

COMMONWEALTH OF VIRGINIA  
STATE AIR POLLUTION CONTROL BOARD  
REGULATIONS FOR THE CONTROL AND ABATEMENT OF AIR POLLUTION

9 VAC 5 CHAPTER 80.  
PERMITS FOR STATIONARY SOURCES.

9 VAC 5-80-11. Stationary source permit exemption levels.

A. General.

1. In determining whether a facility is exempt from the requirements of 9 VAC 5-80-10, the provisions of subsections B through H of this section are independent from the provisions of subsection I of this section. A facility must be determined to be exempt both under the provisions of subsections B through H taken as a group and under the provisions of subsection I to be exempt from 9 VAC 5-80-10.

2. In determining whether a facility is exempt from the requirements of 9 VAC 5-80-10 under the provisions of subsections B and C of this section, the definitions in the rule in 9 VAC 5 Chapter 40 (9 VAC 5-40-10 et seq.) that would cover the facility if it were an existing source shall be used unless deemed inappropriate by the board.

B. New source exemption levels by size.

Facilities as specified below shall be exempt from the requirements of 9 VAC 5-80-10 as they pertain to construction, reconstruction or relocation.

1. Fuel burning equipment.

a. Any unit using solid fuel with a maximum heat input of less than 1,000,000 Btu per hour.

b. Any unit using liquid fuel with a maximum heat input of less than 10,000,000 Btu per hour.

c. Any unit using liquid and gaseous fuel with a maximum heat input of less than 10,000,000 Btu per hour.

d. Any unit using gaseous fuel with a maximum heat input of less than 50,000,000 Btu per hour, unless subject to a new source performance standard in Article 5 (9 VAC 5-50-400 et seq.) of 9 VAC 5 Chapter 50.

e. Any unit that powers a mobile source but is removed for maintenance or repair and testing.

2. Solvent metal cleaning operations.

Any solvent metal cleaning operation with an uncontrolled emission rate of not more than seven tons per year, 40 pounds per day and eight pounds per hour.

3. Volatile organic compound storage and transfer operations.

Any storage or transfer operation involving petroleum liquids and other volatile organic compounds 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; and any operation specified below:

a. Volatile organic compound transfer operations.

(1) Any tank of 2,000 gallons or less storage capacity.

(2) Any operation outside the volatile organic compound emissions control areas designated in 9 VAC 5-20-206.

b. Volatile organic compound storage operations.

Any tank of 40,000 gallons or less storage capacity.

4. Large appliance coating application systems.

Any coating application system if it is within a plant that has an uncontrolled emission rate of not more than seven tons per year, 40 pounds per day and eight pounds per hour.

5. Magnet wire coating application systems.

Any coating application system if it is within a plant that has an uncontrolled emission rate of not more than seven tons per year, 40 pounds per day and eight pounds per hour.

6. Automobile and light duty truck coating application systems.

a. Any coating application system if it is within a plant that has an uncontrolled emission rate of not more than seven tons per year, 40 pounds per day and eight pounds per hour.

b. Any vehicle refinishing operation.

7. Can coating application systems.

Any coating application system if it is within a plant that has an uncontrolled emission rate of not more than seven tons per year, 40 pounds per day and eight pounds per hour.

8. Metal coil coating application systems.

Any coating application system if it is within a plant that has an uncontrolled emission rate of not more than seven tons per year, 40 pounds per day and eight pounds per hour.

9. Paper and fabric coating application system.

Any coating application system if it is within a plant that has an uncontrolled emission rate of not more than seven tons per year, 40 pounds per day and eight pounds per hour.

10. Vinyl coating application systems.

Any coating application system if it is within a plant that has an uncontrolled emission rate of not more than seven tons per year, 40 pounds per day and eight pounds per hour.

11. Metal furniture coating application systems.

Any coating application system if it is within a plant that has an uncontrolled emission rate of not more than seven tons per year, 40 pounds per day and eight pounds per hour.

12. Miscellaneous metal parts and products coating application systems.

a. Any coating application system if it is within a plant that has an uncontrolled emission rate of not more than seven tons per year, 40 pounds per day and eight pounds per hour.

b. Any vehicle customizing coating operation, if production is less than 20 vehicles per day.

c. Any vehicle refinishing operation.

d. Any fully assembled aircraft or marine vessel exterior coating operation.

13. Flatwood paneling coating application systems.

Any coating application system if it is within in a plant that has an uncontrolled emission rate of not more than seven tons per year, 40 pounds per day and eight pounds per hour.

14. Graphic arts (printing processes).

Any printing process if it is within a plant that has an uncontrolled emission rate of not more than seven tons per year, 40 pounds per day and eight pounds per hour.

15. Petroleum liquid storage and transfer operations.

Any storage or transfer operation involving 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 9 VAC 5-80-10 when used or stored at ambient temperatures); and any operation specified below:

a. Bulk terminals – gasoline bulk loading operations.

Any operation outside volatile organic compound emissions control areas designated in 9 VAC 5-20-206.

b. Gasoline dispensing facilities.

Any gasoline dispensing facility.

c. Bulk plants – gasoline bulk loading operations.

(1) Any facility with an expected daily throughput of less than 4,000 gallons.

(2) Any operation outside volatile organic compound emissions control areas designated in 9 VAC 5-20-206.

d. Account/tank trucks.

No permit is required for account/tank trucks, but permits issued for gasoline storage/transfer facilities should include a provision that all associated account/tank trucks meet the same requirements as those trucks serving existing facilities.

e. Petroleum liquid storage operations.

(1) Any tank of 40,000 gallons or less storage capacity.

(2) Any tank of less than 420,000 gallons storage capacity for crude oil or condensate stored, processed or treated at a drilling and production facility prior to custody transfer.

(3) Any tank storing waxy, heavy pour crude oil.

16. Dry cleaning plants.

Any petroleum dry cleaning plant with a total manufacturers' rated solvent dryer capacity less than 84 pounds as determined by the applicable new source performance standard in 9 VAC 5-50-410.

17. Wood product manufacturing plants.

Any addition of, relocation of or change to a woodworking machine within a plant provided the system air movement capacity, expressed as the cubic feet per minute of air, and maximum control efficiency of the control system are not decreased.

18. Wood sawmills.

Any wood sawmill.

C. New sources with no exemptions.

Facilities as specified below shall not be exempt, regardless of size or emission rate, from the requirements of 9 VAC 5-80-10 as they pertain to construction, reconstruction or relocation.

1. Petroleum refineries.
2. Asphalt plants.
3. Chemical fertilizer manufacturing plants.
4. Kraft pulp mills.
5. Sand and gravel processing facilities.
6. Coal preparation plants.
7. Stone quarrying and processing facilities.
8. Portland cement plants.
9. Wood product manufacturing plants.

10. Secondary metal operations.
11. Lightweight aggregate process operations.
12. Feed manufacturing plants.
13. Incinerators.
14. Coke ovens.
15. Sulfuric acid production units.
16. Sulfur recovery operations.
17. Primary metal operations.
18. Nitric acid production units.
19. Concrete batching plants.
20. Pharmaceutical products manufacturing plants.
21. Rubber tire manufacturing plants.

D. New source exemption levels by emission rate.

Facilities not covered by subsection B or C of this section with uncontrolled emission rates less than all of the significant emission rates specified below shall be exempt from the requirements of 9 VAC 5-80-10 pertaining to construction, reconstruction or relocation.

EMISSION RATES.

Carbon monoxide - 100 tons per year.

Nitrogen dioxide - 40 tons per year.

Sulfur dioxide - 40 tons per year.

Particulate matter (PM<sub>10</sub>) - 15 tons per year.

Volatile organic compounds - 25 tons per year.

Lead - 0.6 ton per year.

E. Modified source exemption levels by emission rate.

Facilities with increases in uncontrolled emission rates less than all of the emission rates specified below shall be exempt from the requirements of 9 VAC 5-80-10 pertaining to modification.

EMISSION RATES.

Carbon monoxide - 100 tons per year.

Nitrogen dioxide - 10 tons per year.

Sulfur dioxide - 10 tons per year.

Particulate matter (PM<sub>10</sub>) - 10 tons per year.

Volatile organic compounds - 10 tons per year.

Lead - 0.6 ton per year.

F. New source performance standards and national emission standards for hazardous air pollutants.

Regardless of the provisions of subsections B, D and E of this section, affected facilities subject to Article 5 (9 VAC 5-50-400 et seq.) of 9 VAC 5 Chapter 50 or subject to Article 1 (9 VAC 5-60-60 et seq.) of 9 VAC 5 Chapter 60 shall not be exempt from the provisions of 9 VAC 5-80-10, with the exception of those facilities which would be subject only to recordkeeping or reporting requirements or both under Article 5 (9 VAC 5-50-400 et seq.) of 9 VAC 5 Chapter 50 or Article 1 (9 VAC 5-60-60 et seq.) of 9 VAC 5 Chapter 60.

G. Relocation of portable facilities.

Regardless of the provisions of subsections B, C, D, E and F of this section, a permit will not be required for the relocation of a portable emissions unit for which a permit has been previously granted under this chapter provided that:

1. The emissions of the unit at the new location would be temporary;
2. The emissions from the unit would not exceed its allowable emissions;
3. The unit would not undergo modification or reconstruction;
4. The unit is suitable to the area in which it is to be located; and

5. Reasonable notice is given to the board prior to the relocation identifying the proposed new location and the probable duration of operation at the new location. Such notice shall be given to the board not less than 15 days in advance of the proposed relocation unless a different time duration is previously approved by the board.

H. Requirements for exempted facilities.

Any facility exempted from the provisions of 9 VAC 5-80-10 by subsection B of this section shall be subject to the provisions of any rule which would apply to the facility if it were an existing source unless specifically exempted by that rule.

I. [Not in SIP]