

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

9 VAC 5 CHAPTER 40.  
EXISTING STATIONARY SOURCES.

PART II.  
Emission Standards.

ARTICLE 10.  
Emission Standards for Asphalt Concrete Plants (Rule 4-10).

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9 VAC 5-40-1200. Applicability and designation of affected facility.

A. The affected facility to which the provisions of this article apply is each asphalt concrete plant. For the purpose of this article, an asphalt concrete plant is comprised only of any combination of the following: dryers; systems for screening, handling, storing, and weighing aggregate; systems for loading, transferring, and storing mineral filler; systems for mixing asphalt concrete; and the loading, transfer, and storage systems associated with emission control systems.

B. The provisions of this article apply throughout the Commonwealth of Virginia.

9 VAC 5-40-1210. Definitions.

A. For the purpose of these regulations and subsequent amendments or any orders issued by the board, the words or terms shall have the meaning given them in subsection C of this section.

B. As used in this article, all terms not defined here shall have the meaning given them in 9 VAC 5 Chapter 10 (9 VAC 5-10-10 et seq.), unless otherwise required by context.

C. Terms defined.

"Asphalt concrete plant" means any facility used to manufacture asphalt concrete by heating and drying aggregate and mixing with asphalt cements.

"Process operation" means any method, form, action, operation or treatment of manufacturing or processing, including any storage or handling of materials or products before, during or after manufacturing or processing.

"Process unit" means any step in a manufacturing or process operation which results in emission of pollutants to the atmosphere.

"Process weight" means total weight of all materials introduced into any process unit which may cause any emission of pollutants. Process weight includes solid fuels charged, but does not include liquid and gaseous fuels charged or combustion air for all fuels.

"Process weight rate" means a rate established as follows:

a. For continuous or long-run steady-state process operations, the total process weight for the entire period of continuous operation or for a typical portion of it, divided by the number of hours of such period or portion of it.

b. For cyclical or batch process operations, the total weight for a period that covers a complete operation or an integral number of cycles, divided by the hours of actual process operation during such a period.

9 VAC 5-40-1220. Standard for particulate matter.

A. No owner or other person shall cause or permit to be discharged into the atmosphere from any asphalt concrete plant any particulate emissions in excess of the limits in Table 4-10.

TABLE 4-10

Process Weight Rate Tons/Hr	Maximum Allowable Emission Rate Lb/Hr
5 or less	10
10	16
15	22
20	28
25	31
50	33
100	37
150	40
200	43
250	47
300 or more	50

B. Interpretation of the emission standard in subsection A of this section shall be in accordance with 9 VAC 5-40-22.

C. The provisions of this section shall not apply to affected facilities identified in subsection A of this section and located in AQCR 7; however, the provisions of 9 VAC 5-40-270 shall apply to the facilities.

9 VAC 5-40-1230. Standard for visible emissions.

The provisions of Article 1 (9 VAC 5-40-60 et seq.) of 9 VAC 5 Chapter 40 (Emission Standards for Visible Emissions and Fugitive Dust/Emissions, Rule 4-1) apply.

9 VAC 5-40-1240. Standard for fugitive dust/emissions.

The provisions of Article 1 (9 VAC 5-40-60 et seq.) of 9 VAC 5 Chapter 40 (Emission Standards for Visible Emissions and Fugitive Dust/Emissions, Rule 4-1) apply.

9 VAC 5-40-1250. **[Not in SIP]**

9 VAC 5-40-1260. **[Not in SIP]**

9 VAC 5-40-1270. Compliance.

The provisions of 9 VAC 5-40-20 (Compliance) apply.

9 VAC 5-40-1280. Test methods and procedures.

The provisions of 9 VAC 5-40-30 (Emission Testing) apply.

9 VAC 5-40-1290. Monitoring.

The provisions of 9 VAC 5-40-40 (Monitoring) apply.

9 VAC 5-40-1300. Notification, records and reporting.

The provisions of 9 VAC 5-40-50 (Notification, Records and Reporting) apply.

9 VAC 5-40-1310. Registration.

The provisions of 9 VAC 5-20-160 (Registration) apply.

9 VAC 5-40-1320. Facility and control equipment maintenance or malfunction.

The provisions of 9 VAC 5-20-180 (Facility and Control Equipment Maintenance or Malfunction) apply.

9 VAC 5-40-1330. Permits.

A permit may be required prior to beginning any of the activities specified below and the provisions of 9 VAC 5 Chapter 50 (9 VAC 5-50-10 et seq.) and 9 VAC 5 Chapter 80 (9 VAC 5-80-10 et seq.) may apply. Owners contemplating such action should contact the appropriate regional office for guidance.

1. Construction of a facility.
2. Reconstruction (replacement of more than half) of a facility.
3. Modification (any physical change to equipment) of a facility.
4. Relocation of a facility.
5. Reactivation (restart-up) of a facility.