Allen Eli Bell, Executive Director, explained how schools might

initiate the program in a letter to elementary principals throughout the state. The schools were provided a fact sheet outlining nine things that can be done to reduce air pollution.

The program, designed for kindergarten through third grade, requires the students to complete

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REGULATIONS UNDER REVISION

REVISIONS ADOPTED

Regulation VIII--At its April 15 meeting, the Board adopted revisions to Regulation VIII, Control of Air Pollution Episodes. The revisions lowered the ambient concentration values previously established as action levels for air pollution episodes. The new levels are recommended by EPA in the Code of Federal Regulations and include the new values for inhalable particulate matter (PM10) which replace total suspended particulates (TSP). Other revisions to Regulation VIII added volatile organic compounds (VOCs) to the list of air contaminants to be identified in emission reduction plans for major sources, and specified a time limit for the development of the plans.

Regulation II/111(d) Plans--At its May 12 meeting, the Board adopted Plans for the Control of Sulfuric Acid Mist and Total Reduced Sulfur from Existing Facilities and revisions to Regulation II, Control of Air Pollution from Sulfur Compounds. The revisions and control plans were adopted to satisfy the requirements of Section 111(d) of the Federal Clean Air Act for sulfuric acid production facilities and kraft pulp mills built before the promulgation of new source performance standards. The rules require existing sulfuric acid plants and kraft pulp mills to meet EPA guideline limits for sulfuric acid mist and total reduced sulfur, respectively. Also, the rules include monitoring requirements and inspection and recordkeeping requirements for both types of facilities.

COMMENTS CONSIDERED

Regulation I/PM10--The staff is currently analyzing testimony received at public hearings on February 1 & 2 concerning the proposed interim Group I PM10 State Implementation Plan (SIP) for El Paso; proposed revisions to

Regulation I, Control of Air Pollution from Particulate Matter; and amendments to the definitions in the General Rules. The El Paso SIP is designed to fulfill statutory requirements until additional studies on the nature of PM10 emissions in El Paso and Juarez can be completed. The primary purpose of proposed changes to Regulation I is to accommodate the conversion from TSP to PM10; however, the entire regulation was also updated and reorganized. Major proposed changes include adding restrictions on domestic waste burning and campfires, adding notification requirements for salt marsh grass burning, adding restrictions to municipal solid waste burning and publicly-owned and hospital/pathological waste incinerators, adding opacity test reference methods and certification requirements for opacity readers, adding opacity limits for miscellaneous sources of visible emissions, establishing timing requirements on alternate opacity applications, adding dust-control methods for specific types of roadways in El Paso and portions of Harris and Nueces counties, deleting the five-hour net ground level standard, and deleting a ground level exemption for steam generators. Proposed PM10-related provisions for the City of El Paso, the only area in the state which has exceeded the PM10 standard, include dust-control requirements such as wheel washing of construction vehicles, street sweeping, and paving of small parking lots. The Interim SIP and the Regulation I and General Rules revisions are tentatively scheduled for consideration by the Board at its June 16 meeting in Victoria.

Regulation VI--The TACB held a public hearing April 27 to consider revisions to Regulation VI, Control of Air Pollution by Permits for New Construction or Modification. The primary purpose of the

revisions is to repeal Rule 116.7, Special Permits, and to remove most references in Regulation VI to Rule 116.7 and to the term "special permits." Other revisions include the addition of applicable references for public notice and comment procedures made necessary by the deletion of references to special permits, a new provision to void a permit application, a reduction from 30 days to 20 days for public comment on permit applications not subject to federal requirements, and changes in three standard exemptions to remove references to Rule 116.7. The main issue discussed by the testimony is the change from 30 days to 20 days for public comment on applications for state permits.

HEARINGS PLANNED

Regulation V--Proposed revisions to Regulation V, Control of Air Pollution from Volatile Organic Compounds, have been developed to address the requirements of Phase I of the Post-1987 SIP process. These revisions will add appropriate test methods, recordkeeping requirements, inspection procedures, and rule clarifications. They are proposed only to provide for administrative consistency and improved enforceability of the existing rules that apply in the major urban ozone nonattainment areas in Texas; no substantive changes in current control requirements are intended. In conjunction with this effort, the TACB staff is proposing a total reorganization of Regulation V to eliminate the confusion which has resulted from numerous patchwork revisions over the past several years. Proposed revisions are expected to be considered by the Regulation Development Committee in June, with public hearings to be scheduled during the summer.

Regulation IV--Proposed revisions to Regulation IV, Control of Air Pollution from Motor Vehicles,

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issued in January
through May

AGREED ENFORCEMENT ORDERS

The Air Control Board issued the following agreed enforcement orders.

JANUARY

Baja Boats of Texas, Inc., a reinforced fiberglass boat plant at 600 East Mason, Mabank, Kaufman County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the Texas Clean Air Act (TCAA) by constructing and operating the plant without a permit or without qualifying for a standard exemption, \$1,825. Subsequent to the notice of violation, the company applied for and was issued a construction permit.

Bobby Sides Motor Company, Inc., motor vehicles sales operations at 1710 North Beckley, Dallas, and 2225 East Lancaster, Fort Worth, violating Board Rule 114.1(c) and Section 4.01(b) of the TCAA by offering for sale four motor vehicles without emission control systems. One vehicle did not have an air cleaner cover and the hose from the PCV valve to the air cleaner was split at each end and did not fit properly; one was missing the diverter valve hose, all four tubes going from the air injection system air pulse unit were pinched off, and the thermostatic air cleaner hot air tube was worn and not properly connected at the bottom; one was missing the thermostatic air cleaner hot air tube and several vacuum hoses were not connected; and one did not have a gasoline tank fill line restrictor or a catalytic converter; \$1,250.

Corpus Christi Army Depot, a helicopter maintenance plant at the Corpus Christi Naval Air Station, Corpus Christi, Nueces County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of

the TCAA by constructing and operating vapor degreasers in Shop 5CB1A, Shop 5EB1A, and Shop 5DB1B; a paint spray booth in Shop 5DC3A; an exhaust bench in Shop 5DC3D; and a temporary exhaust system in Shop 5DB1C without permits or without qualifying for standard exemptions; \$750. Subsequent to the notice of violation, the company removed the exhaust bench in Shop 5DC3D; submitted registration forms to qualify for standard exemptions for Shops 5CB1A, 5EB1A, and 5DC3A; submitted an application for amendment of Special Permit No. S-17364 for the temporary exhaust system in Shop 5DB1C; and submitted an application for Special Permit No. S-19075 for Shop 5DB1B.

Corpus Christi Independent School District, owner of Moody High School at 1818 Trojan, Corpus Christi, violating Board Rule 101.20 (2) and Section 4.01(b) of the TCAA by violating a national emission standard for asbestos by failing to timely provide written notification; by failing to utilize required procedures for the removal of friable asbestos materials; by failing to deposit all asbestos-containing waste material at waste disposal sites operated in accordance with provisions of the standard; and by failing to utilize required procedures for the handling of asbestos-containing waste material; \$1,000.

Insulation Material Corporation of America, a polyethylene foam pipe insulation manufacturing facility at 4325 Murray Avenue, Haltom City, Tarrant County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the facility without a permit or without qualifying for a standard exemption, \$2,300. Subsequent to the notice of violation, the company submitted an application for a

permit. An additional penalty of \$50 per day could be assessed for each day information requested by the TACB to complete its review of the application is late.

Irving Counter Top Company, Inc., a synthetic marble products manufacturing plant at 109 N. Irving Heights Drive, Dallas, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the facility without a permit or without qualifying for a standard exemption, \$775. Subsequent to the notice of violation, the company qualified for a standard exemption.

Motorola, Inc., a mobile communications equipment manufacturing operation at 5555 North Beach Street, Fort Worth, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating a Streckfuss conveyerized circuit board cleaner without a permit or without qualifying for a standard exemption, \$500. Subsequent to the notice of violation, the company submitted an application for a permit.

Mr. Shanker P. Patel, d/b/a Tip Top Cleaners, a dry cleaning facility at 13620 FM 149, Houston, violating Board Rule 115.221(1) and Section 4.01(b) of the TCAA by failing to vent the entire dryer exhaust through a properly functioning carbon adsorption system, \$900.

Quaker Petroleum Chemicals Company, an oil chemicals production unit off Exxon Road and FM 1314 south of Conroe, Montgomery County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the facility without a permit or without qualifying for a standard exemption. Subsequent to the notice of violation, the company submitted

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an application for a permit. No monetary penalty except that a penalty of \$50 per day could be assessed for each day information requested by TACB to complete its review of the application is late and a penalty of \$750 could be assessed if it is determined after review that substantial additional controls are necessary.

FEBRUARY

Aluminum Company of America, an aluminum smelting plant in Rockdale, Milam County, violating Board Rules 116.4 and 116.5 and Section 4.01(b) of the TCAA by emitting sulfur dioxide from its Anode Baking Furnaces Nos. 162 and 164 in excess of the allowable emission rate specified in a special provision of Permit No. R-7559 and by emitting sulfur dioxide from its Anode Baking Furnace No. 160 in excess of the allowable emission rate specified in Permit No. R-4476, \$750.

American Heritage Pools, a fiberglass pool construction plant at 10528 Tanner, Houston, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating a polyester resin and fiberglass process without a permit or without qualifying for a standard exemption. Subsequent to the notice of violation, the company met the qualifications for a standard exemption. No monetary penalty.

BASF Corporation, an organic chemical manufacturing plant at 602 Copper Road, Freeport, Brazoria County, violating Board Rules 101.20(1) and 116.4 and Section 4.01(b) of the TCAA by failing to conduct initial and annual monitoring of closed vent systems at its Ester Acrylic Acid II Unit to comply with new source performance standards required by a special provision of Permit R-9513A, \$2,000.

Caldwell Culvert Company, a corrugated metal pipe manufacturing plant on Gym Street, south of State Highway 79 and east of Taylor, Williamson County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating an asphalt coating operation without a permit or without qualifying for a standard exemption, \$500. Subsequent to the notice of violation, the company submitted an application for a permit.

Champion Plastics, a polyolefin storage and handling facility at 1031 Goodnight Trail, Houston, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the facility without a permit or without qualifying for a standard exemption, \$500. Subsequent to the notice of violation, the company met the qualifications for a standard exemption.

Champlin Refining Company, a petroleum refinery at 1801 Nueces Bay Blvd., Corpus Christi, Nueces County, violating Board Rules 101.20(2) and 115.251(2) and Section 4.01(b) of the TCAA by violating applicable emissions standards for benzene by failing to repair two leaking valves within 15 days of detection of the leaks; by not equipping three open-ended valves with a cap, blind flange, plug, or a second valve; by failing to mark equipment in benzene service in a manner to distinguish it from other equipment; by failing to establish written plans that require valves designated as unsafe-to-monitor to be monitored as frequently as practicable during safe-to-monitor times and valves designated as difficult-to-monitor to be monitored at least once per calendar year; by failing to conduct weekly visual inspections of pumps; by failing to submit revisions to the benzene plan submitted to the Administrator; and by failing to repair components leaking volatile organic compounds within 15 days or at the next scheduled shutdown after the leaks were found; \$14,750.

Chemical Research and Licensing Company, a chemical manufacturing pilot research plant

at 1603 Galveston Street, South Houston, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the facility without a permit or without qualifying for a standard exemption. Subsequent to the notice of violation, the company submitted an application for a permit. No monetary penalty.

Chemicals, Inc., a specialty chemicals distillation facility at 12321 Hatcherville Road, Mont Belvieu, Chambers County, violating Board Rules 101.4 and 101.6 and Sections 4.01(a) and (b) of the TCAA by discharging excessive chlorine and diethylene glycol emissions and by failing to timely notify the TACB of a major upset condition, \$5,400.

Collier Manufacturing and Supply, Inc., a woodworking facility on Ranch Road 1431, Cedar Park, Williamson County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the facility without a permit or without qualifying for a standard exemption, \$500. Subsequent to the notice of violation, the company submitted an application for a permit.

Dry Clean Express, a dry cleaning facility at 11702 Grant Road, Cypress, Harris County, violating Board Rule 115.221(1) and Section 4.01(b) of the TCAA by failing to vent the entire dryer exhaust through a properly functioning carbon adsorption system, \$1,000.

Merkley Freeman, Jr., owner of property on State Highway 84, two miles west of Mexia in Limestone County, violating Board Rule 111.1 and Section 4.01(b) of the TCAA by causing, suffering, allowing, or permitting unauthorized outdoor burning of asphaltic roofing, tires, PVC pipe, and assorted household garbage, \$200.

G & P Motors, a motor vehicle sales operation at 2801 East Main Street, Grand Prairie, Dallas County, violating Board Rule 114.1(c) and Section 4.01(b) of the TCAA by offering for sale a motor vehicle without a catalytic converter, a fuel intake restrictor, an

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air injection system, an exhaust gas recirculation valve, an evaporative canister, a thermostatic air cleaner, and a positive crankcase ventilation valve, \$250.

Jimmie Hahn Ready Mix, a ready mix concrete plant at 19410 FM 362, Waller, Waller County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the plant without a permit or without qualifying for a standard exemption, \$500. Subsequent to the notice of violation, the company qualified for a standard exemption.

Hill Petroleum Company, a petroleum refinery at 9701 Manchester Avenue, Houston, violating Board Rules 101.20(1), 101.20(2), 115.103, 115.104, 115.111, 116.1, and 116.5 and Sections 3.27(a) and 4.01(b) of the TCAA by changing service in Tank 507 without proper notification; by failing to monitor and record concentrations of hydrogen sulfide in the fuel gases burned in the "C" Udex reboiler; by failing to maintain records of the maximum true vapor pressure of the petroleum liquids stored in Tanks 5, 228, 505, 506, 507, and 508; by constructing new sources of air contaminants at the "C" Udex Unit without submitting an application for approval; by failing to submit notification of start-up of "C" Udex Unit; by failing to report the average weight per month of hazardous materials processed; by failing to report description of control devices for hazardous pollutants and estimated control efficiencies for each control device; by failing to have each piece of equipment in benzene service tagged and identified as such; by failing to equip sampling connection systems with a closed-purge or closed-vent system; by failing to equip each open-ended valve or line with a cap, blind flange, plug, or second valve; by failing to repair leaking valves within 15 calendar days of detection; by failing to prepare written plans that require monitoring of unsafe-to-monitor valves as frequently as possible during safe-to-monitor times and monitoring of difficult-to-monitor valves at least once per calendar year; by failing to

monitor annually each closed-vent system; by failing to use required calibration gas to calibrate leak detection instruments; by failing to obtain approval for equivalent device to detect the presence of a flare pilot flame; by failing to maintain complete records of leaking valves; by failing to maintain records of periods when closed-vent systems and control devices are not operated as designed; by failing to maintain a log of components in benzene service; by failing to maintain lists of valves which are designated as unsafe-to-monitor and difficult-to-monitor and plans for monitoring each valve; by failing to report results of closed-vent system monitoring; by failing to submit reporting schedule stating the months that required semi-annual reports will be submitted; by failing to perform annual secondary seal inspections of Tank No. 906 and failing to record the results of annual inspections; by loading more than 20,000 gallons per day of a volatile organic compound at truck loading rack No. 1 without processing the unloading vapors through an appropriate vapor recovery system; by constructing and operating an overhead condenser and a heat exchanger without a permit or without qualifying for a standard exemption; and by storing regular gasoline in Tank No. 507 instead of naphtha hydrocarbon feed as represented in the permit application; \$95,000.

Johnston Polymer Company, Inc., operates a process to convert acrylic acid to polyacrylic acid and the sodium salt of polyacrylic acid at 7116 Bissell Street, Manvel, Brazoria County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the process without a permit or without qualifying for a standard exemption. Subsequent to the notice of violation, the company submitted an application for a permit. No monetary penalty except that a penalty of \$50 per day could be assessed for each day information requested by the TACB to complete its review of the application is late.

Modular Design Research,

Inc., d/b/a Design Research, a modular metal building manufacturing facility at 16300 DeZavalla Road, Channelview, Harris County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating a sandblasting and painting operation without a permit or without qualifying for a standard exemption, \$1,000. Subsequent to the notice of violation, the company submitted an application for a permit. An additional penalty of \$50 per day could be assessed for each day information requested by the TACB to complete its review of the application is late.

Pharaoh and Associates, Inc., a gas well unit known as the Pampel Unit southeast of County Road 237 near Burton, Washington County, violating Board Rules 104.1 and 116.1 and Sections 3.27(a) and 4.01(a) and (b) of the TCAA by constructing and operating the Unit without a permit or without qualifying for a standard exemption and by discharging excessive odorous emissions, \$4,000. Subsequent to the notice of violation, the company qualified for two standard exemptions and installed a flare.

The Pottery Factory, a ceramic products manufacturing plant at 2115 West Valley View Lane, Farmers Branch, Dallas County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating ceramic kilns Nos. 11-16 without a permit or without qualifying for a standard exemption. Subsequent to the notice of violation, the company submitted an application for a permit. No monetary penalty except that a penalty of \$50 per day could be assessed for each day information requested by the TACB to complete its review of the application is late and a penalty of \$750 could be assessed if it is determined after review that substantial additional controls are necessary.

Shintech, Inc., a polyvinyl chloride manufacturing plant at 5618 State Highway 332 near Freeport, Brazoria County, violating Board Rule 101.20(2) and

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Section 4.01(b) of the TCAA by failing to comply with an applicable emissions standard for vinyl chloride that requires compressors and sampling connecting systems which are in vinyl chloride service to be equipped with a closed-vent system that meets specific requirements, \$500.

MARCH

Alvizo Marble, a synthetic marble manufacturing facility at 2805 Singleton, Rowlett, Dallas County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the facility without a permit or without qualifying for a standard exemption, \$1,700. Subsequent to the notice of violation, the company qualified for a standard exemption.

Atlas Architectural Metals, Inc., a surface coating facility which contains a conveyorized line and a manual line at 1408 Hutton Drive, Carrollton, Dallas County, violating Board Rule 115.191(a)(9)(A)(iii) and Section 4.01(b) of the TCAA by emitting excessive volatile organic compounds of extreme performance coatings from its conveyorized line, \$14,300. An additional penalty of \$500 per day could be assessed for each day between May 10 and July 14 that the company operates the conveyorized line with extreme performance coatings without venting its bake oven emissions to the thermal incinerator that is to be installed by July 14.

Centex-Rodgers Construction Co., a renovation operation at Edinburg Hospital, 333 West Freddy Gonzales Drive, Edinburg, Hidalgo County, violating Board Rule 101.20(2) and Section 4.01(b) of the TCAA by violating applicable emission standards for asbestos by failing to timely provide a written notification of intention to renovate, by failing to utilize required proce-

dures for the removal of friable asbestos material, and by failing to deposit all asbestos-containing waste material at approved waste disposal sites, \$5,500.

Champion Chemicals, Inc., a chemical blending plant at 115 Proctor Ave., Odessa, Ector County, violating Board Rule 101.4 and Sections 4.01(a) and (b) of the TCAA by emitting excessive odor emissions, \$20,000.

Colorado Materials Co., a rock crushing and asphalt concrete plant on Hunter Road, Hunter, Comal County, violating Board Rules 116.1 and 116.4 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating a pugmill without a permit or without qualifying for a standard exemption and by failing to comply with a special provision of its permit No. C-17076 which requires use of water sprays on the inlet crusher of the primary crusher, \$1,800.

D&B Materials, Inc., an asphalt plant at 12354 FM 1560 near Helotes, Bexar County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the plant without a permit or without qualifying for a standard exemption, \$2,750. The company has submitted an application for a permit.

DSI Transports, Inc., a materials handling facility at 2501 S. Haskell, Dallas, Dallas County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the facility without a permit or without qualifying for a standard exemption. Subsequent to the notice of violation, the company submitted an application for a permit. No monetary penalty except that a penalty of \$50 per day could be assessed for each day information requested by the TACB to complete its review of the application is late and a penalty of \$500 could be assessed if it is determined after review that substantial additional controls are necessary.

Delaney Auto Sales, Inc., a motor vehicle sales operation at 401 East Mansfield Highway, Kenne-

dale, Tarrant County, violating Board Rule 114.1(c) and Section 4.01(b) of the TCAA by offering for sale a motor vehicle without an air pump belt and with a frozen air pump, \$250.

Exxon Chemical Americas, an olefins plant on Decker Drive, Baytown, Harris County, violating Board Rule 101.20(2), requirement No. 1 of Agreed Board Order No. 88-01(k), and Section 4.01(b) of the TCAA by failing to comply with applicable emission standards for benzene which require that product accumulator vessels in benzene service be equipped with an approved closed-vent system, \$2,250.

Fermenta Plant Protection Co., a pesticide manufacturing plant at 2239 Haden Road, Greens Bayou, Harris County, violating Board Rule 116.5 and Section 4.01(b) of the TCAA by varying from the representation in its application for a TACB operating permit that there would be no emissions of volatile organic compounds from the plant's Arsonate Digerstor, \$56,000.

Finis Enterprises, Inc., a ferric sulfate liquification facility east of Highway 289 one-quarter mile north of Celina, Collin County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by modifying and operating the facility without a permit or without qualifying for a standard exemption, \$950. Subsequent to the notice of violation, the company submitted an application for a permit.

Gatx Terminals Corp., a chemical storage terminal at 906 Clinton Drive, Galena Park, Harris County, violating Board Rule 101.20(2) and Section 4.01(b) of the TCAA by failing to comply with applicable emission standards for benzene by failing to monitor pumps and valves monthly to detect leaks and by failing to comply with recordkeeping requirements, \$8,000.

The David J. Joseph Co., a railroad car salvage yard in Newby, Leon County, violating Board Rule 111.1 and Section 4.01(b) of the TCAA by causing, suffering, allow-

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ing, or permitting unauthorized outdoor burning, \$1,500.

Lyondell Petrochemical Co., a petrochemical plant at 8280 Sheldon Road, Channelview, Harris County, violating Board Rule 101.20(2) and Section 4.01(b) of the TCAA by violating applicable emission standards for benzene by failing to equip sampling connection systems in the Olefins Plant I with closed-purge or closed-vent systems and by allowing a closed-purge or closed-vent sampling connection system in the Benzene-Toluene Unit to leak, \$1,000.

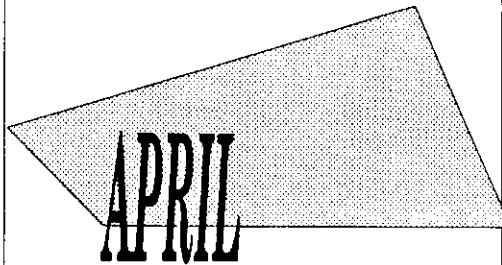
Nautilus Texas Inc., a chrome plating facility on Highway 14 North, Mexia, Limestone County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the facility without a permit or without qualifying for a standard exemption. Subsequent to the notice of violation, the company submitted an application for a permit. No monetary penalty except that a penalty of \$50 per day could be assessed for each day information requested by the TACB to complete its review of the application is late and a penalty of \$4,500 could be assessed if it is determined after review that substantial additional controls are necessary.

Purina Mills, Inc., a feed supplement mixing facility at 825 Highway 36 North, Rosenberg, Fort Bend County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the facility without a permit or without qualifying for a standard exemption, \$750. Subsequent to the notice of violation, the company submitted an application for a permit.

Ron's Place, a motor vehicle sales operation at 3107 North Highway 175, Seagoville, Dallas County, violating Board Rule 114.1(c) and Section 4.01(b) of the TCAA by offering for sale a motor vehicle with no air injection system, no exhaust gas recirculation valve, no thermostatic air cleaner, and no heat riser tube, \$500.

Southern Post Co., a metal fence post painting facility at 1916

Bench Mark Drive, Austin, Travis County, violating Board Rule 101.4, Board Order 88-02(s), and Sections 4.01(a) and (b) of the TCAA by emitting excessive odor emissions, \$8,000.



A-Z Terminal Corp., a pipe yard at 1919 Crosby-Dayton Highway, Crosby, Harris County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating a pipe coating operation without a permit or without qualifying for a standard exemption, \$4,350. Subsequent to the notice of violation, the company submitted an application for a permit.

American Exploration Co., a natural gas processing facility associated with a natural gas well at the Clemens No. 2 well site near the intersection of Highways 155 and 271 south of Gilmer, Upshur County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating a line heater, high and low pressure separators, and a flare without a permit or without qualifying for a standard exemption. Subsequent to the notice of violation, the company submitted an application for a permit. No monetary penalty except that a penalty of \$50 per day could be assessed for each day information requested by the TACB to complete its review of the application is late.

Car Country Enterprises, Inc., a motor vehicle sales operation at 2715 West Pioneer Parkway, Arlington, Tarrant County, violating Board Rule 114.1(c) and Section 4.01(b) of the TCAA by offering for sale a motor vehicle without a fuel inlet restrictor, \$500.

Custom Cleaners, a dry cleaning facility using perchloroethylene at 4517 Garth Road, Baytown, Harris County, violating Board Rule

115.221(a)(1) and Section 4.01(b) of the TCAA by failing to vent the entire dryer exhaust through a properly functioning carbon adsorption system, \$1,000.

Dayco Products - Eagleomotive Industry, an aluminum die casting operation at 400 East Vickery, Fort Worth, Tarrant County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating a reverberatory furnace without a permit or without qualifying for a standard exemption. Subsequent to the notice of violation, the company submitted an application for a permit. No monetary penalty except that a penalty of \$50 per day could be assessed for each day information requested by the TACB to complete its review of the application is late and a penalty of \$250 could be assessed if it is determined after review that substantial additional controls are necessary.

Diversifoam Products, an expandable polystyrene bead form boardstock manufacturing facility northwest of Highway 287 and Peden Road near Saginaw, Tarrant County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the facility without a permit or without qualifying for a standard exemption, \$14,375. Subsequent to the notice of violation, the company submitted an application for a permit.

Edinburg Hospital, owner of a building at 333 West Freddy Gonzales Drive, Edinburg, Hidalgo County, violating Board Rule 101.20(2) and Section 4.01(b) of the TCAA by violating national emission standards for asbestos by failing to timely provide written notification of intention to renovate, by failing to utilize required procedures for the removal of friable asbestos material, and by failing to deposit all asbestos-containing waste material at approved waste disposal sites, \$5,500. The hospital ceased renovation and hired a licensed asbestos abatement contractor to complete the renovation.

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Environmental Insulation Services, Inc., an asbestos abatement activity at the Lubrizol Petroleum Chemicals Company's polyisobutylene facility in Deer Park, Harris County, violating Board Rule 101.20(2) and Section 4.01(b) of the TCAA by violating national emission standards for asbestos by failing to adequately wet friable asbestos materials that had been removed or stripped to ensure that they remain wet until collected for disposal, by failing to deposit all asbestos-containing waste material at approved waste disposal sites, and by failing to utilize required procedures for handling asbestos-containing waste material, \$3,000.

Evans Press, Inc., an offset printing facility at 5133 Northeast Parkway, Fort Worth, Tarrant County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating a Hantscho heatset offset printing press without a permit or without qualifying for a standard exemption. Subsequent to the notice of violation, the company submitted an application for a permit. No monetary penalty except that a penalty of \$50 per day could be assessed for each day information requested by the TACB to complete its review of the application is late and a penalty of \$1,687 could be assessed if it is determined after review that substantial additional controls are necessary.

Hoechst Celanese Corp., a chemical plant at 12212 Port Road, Pasadena, Harris County, violating Board Rules 101.20(2), 115.271(2), and 115.272(a)(6) and Section 4.01(b) of the TCAA by failing to repair 32 valves leaking volatile organic compounds within 15 days of detection at its Ethylbenzene/Styrene and High Density Polyethylene units; by failing to monitor valves immediately after repair for volatile organic compound leaks at its Ethylbenzene/Styrene Unit; and by violating national emission standards for benzene by failing to make first attempt at repair of 11 leaking valves within five calendar days of detection and by failing to perform annual monitoring of

closed-vent systems; \$3,500.

Industrial Models, Inc., a fiberglass products manufacturing facility at 1717 Westair St., Gainesville, Cooke County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the facility without a permit or without qualifying for a standard exemption, \$750.

Ladd Gas Gathering, Inc., a gas plant two miles south of Highway 59 near Peirce, Wharton County, violating Board Rules 101.20(1) and 116.4 and Section 4.01(b) of the TCAA by violating a new source performance standard by failing to demonstrate compliance with monthly monitoring requirements no later than 180 days after initial start-up, by failing to maintain records concerning compliance with the standard, and by failing to submit a semi-annual report concerning compliance with the standard beginning six months after initial start-up, \$1,000.

Lasting Products, Inc., a decorative wood and metal home accessories manufacturing plant at 2115 Valley View Lane, Farmers Branch, Dallas County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the plant without a permit or without qualifying for a standard exemption, \$10,350. Subsequent to the notice of violation, the company submitted an application for a permit.

Leigh Metal Coating & Machining, Inc., a spray metalizing facility at 2725 West 81st St., Odessa, Ector County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the facility without a permit or without qualifying for a standard exemption, \$500. Subsequent to the notice of violation, the company submitted an application for a permit.

National Aeronautics and Space Administration, an aerospace research and development facility at the Lyndon B. Johnson Space Center, Houston, Harris County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of

the TCAA by constructing and operating a replacement boiler in Building 24 without a permit or without qualifying for a standard exemption. No monetary penalty. Subsequent to the notice of violation, NASA submitted an application for a permit.

Odegard Energy, Inc., owns and operates the Arrington #2 gas well in Upshur County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating surface production facilities without a permit or without qualifying for a standard exemption. Subsequent to the notice of violation, the company submitted an application for a permit. No monetary penalty except that a penalty of \$1,500 could be assessed if it is determined after review of the application by the TACB that substantial additional controls are necessary.

R-Tec Systems, an electronic printed circuit board manufacturing facility at 2100 Reliance Parkway, Bedford, Tarrant County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by operating the facility in excess of the maximum amount allowed under Permit No. X-3696 without a permit or without qualifying for a standard exemption for such increase in emissions, \$2,250. Subsequent to the notice of violation, the company submitted an application for a permit.

Solar Turbines, Inc., a metal structures fabrication plant at 16504 DeZavalla Road, Channelview, Harris County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by operating an abrasive cleaning unit at a level which exceeded the criteria for a standard exemption without a permit, \$750. Subsequent to the notice of violation, the company submitted an application for a permit.

Sunflower Pipeline Co., owns and operates seven dehydrators associated with gas wells in Upshur County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the dehydrators without

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permits or without qualifying for standard exemptions. Subsequent to the notice of violation, the company submitted applications for permits. No monetary penalty except that a penalty of \$50 per day could be assessed for each day information requested by the TACB to complete its review of the applications is late.

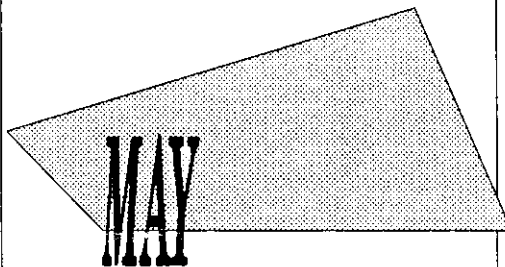
Texas Finishing Co., a surface coating facility at 1801 Surveyor Blvd., Carrollton, Dallas County, violating Board Rule 115.191(a)(9)(A)(iii) and Section 4.01(b) of the TCAA by emitting excessive volatile organic compounds, \$14,200. An additional penalty of \$500 per day could be assessed for each day the company operates the Large Line of its surface coating facility with extreme performance coatings between May 10 and July 31 without venting its bake oven emissions from the Large Line to the thermal incinerator.

Texas Lime Co., a lime manufacturing plant on Farm Road 1434 near Cleburne State Park, Johnson County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating an agricultural lime screening plant without a permit or without qualifying for a standard exemption, \$1,000. Subsequent to the notice of violation, the company submitted an application for a permit.

Vintage Petroleum, Inc., owns and operates surface facilities for natural gas production 5.5 miles northeast of Big Sandy, Upshur County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating surface facilities for natural gas production, including separators, line heaters, oil storage tanks, and flare stacks without a permit or without qualifying for a standard exemption. Subsequent to the notice of violation, the company submitted an application for a permit. No monetary penalty except that a penalty of \$50 per day could be assessed for each day information requested by the TACB to complete its review of the application is late and a penalty of \$1,500 could be assessed if it is

determined after review that substantial additional controls are necessary.

Vulcan Material Co., White's Mines Div., a rock crushing plant in Bexar County, violating Board Rule 116.4 and Section 4.01(b) of the TCAA by failing to comply with special provisions of its permit when it relocated the plant at 12307 Huebner Road, San Antonio. Specifically, the company failed to receive written site approval from the TACB prior to construction at the new site and failed to comply with requirements to locate the plant at least one-half mile from any recreational area, residence, or facility not occupied by the company or occupied by the lessor of the company's property, \$17,000.



ARP Hotels, Inc. d/b/a Howard Johnson's Plaza Hotel North, owner and operator of a hotel at IH-35 and Highway 183 in Austin, Travis County, violating Board Rule 101.20(2) and Section 4.01(b) of the TCAA by violating national emission standards for asbestos by failing to use required procedures for the removal of friable asbestos materials and by failing to use required procedures for handling asbestos-containing waste material, \$2,000.

Atlas Pallet Industries, Inc., a wooden pallet manufacturing facility at IH-35W approximately .6 mile south of FM 917 in Burleson, Johnson County, violating Board Rule 111.1 and Section 4.01(b) of the TCAA by the outdoor burning of scrap lumber, \$250.

W. R. Boyd, Inc., an asphalt concrete plant three miles south of Timpson on Highway 59, Shelby County, violating Board Rule 116.4 and Section 4.01(b) of the TCAA by failing to pave and clean all plant roads or sprinkle the roads with water and/or chemicals as neces-

sary to achieve maximum control of dust emissions as required by provisions of its permit, \$1,500.

Cannon Craft Co., a wooden products manufacturing and painting facility in Sulphur Springs, Hopkins County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the facility without a permit or without qualifying for a standard exemption, \$750. Subsequent to the notice of violation, the company submitted an application for a permit.

Gene Church, owner of property on Carter Road in Vidor, Orange County, violating Board Rules 101.4 and 111.1 and Sections 4.01(a) and (b) of the TCAA by causing, suffering, allowing, or permitting excessive emission of smoke and odors and the unauthorized outdoor burning of tree debris and roofing shingles, \$250.

Dos Rios Wastewater Treatment Plant, a wastewater treatment facility that provides wastewater treatment for the City of San Antonio, investigated by the staff of the TACB pursuant to provisions of Section 3.20(a) of the TCAA pertaining to potential odor nuisances. No notice of violation was issued and no monetary penalty was assessed.

Composite Technology, a Unit of W. R. Grace and Co. (Conn.), a fiberglass products manufacturing plant at 1005 Blue Mound Road, Blue Mound, Tarrant County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by operating the plant with emission of air contaminants in excess of that authorized in its permit exemption without first obtaining a permit or qualifying for a standard exemption, \$8,025.

Crushed Stone Base, Inc., an asphalt concrete plant at 5615 FM 521 off Highway 6 near Arcola, Fort Bend County, violating Board Rules 101.6, 101.20(1), 111.21, 116.4, and 116.5 and Section 4.01(b) of the TCAA by failing to timely notify the TACB of a major upset condition; by discharging gases in excess of standards of performance for new stationary sources; by causing, suf-

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fering, allowing, or permitting visible emissions from the scrubber stack to exceed the limit specified in its permit exemption; by failing to keep a copy of the permit exemption at the plant site; and by changing the method of control of particulate matter without an amendment to its permit exemption, \$8,250.

Houston ISD, owner of Gordon Elementary School at 6700 Avenue B, Bellaire, Harris County, violating Board Rule 101.20(2) and Section 4.01(b) of the TCAA by violating national emission standards for asbestos by failing to timely provide written notification of intent to renovate and by failing to utilize required procedures for the removal of friable asbestos materials, \$3,000.

Koch Refining Co., a petroleum refinery on Suntide Road, Corpus Christi, Nueces County, violating Board Rule 101.20(2) and Section 4.01(b) of the TCAA by violating national emission standards for benzene by failing to mark pumps in benzene service in such a manner that they can be distinguished from other pieces of equipment and by failing to equip each open-ended valve or line in benzene service with a cap, blind flange, plug, or a second valve, \$1,000.

Lone Star Silver Co., a silver reclamation facility at 2326 Topeka, Dallas, Dallas County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating crucible furnaces for silver smelting without a permit or without qualifying for a standard exemption, \$750. Subsequent to the notice of violation, the company submitted an application for a permit. An additional penalty of \$50 per day could be assessed for each day information requested by the TACB to complete its review of the application is late.

Lubrizol Petroleum Chemicals Co., a chemical manufacturing plant at 41 Tidal Road, Deer Park, Harris County, violating Board Rule 101.20(2) and Section 4.01(b) of the TCAA by violating national emission standards for asbestos by failing to adequately wet friable asbestos materials that have been removed or stripped to ensure they remain wet until they are collected for disposal,

by failing to deposit all asbestos-containing waste material at approved waste disposal sites, and by failing to utilize required procedures for the handling of asbestos-containing waste material, \$3,000.

Occidental Chemical Corp., Electrochemicals Div., an oxyhydrochlorination ethylene dichloride and perchloroethylene production facility in Deer Park, Harris County, violating Board Rule 115.271(4) and Section 4.01(b) of the TCAA by operating valves at the end of a pipe or line containing volatile organic compounds without sealing the pipe or line with a second valve, a blind flange, a plug, or a cap, \$1,000.

Olan Mills Inc. of Texas, a photo processing facility at 701 South Loop 340, Waco, McLennan County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the facility without a permit or without qualifying for a standard exemption, \$4,025. Subsequent to the notice of violation, the company submitted an application for a permit.

Panhandle Concrete Co., Inc., a concrete batch plant at 2001 West Amarillo Blvd. at Lakeside Road, Amarillo, Potter County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the plant without a permit or without qualifying for a standard exemption, \$500. Subsequent to the notice of violation, the company submitted an application for a permit.

Pennwalt Corp., a pesticide blending and arsenic acid production plant at 201 West Dodge St., Bryan, Brazos County, violating Board Rule 101.4 and Sections 4.01(a) and (b) of the TCAA by discharging arsenic or arsenic compounds into the air. No monetary penalty.

Price Auto Sales, a motor vehicle sales operation at 944 South Buckner Blvd., Dallas, Dallas County, violating Board Rule 114.1(c) and Section 4.01(b) of the TCAA by offering for sale six motor vehicles without emission control devices. The heat riser tube to the

thermostatic air cleaner was disconnected on one vehicle and its hose from the air pump was loose at the check valve; there were holes in the fresh air duct to the thermostatic air cleaner on one vehicle; the hose was disconnected at the back of the air pump on another vehicle; the fresh air duct to the thermostatic air cleaner was missing on one vehicle; another's heat riser tube was loose at the engine; and the heat riser tube was loose at both ends on another vehicle and its oxygen sensor electrical lead was disconnected; \$1,350.

Rotographics, Inc., an offset printing facility at 1174 Quaker Street, Dallas, Dallas County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the facility without a permit or without qualifying for a standard exemption, \$4,975. Subsequent to the notice of violation, the company submitted an application for a permit.

Sweetwater Ready Mix Concrete Co., a portable concrete batching plant on the south side of IH-20 approximately .6 mile west of Highway 208 near Colorado City, Mitchell County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the plant without a permit or without qualifying for a standard exemption, \$750. Subsequent to the notice of violation, the company submitted an application for a permit.

TexPac Printing and Converting Corp., a flexographic printing operation at 2726 Barge Lane, Dallas, Dallas County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the facility without a permit or without qualifying for a standard exemption, \$3,000. Subsequent to the notice of violation, the company submitted an application for a permit.

Texas Cadillac Cup, a polyurethane foam beverage can insulator manufacturing facility at 4217 Hahn, Haltom City, Tarrant

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County, violating Board Rule 116.1 and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating the facility without a permit or without qualifying for a standard exemption. Subsequent to the notice of violation, the company submitted an application for a permit. No monetary penalty except that a penalty of \$50 per day could be assessed for each day information requested by the TACB to complete its review of the application is late and a penalty of \$3,500 could be assessed if it is determined after review that substantial additional controls are necessary.

Texas Fibers, Inc., a urethane foam manufacturing facility at 1200 Rink Street, Brenham, Washington County, violating Board Rule 116.4 and Section 4.01(b) of the TCAA by emitting methylene chloride in excess of that allowed by its permit, \$7,500.

Troy Pipe Supply, Inc., a pipe recycling plant at 5080 I-45 North, Willis, Montgomery County, violating Requirements 1 and 2 of Agreed Board Order No. 87-09(y), Board Rules 116.1 and 116.4, and Sections 3.27(a) and 4.01(b) of the TCAA by constructing and operating a pipe oven without a permit or without qualifying for a standard exemption, by exceeding volatile organic compound limits for its painting operation, and by failing to maintain records in sufficient detail of hours of operation, \$7,525. Subsequent to the notice of violation, the company submitted an application for a permit.

Red Wilson's Motor Company, Inc., a motor vehicle sales operation at 10900 Eastex Freeway, Houston, Harris County, violating Board Rule 114.1(c) and Section 4.01(b) of the TCAA by offering for sale a motor vehicle without a catalytic converter, \$500. ■

LEGAL ACTIVITIES

The following is a summary of TACB legal activities for the months of November 1988 through April 1989.

The TACB requested that the Attorney General file and prosecute a lawsuit against the following:

Barbee Enterprises, Inc., Montgomery County, for violation of Board Rules 101.4 (nuisance), 101.20(1) (New Scurce Performance Standards), 111.1 (outdoor burning), 111.21 (opacity), and 111.23 (excessive emissions).

Berridge Manufacturing Co., Harris County, for violation of Board Rules 101.4 (nuisance), 101.7 (notification requirements for maintenance), 101.20 (compliance with National Emissions Standards for Hazardous Air Pollutants), and 116.1 (construction without a permit).

G-Town Motors, Dallas County, for violation of Board Rule 114.1(c) (motor vehicles).

North American Cabinet Corp., Harris County, for violation of Board Rule 116.1 (construction without a permit).

Oak Creek Manufacturing, Inc., Jefferson County, for violation of Board Rule 101.4 (nuisance).

Swor Sand & Gravel, Inc., Denton County, for violation of Board Rules 101.4 (nuisance) and 111.1 (outdoor burning).

Ted Callaway Motors, Dallas County, for violation of Board Rule 114.1(c) (motor vehicles).

Agreed final judgments entered:

State of Texas vs. Cuyahoga Wrecking Corp., San Patricio County, for violation of Board Rule 101.20(2) (compliance with National Emissions Standards for Hazardous Air Pollutants). No penalty was assessed.

City of Houston and State of Texas vs. Network NG, Inc., Harris County, for violation of Board Rule 114.1 (motor vehicles). The judgment assessed a civil penalty of \$3,000 to be split equally between the city and state.

State of Texas vs. Southwest Railroad Car Parts Co., Gregg County, for violation of Board Rules 116.1 (construction without a permit), 101.6 (failure to notify of upset), 111.1 (outdoor burning), and 116.5 (representations in application for permit or exemption). The judgment assessed a civil penalty of \$15,000 and ordered the company to pay \$5,000 in attorney fees and to take specified measures to reduce the possibility of future fires. ■

from page 4 REGULATIONS UNDER REVISION

are being prepared to provide for the implementation of the vehicle idle inspection/maintenance program in Dallas and Tarrant counties in January 1990. Primarily, these revisions would require vehicle exhaust gas analyzers utilized at inspection stations to have incorporated recent advances in equipment design, including improved microcomputer technol-

ogy. These improvements should not only enhance program effectiveness and enforcement, but also should allow greater flexibility in adapting the program to the rapidly changing requirements expected in the future. The staff plans to present proposed revisions to the Regulation Development Committee in June, with public hearings to be scheduled during the summer. ■

SPOTLIGHT

AIR TOXICS PROGRAM

Control of emissions of toxic compounds into the air is an integral part of the TACB activities to protect the air resources of the state. Since the early 1970's, the agency's air toxics program has steadily evolved to incorporate new scientific information and advanced technologies. The program is designed to identify and monitor emissions and to prevent excessive public exposure to potentially toxic air contaminants. The Texas Clean Air Act provides general legal authority to the TACB but does not outline a specific program format. The current program includes several major elements: permitting of new sources; control programs applicable to existing sources; and support activities of emission inventories, monitoring/analysis, enforcement, research, and emergency response.

PERMITTING NEW SOURCES

Initiated in 1972, the multifaceted new/modified source permit review program evaluates emissions of all air contaminants from all facilities proposing to construct or modify. This process begins with an engineering evaluation to determine the best available control technology. Resulting emissions are quantified and dispersion modeling performed to predict residual ground level concentrations. Health effects information is used to evaluate ambient impacts. Evaluation of toxicological information, including standards for exposure in occupational situations, information from applicable literature, and consultation with other agencies are all part of this review process.

The permit review also identifies disaster potential from upsets or accidents. The permit applicant is asked to identify worst-case disaster scenarios. Process design changes, additional control measures, and disaster contingency plans can be

required as part of the permit provisions.

Permitting of hazardous and industrial waste management facilities is accomplished by the Texas Water Commission. Under joint rules developed to deal with the complex problems of handling and disposing of hazardous wastes, the TACB conducts an air quality review which becomes a part of the TWC permit.

CONTROL PROGRAMS APPLICABLE TO EXISTING SOURCES

Much of the reduction of emissions of toxic compounds from existing sources has been accomplished as a part of the national program to control the pollutants for which National Ambient Air Quality Standards have been set. Programs to control particulate matter and the organic compounds that are precursors to ozone formation have resulted in significant reductions in emissions of numerous toxic compounds.

There are also control programs designed to address specific toxic compounds. The TACB enforces the federal National Emission Standards for Hazardous Air Pollutants. Currently those standards have been developed for seven compounds -- asbestos, beryllium, vinyl chloride monomer, mercury, benzene, and arsenic. In addition, TACB regulations have been adopted to control hydrogen sulfide, sulfuric acid mist, beryllium, fluorides, and lead.

The agency also conducts case-by-case reviews of individual sites to determine if additional site-specific controls are needed. These case-by-case reviews often include both an in-depth engineering review of the process and source-specific monitoring. Particular sites are chosen for review based on complaints indicating a potential for adverse health effects, situations

identified through routine investigations, review of routine sampling results from the agency's monitoring network, priorities identified from the agency's emissions inventory information, or requests from the EPA.

Companies are also required to report all non-routine emissions to the agency. Reports of these accidental or maintenance emissions are reviewed for potential to affect public health.

SUPPORT ACTIVITIES

Emissions Inventory. Since 1973, emissions inventories from sources throughout the state have updated the computer data base used to maintain statewide emissions data. Currently, over 5,000 individual sources have emissions records in the data base. Since 1985 there have been three significant inventories of major and minor sources that required quantification of all emissions including toxics. Recent inventories have included small sources such as gas stations and dry cleaners. Information from the EPA Toxic Release Inventory will be used to cross-check the TACB emissions data.

Monitoring/Analysis. The agency's air toxics monitoring efforts are designed to characterize both ambient community exposure and individual source emissions. Community exposure studies have included special monitoring in the Gulf Coast, pesticide monitoring in agricultural areas of the state, and benzene monitoring in Texas City. The agency also supports the operation of EPA's Toxic Air Monitoring System in Houston and EPA's Urban Air Toxics Program in Dallas and Houston.

The agency's source-oriented monitoring is focused on suspected "hot spots" identified by the agency's regional offices often in response to public complaints.

(continued on page 15)

from page 14 ————— AIR TOXICS PROGRAM

Regional offices routinely collect various types of soil, materials, and air samples that are analyzed in the central laboratory in Austin. Analysis is also made of asbestos samples from buildings undergoing demolition or renovation and from private homes. A special monitoring station can be deployed to collect ambient air toxics data to assess the potential for health effects at a particular site. Since 1985, the agency's mobile lab has conducted 15 sampling projects throughout Texas. Three of these projects have identified emission levels of potential concern. In one of these cases, enforcement action resulted in significant emission reductions from a chemical facility. In the other two cases, additional monitoring is being conducted.

Enforcement. Through routine inspections and investigations of complaints, the agency seeks to ensure that sources operating in the state are in compliance with all applicable rules and permit requirements. Compliance with these requirements is enforced through administrative orders and penalties or court action.

Research. A number of the agency's research projects have been related to toxic air contaminants. The Gulf Coast Community Exposure Study, for example, measured the levels of 10 compounds in four counties in 1985-86. Levels were found to be consistent with levels measured in other heavily-urbanized areas in the U.S. Over the last five years, the agency has also supported contract research at the University of Texas Medical Branch at Galveston to develop a biological test system capable of monitoring ambient air for toxic effects of chemicals formed by reactions in ambient air as well as chemicals emitted directly from sources.

Emergency Response. An Emergency Action Center coordinates the agency's response in support of the state's Division of Emergency Management operated by the Department of Public Safety. The agency also operates an Air Toxics Response Program capable of supporting personnel responding to an emergency which includes ongoing emissions of hazardous air contaminants. ■

STAFF TO PARTICIPATE IN AWMA MEETING

The TACB staff will be well represented at the Air and Waste Management Association (AWMA) annual meeting and exhibition in Anaheim, California, June 25-30. Staff members are scheduled to present technical papers and chair meetings and panel discussions.

Presenting papers will be:

Dr. S. Thomas Dydek, Research Division, "Comparison of Health Risk Assessment Approaches for Carcinogenic Air Pollutants."

Dr. James H. Price and JoAnn Wiersema, Research Division, "Progress in Development of a Biological Test System to Detect the Effects of Ambient Air."

Marcia T. Willhite, Research Division, "Risk Communication in Texas: An Alternative Approach."

JoAnn Wiersema, Betty Rogers, and James Price, Research Division, "Monitoring of Air Toxics in the Industrialized Texas Gulf Coast."

Stuart Dattner and Keith Zimmermann, Research Division, "A Graphical Technique for Identifying Diurnal Variations in Air Pollutant Concentrations."

James Red, Control Strategy Division, "Modeling Techniques for Municipal Solid Waste Landfills."

Joe Panketh, Control Strategy Division, "A Case Study of the Inhalable Particulate Matter Problem in El Paso."

John Jarvie, Control Strategy Division, "Comparison of Two Screening Techniques for a Large Regulatory Air Quality Modeling Project."

David Harper and John Jarvie, Control Strategy Division, "The Effect of Receptor Spacing on Dispersion Modeling Predictions."

Marcia Willhite will be vice-chair of the session titled "SARA Title III: Risk Communication, Community Right-to-Know and Public Involvement." In this session she will also present her paper and participate in a panel. Stuart Dattner will chair a session on "New Directions in Receptor Modeling and Data Analysis." He will also chair the TP-8 Committee on Data Analysis/Quality Assurance. James Price will chair the Annual Meeting Technical Program Committee. ■

from page 3 ————— BE A CLEAN AIR BUDDY

three tasks to become members of the club. They must study the fact sheet and discuss it in class with their teacher; share with at least five people things they can do to fight air pollution; and write a letter to the TACB explaining five things they shared with other people.

After completing the membership requirements, they are sent a letter and a TACB Clean Air Buddy membership card.

"Response to the program has been great so far. We've had over one hundred students from all parts of the state join the club. It's a pleasure to know that so many youngsters are taking an interest in understanding environmental pollution," said Gwen Sharpe, project coordinator. ■

CUTBACK ASPHALT RESTRICTIONS IN EFFECT

Additional restrictions on the use of cutback asphalt are now in effect until September 15 for Dallas and Tarrant counties. The restrictions were incorporated in the revised version of TACB Regulation V, which became effective December 21, 1988.

The addition to Rule 115.171 of Regulation V states that "no person shall allow the use, application, sale, or offer for sale of cutback asphalt containing volatile organic compound solvents for the paving of roadways, driveways, or parking lots in Dallas and Tarrant counties during the period from April 16 to September 15 of any year." There are three exceptions to the restrictions and the specific legal requirements can be found in Regulation V. Also a general information fact sheet on use of cutback asphalt is

available in the TACB public information office.

Cutback asphalt is used primarily for roadway maintenance and repair operations where the use of hot-mix is not practical.

"We believe compliance with this regulation will result in the alternative use of water-based asphalt emulsions significantly reducing ozone-producing hydrocarbons, especially during the summer. We expect city, county, and state agencies to restrict and track the use of cutback asphalt by their employees and contractors," said Russell Baier, TACB Regulations Development Section. ■

BOARD MEETINGS

JUNE 23
CITY COUNCIL CHAMBERS
VICTORIA CITY HALL

JULY 14
TACB AUDITORIUM
AUSTIN

AUGUST 11
TACB AUDITORIUM
AUSTIN

Address changes or requests to be added to the TACB Bulletin mailing list should be forwarded to:
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c/o Texas Air Control Board
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TEXAS AIR CONTROL BOARD

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