

REGULATIONS FOR THE CONTROL AND ABATEMENT OF AIR POLLUTION (9 VAC 5 CHAPTER 40)

9 VAC 5 CHAPTER 40.  
EXISTING STATIONARY SOURCES.

PART II.  
Emission Standards.

ARTICLE 37  
Emission Standards For Petroleum Liquid  
Storage and Transfer Operations (Rule 4-37).

9 VAC 5-40-5200. Applicability and designation of affected facility.

A. Except as provided in subsection C of this section, the affected facility to which the provisions of this article apply is each operation involving the storage or transfer of petroleum liquids or both.

B. The provisions of this article apply to sources of volatile organic compounds in volatile organic compound emissions control areas designated in 9 VAC 5-20-206. The provisions of this article shall apply in localities outside the volatile organic compound emissions control areas according to the following schedule of effective dates:

1. On January 1, 1993, for facilities subject to the emission standards in 9 VAC 5-40-5220 A, B, and C and associated tank trucks that load at these facilities.
2. On January 1, 1996, for facilities subject to the emission standard in 9 VAC 5-40-5220 D and associated account trucks that load or unload at these facilities.
3. On January 1, 1999, for facilities subject to the emission standard in 9 VAC 5-40-5220 E.

For the purposes of this subsection the term "localities outside the volatile organic compound emissions control areas" means the following localities: Charles City County, James City County, Roanoke County, ~~Smith County~~, York County, Poquoson City, Roanoke City, Salem City and Williamsburg City.

C. The provisions of this article do not apply to affected facilities using petroleum liquids with a vapor pressure less than 1.5 pounds per square inch absolute under actual storage conditions or, in the case of loading or processing, under actual loading or processing conditions. (Kerosene and fuel oil used for household heating have vapor pressures of less than 1.5 pounds per square inch absolute under actual storage conditions; therefore, kerosene and fuel oil are not subject to the provisions of this article when used or stored at ambient temperatures).

D. The burden of proof of eligibility for exemption from this article is on the owner. Owners seeking such an exemption shall maintain adequate records of average monthly throughput and furnish these records to the board upon request.

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CERTIFICATION

REGULATION 9 VAC 5 CHAPTER 40, REVISION E00  
CONCERNING  
Petroleum Liquid Storage and Transfer Operations

I certify that this regulation is full, true, and correctly dated.

Signature: \_\_\_\_\_

Name of Certifying Official: Dennis H. Treacy

Title: Director

Agency: Department of Environmental Quality

Date: \_\_\_\_\_

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