

Chapter 170 citation	Regulation for general administration	Former citation in Chapters 20 and 160
5-170-170	Considerations for Approval Actions	5-20-140

In the February 18, 1998 and March 4, 1998 submittals, Virginia also adds or revises the following definitions of terms:

Added: Public Hearing, Regulation of the Board, These Regulations, Virginia Register Act.

Revised: Administrative Process Act, Consent Agreement, Consent Order, Director, Emergency Special Order, Good Engineering Practice, Order, Owner, Person, Pollutant, Source, Special Order, Virginia Air Pollution Control Law, Volatile Organic Compounds.

No Wording Changes; Revised Citations Only: Virginia has recodified the following definitions from 9 VAC 5-10-20 to 9 VAC 5-170-20: Administrative Process Act, Confidential Information, Variance, and Virginia Register Act. In addition, Virginia has placed duplicate versions of the following SIP definitions found elsewhere in 9 VAC 5 into Regulation 9 VAC 5-170-20: Air Pollution, Board, Department, Director, Emergency, Federal Clean Air Act, Locality, Virginia Air Pollution Control Law, and Virginia Motor Vehicle Emissions Control Law.

In addition to the recodification, Virginia made substantive revisions to the following provisions when compared to the wording of the comparable SIP-approved provisions formerly located in 9 VAC 5, Chapter 20: 5-170-30, 5-170-60, 5-170-120, 5-170-150, 5-170-160, and 5-170-170. Virginia revised the wording of these provisions to clarify the intent of the rules, or to conform with the statutory provisions of the Virginia Air Pollution Control Law. Virginia has also revised several definitions found in Regulation 5-170-20, also to clarify the intent of the term, or in order to conform with the wording and intent of the state statute. Virginia revised the definition of the

term “volatile organic compound” to add perchloroethylene as an exempt VOC solvent, and substantively revised the wording of the definition of “person” when compared to that of the SIP-approved definition.

B. Revisions to Virginia's General Conformity Provisions

On April 20, 1998, Virginia revised its SIP-approved General Conformity rules (9 VAC 5 Chapter 160) which had been incorporated into the Virginia SIP at 40 CFR Section 52.2420(c)(118). These rules are revised by:

1. Revising 9 VAC 5-160-10 (General), Section B.
2. Revising the definition of “Emergency”, as defined in 9 VAC 5-160-20.
3. Removing definitions and provisions from Chapter 160 which are now duplicated in Chapter 170. The definitions are for the terms Administrative Process Act, Confidential Information, Consent Agreement, Consent Order, Emergency Special Order, Formal Hearing, Order, Party, Public Hearing, Special order, Variance, and Virginia Register Act. The provisions are: Enforcement of Regulations and Orders (9 VAC 5-160-60), and Availability of Information (9 VAC 5-160-100).
4. Removing from Chapter 160 the following additional provisions: Establishment of Regulations and Orders (9 VAC 5-160-50), Hearings and Proceedings (9 VAC 5-160-70), and Appeals (9 VAC 5-160-100).

C. Documents Being Incorporated by Reference

On June 22, 1999, Virginia submitted revisions to the list of Federal, technical, and scientific documents which Virginia incorporates by reference. Virginia lists these documents

in 9 VAC 5, Chapter 20 (General Provisions), Regulation 5-20-21. In this submittal, Virginia incorporates by reference the following technical and scientific documents:

1. D323-94, “Standard Test Method for Vapor Pressure of Petroleum Products (Reid Method)” from Section 5, Volume 05.01 of the 1989 Annual Book of American Society for Testing Materials (ASTM) Standards. (Replacing D323-82)
2. D97-93, “Standard Test Method for Pour Point of Premium Oils” from Section 5, Volume 05.01 of the 1989 Annual Book of ASTM Standards. (Replacing D97-87)
3. National Fire Prevention Association (NFPA) 385, Standard for Tank Vehicles for Flammable and Combustible Limits, 1990 Edition. (Replacing the 1985 Edition)
4. NFPA 30, Flammable and Combustible Liquids Code. 1993 Edition (Replacing the 1987 Edition).
5. NFPA 30A, Automotive and Marine Service Station Code, 1993 Edition (Replacing the 1987 Edition).

D. Recodification of Virginia's Oxygenated Gasoline Regulations

On April 30, 1997, Virginia submitted amendments to the Commonwealth's oxygenated gasoline regulations as a revision to the SIP. In a separate action, on February 17, 2000 (65 FR 8051), EPA had approved substantive revisions to Regulation 2 VAC 5-480-20 as a revision to the SIP. By this action, EPA is approving revisions to the SIP which recodify Virginia's oxygenated gasoline regulation from VR 115-04-28 Sections 1 and 3 through 8 to 2 VAC 5 Chapter 480, Regulations 2 VAC 5-480-10, and 5-480-30 through 5-480-80, respectively. These revisions are summarized in the following chart:

2 VAC 5 CHAPTER 480—REGULATION GOVERNING THE OXYGENATION OF GASOLINE

New SIP citation	Title	Current SIP citation
5-480-10	Definitions	VR115-04-28, section 1.
5-480-30	Minimum oxygenate content	VR115-04-28, section 3.
5-480-40	Nature of oxygenates	VR115-04-28, section 4.
5-480-50	Recordkeeping transfer requirements	VR115-04-28, section 5.
5-480-60	Gasoline pump labeling	VR115-04-28, section 6.
5-480-70	Sampling, testing and oxygen content calculations	VR115-04-28, section 7.
5-480-80	Compliance and enforcement	VR115-04-28, section 8.