

**COMMONWEALTH OF VIRGINIA
STATE AIR POLLUTION CONTROL BOARD MEETING**

September 2024

SUBJECT: Ambient Air Quality Standards (9VAC5-30, Rev.A24) - Request for Board Action on Exempt Final Regulation

SPEAKER: Karen G. Sabasteanski
karen.sabasteanski@deq.virginia.gov/804-659-1973
Policy Analyst, Office of Air Data Analysis and Planning
Department of Environmental Quality

INTRODUCTION

On March 6, 2024 (89 FR 16202), EPA revised the National Ambient Air Quality Standard (NAAQS) for PM_{2.5} (particles in the ambient air with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers). The annual arithmetic mean concentration has been set at 9.0 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) and the standard for the 24-hour concentration is being retained at 35 $\mu\text{g}/\text{m}^3$.

Chapter 30, Ambient Air Quality Standards, contains the specific criteria pollutant standards set out in 40 CFR Part 50. Therefore, this chapter is the action effectively implementing the EPA requirements.

The department is requesting approval of draft final regulation amendments that meet federal statutory and regulatory requirements. Approval of the amendments will ensure that the Commonwealth will be able to meet its obligations under the federal Clean Air Act.

REGULATORY ACTION ADOPTION PROCESS

Because the state regulation is necessary to meet the requirements of the federal Clean Air Act and do not differ materially from the pertinent U.S. Environmental Protection Agency (EPA) regulations, the state regulation is exempt from the standard regulatory adoption process (Article 2 (§ 2.2-4006 et seq.) of the Administrative Process Act) by the provisions of § 2.2-4006 A 4 c of the Administrative Process Act. However, notice of the regulation adoption must be forwarded to the Registrar for publication in the Virginia Register 30 days prior to the effective date. Also, the Registrar must agree that the regulation is not materially different from the federal version and is, therefore, exempt from the standard regulatory adoption process and must notify the agency accordingly. This notification and the notice of adoption will be published in the Virginia Register. Further, in adopting the regulation amendments under the provisions of § 2.2-4006, the board is required to state that it will receive, consider and respond to petitions by any

interested person at any time with respect to reconsideration or revision.

Notice that the regulation would be considered by the board and that public comment would be accepted at the board meeting in accordance with the board's policy on public comment at board meetings was provided to the public by posting of the board's agenda to the Virginia Regulatory Town Hall and DEQ web sites. In addition, email notification was provided to those persons signed up to receive notifications of board meetings through the Town Hall website.

SUMMARY OF AMENDMENTS TO REGULATION

Below is a brief summary of the substantive amendments the department is recommending be made to the regulation.

1. New requirements for reference conditions relative to the new PM_{2.5} standard are added. [9VAC5-30-15].

2. A new standard for PM_{2.5} is added. [9VAC5-30-68]

SUPPORTING DOCUMENTATION

1. The agency background document. This document does not include the statement from the Attorney General's Office which is issued after the board meeting.

2. The draft final regulation amendments.

DEPARTMENT RECOMMENDATION

1. It is recommended that the board adopt the attached proposal, with an effective date consistent with the Administrative Process Act.

2. In adopting this proposal, the board should affirm that it will receive, consider, and respond to petitions by any person at any time with respect to reconsideration or revision, as provided in § 2.2-4006 B of the Administrative Process Act.

TEMPLATES\EXEMPT\ER09
REG\DEVA24-07BF



townhall.virginia.gov

Exempt Action: Final Regulation Agency Background Document

Agency name	State Air Pollution Control Board
Virginia Administrative Code (VAC) Chapter citation(s)	9VAC5-30
VAC Chapter title(s)	Ambient Air Quality Standards
Action title	Amend list of NAAQS to add a new standard for PM _{2.5} (Rev. A24)
Final agency action date	
Date this document prepared	

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

On March 6, 2024 (89 FR 16202), EPA revised the National Ambient Air Quality Standard (NAAQS) for PM_{2.5} (particles in the ambient air with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers). The annual arithmetic mean concentration has been set at 9.0 micrograms per cubic meter (µg/m³), and the standard for the 24-hour concentration is being retained at 35 µg/m³. Chapter 30 contains the specific criteria pollutant standards set out in 40 CFR Part 50. Therefore, this chapter is the action effectively implementing the EPA requirements, and must be updated accordingly.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or

board decision). For purposes of executive branch review, “mandate” has the same meaning as defined in the ORM procedures, “a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part.”

The mandate for this regulatory action is a directive from the federal government: the new NAAQS for PM_{2.5} has been codified in 40 CFR Part 50 as required by § 109 of the federal Clean Air Act.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

On June 4, 2024, the State Air Pollution Control Board took final action to adopt amendments to regulations entitled "Regulations for the Control and Abatement of Air Pollution," specifically, Ambient Air Quality Standards, 9VAC5-30. The regulatory action is to be effective as provided in the Administrative Process Act.

The regulation amendments are exempt from the state administrative procedures for adoption of regulations contained in Article 2 of the Administrative Process Act by the provisions of § 2.2-4006 A 4 c of the Administrative Process Act because they are necessary to meet the requirements of the federal Clean Air Act and do not differ materially from the pertinent EPA regulations.

In adopting these amendments, the board affirmed that it will receive, consider and respond to petitions by any person at any time with respect to reconsideration or revision, as provided in § 2.2-4006 B of the Administrative Process Act.

Office of Regulatory Management
Economic Review Form

Agency name	State Air Pollution Control Board
Virginia Administrative Code (VAC) Chapter citation(s)	9VAC5-30
VAC Chapter title(s)	Ambient Air Quality Standards
Action title	Amend list of NAAQS to add a new standard for PM _{2.5} (Rev. A24)
Date this document prepared	
Regulatory Stage (including Issuance of Guidance Documents)	Exempt final

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<p>Direct Costs: Describe the direct costs of this proposed change here. There are no direct costs associated with this regulatory action. The National Ambient Air Quality Standards (NAAQS) contain no requirements in and of themselves; they provide the overall basis for specific regulatory, permitting and planning requirements elsewhere in the federal and state regulations.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change. There may be indirect costs to permittees locating in areas with relatively high background levels of PM_{2.5} that may potentially necessitate constraints on production in order to remain below the NAAQS. Although all areas of the Commonwealth currently attain the standard and there appears to be little risk of any Virginia locality becoming designated nonattainment, the theoretical possibility exists that this may occur in the future, which would incur the considerable costs associated with managing a nonattainment area.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here. The primary direct benefit of the regulatory change is a reduction in the emissions of PM_{2.5}, a pollutant with known serious health and welfare effects. Even though the NAAQS must be established without regard to cost, U.S. EPA's Regulatory Impact Analysis estimates that a monetized net benefit of \$22-46 million may be realized nationally as a result of implementing the new standard.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. There may be indirect benefits associated with the Commonwealth retaining implementing authority over its own air quality program instead of ceding that authority to the federal government.</p>	
<p>(2) Present Monetized Values</p>	<p>Direct & Indirect Costs</p>	<p>Direct & Indirect Benefits</p>
	<p>(a) Not available for Virginia.</p>	<p>(b) Not available for Virginia.</p>
<p>(3) Net Monetized Benefit</p>	<p>Not available for Virginia.</p>	
<p>(4) Other Costs & Benefits (Non-Monetized)</p>	<p>None.</p>	
<p>(5) Information Sources</p>	<p>U.S. EPA Regulatory Impact Analysis, DEQ Air Data Analysis and Planning data</p>	

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<p>Direct Costs: Describe the direct costs of this proposed change here. A direct cost associated with not adopting the updated standard would be the ability of permittees to obtain legal permits for new or modified facilities in Virginia. Application of a less stringent standard would render these permits inaccurate and subject to federal disapproval. Additionally, state attainment plans and associated regulations and permits would be inaccurate and likely disapproved by EPA.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change. Retaining a state standard that directly conflicts with the federal standard would create regulatory and permitting uncertainty for all parties in the state: regulated entities, regulators, and in all aspects of the air quality planning and permitting process.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here. There are no direct benefits associated with retaining the status quo.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. There are no indirect benefits associated with retaining the status quo.</p>	
<p>(2) Present Monetized Values</p>	<p>Direct & Indirect Costs</p>	<p>Direct & Indirect Benefits</p>
	<p>(a) None.</p>	<p>(b) None.</p>
<p>(3) Net Monetized Benefit</p>	<p>None.</p>	
<p>(4) Other Costs & Benefits (Non-Monetized)</p>	<p>None.</p>	
<p>(5) Information Sources</p>	<p>See Table 1a.</p>	

Table 1c: Costs and Benefits under Alternative Approach(es)

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<p>Direct Costs: Describe the direct costs of this proposed change here. The regulatory action is required by federal statute and leaves no discretion in its implementation.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change.</p>	
---	---	--

(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Net Monetized Benefit		
(4) Other Costs & Benefits (Non-Monetized)		
(5) Information Sources		

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here. There are no direct costs to local partners associated with this regulatory action.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change. There are no indirect costs to local partners associated with this regulatory action.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here. See Table 1a. Local partners will benefit, as will all other affected parties, from regulatory certainty and clarity.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. See Table 1a.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) None.	(b) None.
(3) Other Costs & Benefits (Non-Monetized)	None.	

(4) Assistance	Noe.
(5) Information Sources	See Table 1a.

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here. There are no direct costs to families associated with this regulatory action.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change. There are no indirect costs to families associated with this regulatory action.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here. See Table 1a. Families will benefit, as will all other affected parties, from regulatory certainty and clarity.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. See Table 1a.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) None.	(b) None.
(3) Other Costs & Benefits (Non-Monetized)	None.	
(4) Information Sources	See Table 1a.	

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

(1) Direct & Indirect Costs &	<p>Direct Costs: Describe the direct costs of this proposed change here. See Table 1a.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change.</p>
-------------------------------	---

<p>Benefits (Monetized)</p>	<p>See Table 1a. Direct Benefits: Describe the direct benefits of this proposed change here. See Table 1a. Small businesses will benefit, as will all affected parties, from regulatory certainty and clarity. Indirect Benefits: Describe the indirect benefits of the proposed change. See Table 1a.</p>	
<p>(2) Present Monetized Values</p>	<p>Direct & Indirect Costs</p>	<p>Direct & Indirect Benefits</p>
	<p>(a) None.</p>	<p>(b) None.</p>
<p>(3) Other Costs & Benefits (Non-Monetized)</p>	<p>None.</p>	
<p>(4) Alternatives</p>	<p>None.</p>	
<p>(5) Information Sources</p>	<p>See Table 1a.</p>	

Changes to Number of Regulatory Requirements

Table 5: Regulatory Reduction

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

Change in Regulatory Requirements

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
	(M/A):	0	3	0	+3
	(D/A):				N/A
	(M/R):	0	3	0	+3
	(D/R):				N/A
Grand Total of Changes in Requirements:					(M/A): +3 (D/A): N/A (M/R): +3 (D/R): N/A

Key:

Please use the following coding if change is mandatory or discretionary and whether it affects externally regulated parties or only the agency itself:

(M/A): Mandatory requirements mandated by federal and/or state statute affecting the agency itself

(D/A): Discretionary requirements affecting agency itself

(M/R): Mandatory requirements mandated by federal and/or state statute affecting external parties, including other agencies

(D/R): Discretionary requirements affecting external parties, including other agencies

Cost Reductions or Increases (if applicable)

VAC Section(s) Involved*	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases
N/A				

Other Decreases or Increases in Regulatory Stringency (if applicable)

VAC Section(s) Involved*	Description of Regulatory Change	Overview of How It Reduces or Increases Regulatory Burden
N/A		

Length of Guidance Documents (only applicable if guidance document is being revised)

Title of Guidance Document	Original Word Count	New Word Count	Net Change in Word Count
N/A			

*If the agency is modifying a guidance document that has regulatory requirements, it should report any change in requirements in the appropriate chart(s).

REGULATIONS FOR THE CONTROL AND ABATEMENT OF AIR POLLUTION (9VAC5-30)

9VAC5 CHAPTER 30.
AMBIENT AIR QUALITY STANDARDS.

9VAC5-30-15. Reference conditions.

All measurements of air quality that are expressed as mass per unit volume (e.g., micrograms per cubic meter) other than for the particulate matter (PM_{2.5}) standards contained in 9VAC5-30-65, 9VAC5-30-66 ~~and~~ 9VAC5-30-67, and 9VAC5-30-68, and lead standards contained in 9VAC5-30-80 shall be corrected to a reference temperature of 25°C and a reference pressure of 760 millimeters of mercury (1,013.2 millibars). Measurements of PM_{2.5} for purposes of comparison to the standards contained in 9VAC5-30-65, 9VAC5-30-66 ~~and~~ 9VAC5-30-67, and 9VAC5-30-68, and of lead for purposes of comparison to the standards contained in 9VAC5-30-80 shall be reported based on actual ambient air volume measured at the actual ambient temperature and pressure at the monitoring site during the measurement period.

9VAC5-30-68. Particulate matter (PM_{2.5}).

A. The national primary ambient air quality standards for PM_{2.5} are 9.0 micrograms per cubic meter (µg/m³) annual arithmetic mean concentration and 35 µg/m³ 24-hour average concentration measured in the ambient air as PM_{2.5} (particles with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers) by either:

1. A reference method based on Appendix L to 40 CFR Part 50 and designated in accordance with 40 CFR Part 53; or

2. An equivalent method designated in accordance with 40 CFR Part 53.

B. The primary annual PM_{2.5} standard is met when the annual arithmetic mean concentration, as determined in accordance with Appendix N to 40 CFR Part 50, is less than or equal to 9.0 µg/m³.

C. The primary 24-hour PM_{2.5} standard is met when the 98th percentile 24-hour concentration, as determined in accordance with Appendix N to 40 CFR Part 50, is less than or equal to 35 µg/m³.

VIRGINIA ACTS OF ASSEMBLY -- 2024 SESSION

CHAPTER 634

An Act to amend and reenact §§ 46.2-1177.1 and 46.2-1182 of the Code of Virginia, relating to emissions inspections; fees; agreement for services and service charge fees.

[H 213]

Approved April 8, 2024

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-1177.1 and 46.2-1182 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-1177.1. Inspection program coordinator; agreement for services.

The Director may enter into an agreement to designate a program coordinator for all inspection programs pursuant to this article, except that no on-road clean screen program or any program or inspection process that utilizes remote sensing shall be included in the agreement. The Director shall determine the services to be provided by the program coordinator and the amount to be paid to the program coordinator for such services by the Department. Such agreement shall include a provision that the program coordinator shall provide and maintain inspection stations as defined in § 46.2-1176 with equipment, as set forth in this article, as required for a station to provide inspections. In addition to the amount the Director agrees for the Department to pay the program coordinator, the agreement shall permit the program coordinator to be paid up to ~~\$3,500~~ \$5,000 per year from each inspection station for each set of required equipment for the provision and maintenance of such equipment by the program coordinator.

§ 46.2-1182. Emissions inspection fees; exemption.

Emissions inspection stations performing emissions inspections under subsection A of § 46.2-1178 may charge \$11.40 for each emissions inspection, but such charge shall not be mandatory. Any such fee shall be paid to the emissions inspection station.

Each emissions inspection station performing emissions inspections under subsection B of § 46.2-1178 may charge for each emissions inspection an amount not to exceed \$17. Any such fee shall be paid to and retained by the emissions inspection station.

Beginning at such date upon which the program becomes an enhanced emissions program, each emissions inspection station performing emissions inspections under subsection C of § 46.2-1178 may charge an amount not to exceed ~~\$28~~ \$30 for each emissions inspection. Any such fee shall be paid to and retained by the emissions inspection station.

Within 14 days of an initial failure of an emissions inspection performed at an emissions inspection station, the vehicle's owner shall be entitled to one free reinspection at the station or facility that conducted the original inspection.

The on-road emissions inspector performing emissions inspections under subsection C of § 46.2-1178 may charge each motor vehicle owner who elects to participate in the on-road clean screen program an amount not to exceed ~~\$28~~ \$30 for each emissions inspection. Any such fee shall be paid to the on-road emissions inspector. From each emissions inspection fee received by the on-road emissions inspector, a minimum of \$4.50 shall be appropriated to the Highway Maintenance and Operating Fund established pursuant to § 33.2-1530.

**COMMONWEALTH OF VIRGINIA
STATE AIR POLLUTION CONTROL BOARD MEETING**

June 2024

SUBJECT: Regulation for the Control of Motor Vehicle Emissions in Northern Virginia, Program Coordinator Fee - Request for Board Action on Exempt Final Regulation (Revision MS)

CONTACT: Karen G. Sabasteanski
karen.sabasteanski@deq.virginia.gov/804-659-1973
Policy Analyst, Office of Air Data Analysis and Planning, Department of Environmental Quality

INTRODUCTION

The Regulation for the Control of Motor Vehicle Emissions in Northern Virginia is being amended in response to the passing of House Bill 213 (Chapter 634), which allows a fee to be charged by the inspection and maintenance (I/M) program coordinator for each certified analyzer system. This fee cap was originally set at \$3,500 per year; the cap has now been set at \$5,000 per year. To meet this statutory requirement, the regulation is amended to reflect the new fee cap.

REGULATORY ACTION ADOPTION PROCESS

Because the regulation amendment consists only of a change necessary to conform to Virginia statutory law, the state regulations are exempt from the standard regulatory process (Article 2 (§ 2.2-4006 et seq.) of the Administrative Process Act) by the provisions of § 2.2-4006 4 a of the Administrative Process Act. However, notice of the amendment adoption must be forwarded to the Registrar for publication in the Virginia Register 30 days prior to the effective date. Also, the Registrar must agree that the amendment is exempt from the standard regulatory adoption process and must notify the agency accordingly. This notification and the notice of adoption will be published in the Virginia Register. Further, in adopting the regulation amendment under the provisions of § 2.2-4006, the board is required to state that it will receive, consider, and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Notice that the regulation would be considered by the board and that public comment would be accepted at the board meeting in accordance with the board's policy on public comment at board meetings was provided to the public by posting of the board's agenda to the Virginia Regulatory Town Hall and DEQ web site. In addition, email notification was provided to those persons signed up to receive notifications of board meetings through the Town Hall website.

SUMMARY OF AMENDMENTS TO REGULATION

9VAC5-91-665 C amends the program coordinator fee cap from \$3,500 to \$5,000.

SUPPORTING DOCUMENTATION

1. Virginia Acts of Assembly – 2024 Session, Chapter 634: An Act to amend and reenact §§ 46.2-1177.1 and 46.2-1182 of the Code of Virginia, relating to emissions inspections; fees; agreement for services and service charge fees.

2. The agency background document. This document does not include the statement from the Attorney General's Office which is issued after the board meeting.

3. The draft final regulation amendment.

DEPARTMENT RECOMMENDATION

1. It is recommended that the board adopt the attached proposal, with an effective date consistent with the Administrative Process Act.

2. In adopting this proposal, the board should affirm that it will receive, consider, and respond to petitions by any person at any time with respect to reconsideration or revision, as provided in § 2.2-4006 B of the Administrative Process Act.

TEMPLATES\EXEMPT\ER09
REG\DEV\MS-07BF



townhall.virginia.gov

Exempt Action: Final Regulation Agency Background Document

Agency name	State Air Pollution Control Board
Virginia Administrative Code (VAC) Chapter citation(s)	9VAC5-91
VAC Chapter title(s)	Regulation for the Control of Motor Vehicle Emissions in the Northern Virginia Area
Action title	Amend program coordinator fee in accordance with 2024 Acts of Assembly Chapter 634 (Revision MS)
Final agency action date	
Date this document prepared	

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

The Regulation for the Control of Motor Vehicle Emissions in Northern Virginia is being amended in response to the passing of House Bill 213 (Chapter 634), which allows a fee to be charged by the inspection and maintenance (I/M) program coordinator for each certified analyzer system. This fee cap was originally set at \$3,500 per year; the cap has now been set at \$5,000 per year. To meet this statutory requirement, the regulation is amended to reflect the new fee cap.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, “mandate” has the same meaning as defined in the ORM procedures, “a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part.”

Virginia Acts of Assembly – 2024 Session, Chapter 634: An Act to amend and reenact §§ 46.2-1177.1 and 46.2-1182 of the Code of Virginia, relating to emissions inspections; fees; agreement for services and service charge fees.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

On June 4, 2024, the State Air Pollution Control Board took final action to adopt an amendment to the Regulation for the Control of Motor Vehicle Emissions in the Northern Virginia Area (9VAC5-91). The regulatory action is to be effective as provided in the Administrative Process Act.

The regulation amendment is exempt from the state administrative procedures for adoption of regulations contained in Article 2 of the Administrative Process Act by the provisions of § 2.2-4006 A 4 a of the Administrative Process Act because it consists only of a change necessary to conform to Virginia statutory law.

In adopting the amendment, the board affirmed that it will receive, consider and respond to petitions by any person at any time with respect to reconsideration or revision, as provided in § 2.2-4006 B of the Administrative Process Act.

Office of Regulatory Management
Economic Review Form

Agency name	State Air Pollution Control Board
Virginia Administrative Code (VAC) Chapter citation(s)	9VAC5-91
VAC Chapter title(s)	Regulation for the Control of Motor Vehicle Emissions in the Northern Virginia Area
Action title	Amend program coordinator fee in accordance with 2024 Acts of Assembly Chapter 634 (Revision MS)
Date this document prepared	
Regulatory Stage (including Issuance of Guidance Documents)	Exempt final

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<p>There is one direct cost associated with this amendment: the increase of the inspection and maintenance (I/M) program coordinator fee cap per testing station per year from \$3,500 to \$5,000 in accordance with state law (VA 2024 Acts of Assembly Chapter 634).</p> <p>The primary purpose of the I/M program is to reduce the creation of ground-level ozone (smog) pollution in the Northern Virginia Ozone Nonattainment Area, which is the mostly densely populated portion of the Commonwealth and the most directly affected by the negative health and welfare effects of ozone. Participation in the I/M program is mandated by federal law (§§ 110 (a) and 182 of the federal Clean Air Act as implemented through Subpart S of 40 CFR Part 51) and state law (Code of Virginia §§ 46.2-1176 through 46.2-1187.3).</p> <p>The role of program coordinator was created by statute in 2012 (see VA 2012 Acts of Assembly Chapter 824) with an original fee limit of \$3,500. The purpose of the program coordinator is to provide and maintain inspection stations as defined in § 46.2-1176 with equipment required for a station to provide inspections and to be reimbursed every year from each inspection station for each set of required equipment for the provision and maintenance of such equipment by the program coordinator. Program coordination in Virginia has been managed by Opus Inspection, a company that designs, builds, and operates emission testing programs in states and counties across the U.S., tailored to local requirements, since #[date]. Opus will be able to start collecting the new fees by #[date]. [I assume that Opal bills stations directly, is this correct?]</p> <p>Currently, there are X emissions inspection stations located in northern Virginia. Assuming that Opus charges the full \$5,000/year fee per station, this amounts to an increase paid to Opus to manage the program of \$X/year. Of these stations, X are considered to be small businesses, and the potential specific impacts to these small businesses in particular are discussed in Table 4.</p> <p>There may be an indirect benefit of general program efficiency and effectiveness, and the ability to better meet federal Clean Air Act requirements for motor vehicles in addition to general requirements to attain and maintain the National Ambient Air Quality Standards (NAAQS). Meeting the NAAQS in northern Virginia will not only improve public health and welfare, but also help to enable the area to redesignate from nonattainment to attainment/maintenance, with concurrent benefits to businesses seeking to locate in the area.</p>
---	---

	Any other issues to discuss?	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) None.	(b) None.
(3) Net Monetized Benefit	None.	
(4) Other Costs & Benefits (Non-Monetized)	None.	
(5) Information Sources	Department of Planning and Budget 2024 Session Fiscal Impact Statement for House Bill 213 . DEQ I/M database.	

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here. If the regulation is not amended as mandated by state law, no increase to the program coordinator fee will be realized. Note that the fee has hitherto been unchanged since 2012--12 years ago. If the fee increase is not realized, Opus may not renew its contract and another program coordinator that would accept the lower fee would have to be sought. [is this correct?]</p> <p>Indirect Costs: Describe the indirect costs of the proposed change. See Table 1a.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here. See Table 1a.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. See Table 1a.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) See Table 1a.	(b) See Table 1a.
(3) Net Monetized Benefit	See Table 1a.	
(4) Other Costs & Benefits (Non-Monetized)	See Table 1a.	

(5) Information Sources	See Table 1a.
-------------------------	---------------

Table 1c: Costs and Benefits under Alternative Approach(es)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here. The regulatory action is required by state statute and leaves no discretion in its implementation.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Net Monetized Benefit		
(4) Other Costs & Benefits (Non-Monetized)		
(5) Information Sources		

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here. The regulation being amended applies to any affected motor vehicle in the Northern Virginia Ozone Nonattainment Area and as such has no direct or special impact on any local partners. Therefore, the only direct costs to a local partner would be no different to any other owner of an affected vehicle.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change. See Table 1a.</p>
--	--

	<p>Direct Benefits: Describe the direct benefits of this proposed change here. See Table 1a.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. See Table 1a.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) See Table 1a.	(b) See Table 1a.
(3) Other Costs & Benefits (Non-Monetized)	See Table 1a.	
(4) Assistance	See Table 1a.	
(5) Information Sources	See Table 1a.	

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here. The regulation being amended applies to any affected motor vehicle in the Northern Virginia Ozone Nonattainment Area and as such has no direct or special impact on any families. Therefore, the only direct costs to a family would be no different to any other owner of an affected vehicle.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change. See Table 1a. There may be indirect costs to families depending on their proximity to an inspection station, and whether that station continues to conduct inspections as a result of the fee increase.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here. See Table 1a.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. See Table 1a.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits

	(a) See Table 1a.	(b) See Table 1a.
(3) Other Costs & Benefits (Non-Monetized)	See Table 1a.	
(4) Information Sources	See Table 1a.	

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<p>Direct Costs: Describe the direct costs of this proposed change here.</p> <p>Opus, which manages Virginia's I/M program, is a multinational corporation that employs about 2,600 people; it is not a small business. About ## of the I/M stations in northern Virginia belong to major gasoline distribution companies or automobile dealerships that are not small businesses, and about ## stations in the area may qualify as a small business under Virginia law.</p> <p>While the larger facilities that perform enough inspections to cover costs will likely be able to absorb the fee increase, there may be direct costs to small businesses depending on how many inspections they conduct, what percentage of their overall business depends on vehicle inspections, and how much Opus will charge per station (DEQ assumes that it will likely charge the full \$5000 per station) [is this correct?]. Each privately owned station that qualifies as a small business will have different reasons for continuing or discontinuing inspections under the new fees, depending on individual business models and personal preferences and needs.</p> <p>The fiscal impact to the potentially affected small businesses subject to the new fee may be roughly estimated as \$1,500 (the difference between the old and new fee) x X small businesses = \$??/year. Note that the fee covers the management and operation of the inspection facility, and may be seen as a reasonable cost of being able to continue to do business given equipment wear and tear, salaries, time and materials costs, maintenance costs, etc. <i>[if this is true.]</i></p>
---	--

	<p><i>[If you can hunt down any more specific #s, that would be helpful.]</i></p> <p>The regulation being amended applies to any affected motor vehicle in the Northern Virginia Ozone Nonattainment Area and as such has no direct or special impact on any small business with respect to the need to obtain an emissions inspection</p> <p>Indirect Costs: Describe the indirect costs of the change. See Table 1a.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here. See Table 1a.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. See Table 1a.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) See Table 1a.	(b) See Table 1a.
(3) Other Costs & Benefits (Non-Monetized)	See Table 1a.	
(4) Alternatives	See Table 1a.	
(5) Information Sources	See Table 1a.	

Changes to Number of Regulatory Requirements

Table 5: Regulatory Reduction

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

Change in Regulatory Requirements

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	3	0	0	0
	(D/R):	0	0	0	0
Grand Total of Changes in Requirements:					(M/A): 0 (D/A): 0 (M/R): 0 (D/R): 0

Key:

Please use the following coding if change is mandatory or discretionary and whether it affects externally regulated parties or only the agency itself:

(M/A): Mandatory requirements mandated by federal and/or state statute affecting the agency itself

(D/A): Discretionary requirements affecting agency itself

(M/R): Mandatory requirements mandated by federal and/or state statute affecting external parties, including other agencies

(D/R): Discretionary requirements affecting external parties, including other agencies

Cost Reductions or Increases (if applicable)

VAC Section(s) Involved*	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases
N/A				

Other Decreases or Increases in Regulatory Stringency (if applicable)

VAC Section(s) Involved*	Description of Regulatory Change	Overview of How It Reduces or Increases Regulatory Burden
N/A		

Length of Guidance Documents (only applicable if guidance document is being revised)

Title of Guidance Document	Original Word Count	New Word Count	Net Change in Word Count
N/A			

*If the agency is modifying a guidance document that has regulatory requirements, it should report any change in requirements in the appropriate chart(s).

REGULATION FOR LOW EMISSIONS AND ZERO EMISSIONS VEHICLE STANDARDS (9VAC5-95)

9VAC5 CHAPTER 91
REGULATION FOR THE CONTROL OF MOTOR VEHICLE EMISSIONS IN THE
NORTHERN VIRGINIA AREA.

Part VI.
Inspection Procedures

9VAC5-91-665. Warranty; service contract with program coordinator.

A. On or after July 1, 2013, and upon designation of a program coordinator, a service contract approved by the department shall be established between each inspection station owner and the program coordinator providing, at a minimum, the following services:

1. The delivery, installation, calibration, and verification of the proper operating condition of an analyzer system that has been certified in writing by the department.
2. The instruction of all inspectors currently employed by the emissions inspection station at the time of installation to include but not be limited to:
 - a. The proper use, maintenance, and operation of the exhaust analyzer system;
 - b. The step-by-step procedure for performing an emissions inspection including OBD system test as appropriate;
 - c. The proper safety precautions for dynamometer use; and
 - d. The proper safety precautions for exhaust and calibration gas ventilation procedures.

B. The agreement shall provide for equipment maintenance and service or replacement of components of the certified analyzer system including dynamometer control devices, optional analyzer equipment, and dynamometer preventative maintenance. Repair or replacement of analyzer system components, other than minimal maintenance items established in the service contract, must be performed by the program coordinator or his authorized agent.

C. The fee to be charged by the program coordinator for each certified analyzer system shall be determined by the department and shall not exceed ~~\$3,500~~ **\$5,000** per year, not including optional devices and services and minimal maintenance items established in the service contract.

REGULATION FOR LOW EMISSIONS AND ZERO EMISSIONS VEHICLE STANDARDS (9VAC5-95)

D. The program coordinator may contract with the inspection station to provide services or equipment beyond the minimum requirements of the contract specified in subsection A of this section.

**DRAFT MINUTES
STATE AIR POLLUTION CONTROL BOARD MEETING**

THURSDAY, NOVEMBER 16, 2023

COMMUNITY COLLEGE WORKFORCE ALLIANCE
1651 EAST PARHAM ROAD, RICHMOND, VA 23228

Meeting convened at 10:30 a.m. The meeting adjourned at 11:04 a.m.

Board Members Present:

Kimberly Beamer
James Guy II
Jay Holloway
Russell Mait
Dr. Lornel Tompkins

Board Members Absent:

Hope Cupit
David Hudgins

Department of Environmental Quality:

Michael Rolband, Agency Head

Rachael Harrell, Board Coordinator
Melissa Porterfield, Board Coordinator

Attorney General's Office:

Ross Phillips, Senior Assistant Attorney General

Minute No. 1 – Review and Approval of Agenda: The board unanimously approved the agenda.

Minute No. 2– September 13, 2023 Minutes: The board unanimously approved the minutes from the board's meeting on September 13, 2023.

Minute No. 3- Fast-Track Action Rev. C23: Ms. Karen Sabasteanski recommended that the board authorize the department to:

1. Promulgate the proposal for public comment using the fast-track process established in § 2.2-4012.1 of the Administrative Process Act for regulations expected to be non-controversial. The board's authorization should also be understood to constitute its adoption of the regulation at the end of the public comment period provided that (i) no objection to use of the fast-track process is received from 10 or **3** more persons, or any member of the applicable standing committee of either house of the General Assembly or of the Joint Commission on Administrative Rules, and (ii) the department does not find it necessary, based on public comments or for any other reason, to make any changes to the proposal; and
2. Set an effective date 15 days after close of the 30-day public comment period provided (i) the proposal completes the fast-track rulemaking process as provided in §

2.2-4012.1 of the Administrative Process Act and (ii) the department does not find it necessary to make any changes to the proposal.

The Board unanimously approved the fast-track regulation.

Minute No. 4- Final Exempt Action Rev. D23: Ms. Karen Sabasteanski recommended that the board authorize the department to:

1. Amend the applicability section to add an exemption for the use of hydrofluorocarbons in the manufacturing processes of aviation and aerospace businesses located in Virginia; and
2. Amend the definition of "new" to correctly cite the applicable federal regulations.

The Board unanimously approved the final exempt regulation with an effective date consistent with the Administrative Process Act.

Minute No. 5 - Report Regarding Controversial Permits: Mr. Michael Dowd, Air and Renewable Energy Division Director, provided updates on permits that meet the statutory definition of controversial.

Minute No. 6- Public Comment Forum: No comments were received.



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

1111 E. Main Street, Suite 1400, Richmond, Virginia 23219

P.O. Box 1105, Richmond, Virginia 23218

(800) 592-5482 FAX (804) 698-4178

www.deq.virginia.gov

Travis A. Voyles
Acting Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director
(804) 698-4020

MEMORANDUM

To: Members of the State Air Control Board

From : Rachael Harrell

Date: May 7, 2024

Subject: Minutes

Attached are the minutes from your meeting on November 16, 2023. Staff will seek your approval of the minutes at your next meeting.

If you have any questions, please contact Rachael Harrell at (804) 801-2932 or rachael.harrell@deq.virginia.gov.

TENATIVE AGENDA
STATE AIR POLLUTION CONTROL BOARD MEETING

TUESDAY, JUNE 4, 2024

IN PERSON ONLY – GALLERY, COMMUNITY COLLEGE WORKFORCE ALLIANCE,
1651 EAST PARHAM ROAD, RICHMOND, VA 23228

Meeting will be Live-Streamed. Go to: www.deq.virginia.gov
Any Updates To Details/Final Arrangements To Be Announced On Virginia Regulatory Town Hall

Convene – 10:30 A.M

Agenda Item	Presenter
Call to Order	Guy
Review and Approve Agenda	Board Members
Review and Approve Minutes (November 16, 2023)	Board Members
Final Exempt Regulations	Sabasteanski
<i>Ambient Air Quality Standards (9VAC5-30) Rev. A24</i>	
<i>Regulation for the Control of Motor Vehicle Emissions in Northern Virginia, Program Coordinator Fee – Rev. MS</i>	
Report to the Board Regarding Controversial Permits	Dowd
<i>Chesterfield Energy Reliability Center (CERC) Southeastern Public Service Authority (SPSA) Regional Landfill</i>	
Public Forum	
<i>Individuals may comment on matters other than those on the agenda or pending regulatory actions</i>	

ADJOURN

NOTE: The Board reserves the right to revise this agenda without notice unless prohibited by law. Revisions to the agenda include, but are not limited to, scheduling changes, additions or deletions. Questions on the latest status of the agenda should be directed to Rachael Harrell at (804) 801-2932.

PUBLIC COMMENTS AT STATE AIR POLLUTION CONTROL BOARD MEETINGS: The Board encourages public participation in the performance of its duties and responsibilities. To this end, the Board has adopted public participation procedures for regulatory action and for case decisions made by the Department of Environmental Quality (Department). These procedures establish the times for the public to provide appropriate comment to the Board for regulatory action and the Department for case decisions for consideration.

For **REGULATORY ACTIONS (adoption, amendment or repeal of regulations)**, public participation is governed by the Administrative Process Act and the Board's Public Participation Guidelines. Public comment is accepted during the Notice of Intended Regulatory Action phase (minimum 30-day comment period) and during the Notice of Public Comment Period on Proposed Regulatory Action (minimum 60-day comment period). Notice of these comment periods is announced in the Virginia Register, by posting to the Department and Virginia Regulatory Town Hall web sites and by mail to those on the Regulatory Development Mailing List. The comments received during the announced public comment periods are summarized for the Board and considered by the Board when making a decision on the regulatory action.

For **CASE DECISIONS (e.g., issuance and amendment of permits and enforcement orders)**, the Board adopts public participation procedures in the individual regulations which establish the permit programs. (Note: as of July 1, 2022, the Department takes final action on all case decisions.) As a general rule, public comment is accepted on a draft permit for a period of 30 days. In some cases a public hearing is held at the conclusion of the public comment period on a draft permit. In other cases there may be an additional comment period during which a public hearing is held, usually 45 days.

In light of these established procedures, the Board accepts public comment on regulatory actions as well as general comments, at Board meetings in accordance with the following:

REGULATORY ACTIONS: Comments on regulatory actions are allowed only when the staff initially presents a regulatory action to the Board for final adoption. At that time, those persons who commented during the public comment period on the proposal are allowed up to 3 minutes to respond to the summary of the comments presented to the Board. Adoption of an emergency regulation is a final adoption for the purposes of this policy. Also, public comment will be accepted for certain final exempt actions where there has been no public comment period. Persons are allowed up to 3 minutes to address the Board on the emergency regulation and final exempt actions under consideration.

POOLING MINUTES ON REGULATORY ACTIONS: Those persons who commented during the public hearing or public comment period and attend the Board meeting may pool their minutes to allow for a single presentation to the Board that does not exceed the time limitation of 3 minutes times the number of persons pooling minutes, or 15 minutes, whichever is less.

NEW INFORMATION ON A REGULATORY ACTION will not be accepted at the meeting. The Board expects comments and information on a regulatory action to be submitted during the established public comment periods. However, the Board recognizes that in rare instances new information may become available after the close of the public comment period. To provide for consideration of and ensure the appropriate review of this new information, persons who commented during the prior public comment period shall submit the new information to the Department staff contact listed below at least 10 days prior to the Board meeting. The Board's decision will be based on the Department-developed official file and discussions at the Board meeting. Should the Board or Department decide that the new information was not reasonably available during the prior public comment period, is significant to the Board's decision and should be included in the official file, the Department may announce an additional public comment period in order for all interested persons to have an opportunity to participate.

PUBLIC FORUM: The Board schedules a public forum at each regular meeting to provide an opportunity for citizens to address the Board on matters other than those on the agenda or pending regulatory actions. Those persons wishing to address the Board during this time should indicate their desire on the sign-in cards/sheet and limit their presentations to 3 minutes or less. Note, there is no pooling of minutes during the public forum.

The Board reserves the right to alter the time limitations set forth in this policy without notice and to ensure comments presented at the meeting conform to this policy.

Department of Environmental Quality Staff Contact: Rachael Harrell, Policy Analyst, Department of Environmental Quality, 1111 East Main Street, Suite 1400, P.O. Box 1105, Richmond, Virginia 23218, phone (804) 801-2932, e-mail: rachael.harrell@deq.virginia.gov .

Additional Meeting Information:

- Attendees are not entitled to be disorderly or disrupt the meeting from proceeding in an orderly, efficient, and effective fashion. Disruptive behavior may result in a recess or removal from the meeting.
- Possession or use of any device that may disrupt the conduct of business is prohibited, including but not limited to: voice-amplification equipment; bullhorns; blow horns; sirens, or other noise-producing devices; as well as signs on sticks, poles or stakes; or helium-filled balloons.
- All attendees are asked to be respectful of all speakers.
- Rules will be enforced fairly and impartially not only to ensure the efficient and effective conduct of business, but also to ensure no interference with the business of the Community College Workforce Alliance, its employees and guests.
- All violators are subject to removal.