9VAC5-60-60. General.
9VAC5-60-65. Authority to implement and enforce standards as authorized by EPA.
9VAC5-60-70. Designated emission standards.
9VAC5-60-80. Word or phrase substitutions.

9VAC5-60-60. General.


9VAC5-60-65. Authority to implement and enforce standards as authorized by EPA.

A. This article provides the legally enforceable mechanism to facilitate the Commonwealth's obligation to implement and enforce the federal NESHAP as state requirements.

B. The Commonwealth's delegated authority to implement and enforce the standards designated in 9VAC5-50-70 as authorized by EPA is identified in the documents specified in subdivisions 1 through 7 of this subsection. The Commonwealth's delegated authority extends only to the source categories and pollutants identified in the documents, and is subject to the provisions, conditions, and
limitations set forth in the following documents:


C. In its delegation notices and letters, EPA automatically delegated to the Commonwealth the authority to implement and enforce future NESHAP requirements if the Commonwealth legally adopted the requirements, informed EPA that it intended to enforce the standards in accordance with the terms of the delegation, and met other conditions. The latest letter that the Commonwealth submitted to obtain authority to implement and enforce additional requirements is available for examination as provided in subsection D of this section.

D. Copies of the documents cited in subsections B and C of this section may be examined by the public at the central office of the Department of Environmental Quality, 1111 East Main Street, Suite 1400, Richmond, Virginia between 8:30 a.m. and 4:30 p.m. of each business day.

E. The documents cited in subsection B of this section establish the terms of the delegation to the Commonwealth to implement and enforce the federal NESHAP as authorized by EPA. As such, the documents place requirements upon the Commonwealth, not the affected facilities; thus the documents are not being incorporated by reference into the regulations of the board but are being cited for information purposes only.

9VAC5-60-70. Designated emission standards.

Subpart A -- General Provisions.


(applicability, definitions, units and abbreviations, compliance, prohibited activities, determination of construction or modification, application for approval of construction or modification, approval of construction or modification,
notification of startup, source reporting and waiver request, emission tests, 
monitoring, modification, and circumvention)

Subpart B -- Radon Emissions from Underground Uranium Mines.

40 CFR 61.20 through 40 CFR 61.26

(NOTE: Authority to enforce the above standard is being retained by EPA and it 
is not incorporated by reference into these regulations.)

Subpart C -- Beryllium.

40 CFR 61.30 through 40 CFR 61.34

Subpart D -- Beryllium Rocket Motor Firing.

40 CFR 61.40 through 40 CFR 61.44

Subpart E -- Mercury.

40 CFR 61.50 through 40 CFR 61.55

Subpart F -- Vinyl Chloride.

40 CFR 61.60 through 40 CFR 61.71

Subpart G -- Reserved.

Subpart H -- Emissions of Radionuclides Other Than Radon From Department of 
Energy (DOE) Facilities.

40 CFR 61.90 through 40 CFR 61.97

(NOTE: Authority to enforce the above standard is being retained by EPA and it 
is not incorporated by reference into these regulations.)

Subpart I -- Radionuclide Emissions From Facilities Licensed by the Nuclear Regulatory 
Commission (NRC) and Federal Facilities Not Covered by Subpart H.

40 CFR 61.100 through 40 CFR 61.109

(NOTE: Authority to enforce the above standard is being retained by EPA and it 
is not incorporated by reference into these regulations.)

Subpart J -- Equipment Leaks (Fugitive Emission Sources) of Benzene.
Subpart K -- Radionuclide Emissions From Elemental Phosphorus Plants.

40 CFR 61.120 through 40 CFR 61.127

(NOTE: Authority to enforce the above standard is being retained by EPA and it is not incorporated by reference into these regulations.)

Subpart L -- Benzene Emissions From Coke By-Product Recovery Plants.

40 CFR 61.130 through 40 CFR 61.139

Subpart M -- Asbestos.

40 CFR 61.140 through 40 CFR 61.157


Subpart N -- Inorganic Arsenic Emissions from Glass Manufacturing Plants.

40 CFR 61.160 through 40 CFR 61.165

Subpart O -- Inorganic Arsenic Emissions from Primary Copper Smelters.

40 CFR 61.170 through 40 CFR 61.177

Subpart P -- Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production Facilities.

40 CFR 61.180 through 40 CFR 61.186

Subpart Q -- Radon Emissions From Department of Energy Facilities.

40 CFR 61.190 through 40 CFR 61.193

(NOTE: Authority to enforce the above standard is being retained by EPA
and it is not incorporated by reference into these regulations.)

Subpart R -- Radon Emissions From Phosphogypsum Stacks.

40 CFR 61.200 through 40 CFR 61.205

(NOTE: Authority to enforce the above standard is being retained by EPA and it is not incorporated by reference into these regulations.)

Subpart S -- Reserved.

Subpart T -- Radon Emissions From the Disposal of Uranium Mill Tailings.

40 CFR 61.220 through 40 CFR 61.225

(NOTE: Authority to enforce the above standard is being retained by EPA and it is not incorporated by reference into these regulations.)

Subpart U -- Reserved.

Subpart V -- Equipment Leaks (Fugitive Emission Sources).

40 CFR 61.240 through 40 CFR 61.247

Subpart W -- Radon Emissions from Operating Mill Tailings.

40 CFR 61.250 through 40 CFR 61.252

(NOTE: Authority to enforce the above standard is being retained by EPA and it is not incorporated by reference into these regulations.)

Subpart X -- Reserved.

Subpart Y -- Benzene Emissions From Benzene Storage Vessels.

40 CFR 61.270 through 40 CFR 61.277

Subpart Z -- Reserved.

Subpart AA -- Reserved.

Subpart BB -- Benzene Emissions From Benzene Transfer Operations.

40 CFR 61.300 through 40 CFR 61.306

Subpart CC -- Reserved.
Subpart DD -- Reserved.

Subpart EE -- Reserved.

Subpart FF -- Benzene Waste Operations.

40 CFR 61.340 through 40 CFR 61.358

Appendix A -- Not applicable.

Appendix B -- Test Methods.

(Note: Authority to enforce the following test methods is being retained by EPA and they are not incorporated by reference into the Regulations for the Control and Abatement of Air Pollution.)

Method 111 -- Determination of polonium-210 emissions from stationary sources.

Method 114 -- Test methods for measuring radionuclide emissions from stationary sources.

Method 115 -- Monitoring for radon-222 emissions.

Appendix C -- Quality assurance procedures.

Appendix D -- Methods for estimating radionuclide emissions.

(Note: Authority to enforce the above methods is being retained by EPA and it is not incorporated by reference into the Regulations for the Control and Abatement of Air Pollution.)

Appendix E -- Compliance procedures methods for determining compliance with subpart I.

(Note: Authority to enforce the above methods is being retained by EPA and it is not incorporated by reference into the Regulations for the Control and Abatement of Air Pollution.)

9VAC5-60-80. Word or phrase substitutions.

In all of the standards designated in 9VAC5-60-70 substitute:

1. Board for Administrator; and
2. Board for U.S. Environmental Protection Agency (except in references).

HISTORICAL NOTES:

Derived from: Rule 6-1 of Part VI of VR 120-01 (§ 120-06-0101 through § 120-06-0103)

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