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1989 JUN -1 PM 4: 27

[PROPOSED]

45CSR8

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SUMMARY

45CSR8 was promulgated by the Commission on January 19, 1972, amended on June 25, 1975 and on January 8, 1979. The latest amendment to the regulation became effective on May 1, 1979. This regulation adopts the national ambient air quality standards for sulfur oxides and particulate. The revisions to this regulation are a result of EPA's promulgation of the new PM10 particulate standards on July 1, 1987.

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TITLE 45
LEGISLATIVE RULES
WEST VIRGINIA AIR POLLUTION CONTROL COMMISSION

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SERIES 8
AMBIENT AIR QUALITY STANDARDS FOR SULFUR OXIDES AND PARTICULATE
MATTER

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§45-8-1. Anti-Degradation-Policy General.

1.1. Scope. — In the best interests of the State of West Virginia it is the objective of the Commission to obtain and maintain the cleanest air possible, consistent with the best available technology.

Where the present ambient air is of better quality than the established standards, the Commission will develop long-range plans to protect the difference between the present quality and the established standards. The plans will be based upon the best available forecasts of probable land and air uses in such areas of high air quality.

The air quality of these areas will not be lowered unless it has been clearly demonstrated to the Commission that such a change is justifiable as a result of necessary economic or social development and will not result in statutory air pollution. This will require that any industrial, public, or private project or development which could constitute a new source of air pollutants, within an area of such high air quality, provide the best practicable control available under existing technology as part of the initial project.

1.2. Authority. — This regulation is issued under the authority of the West Virginia Code, Chapter 16, Article 20, Section 5. This regulation relates to West Virginia Code, Chapter 16, Article 20, Sections 1 through 13 inclusive.

1.3. Filing date. —

1.4. Effective Date. —

§45-8-2. Definitions.

2.1. "Air Pollutants" mean solids, liquids, or gases which, if discharged into the air, may result in a statutory air pollution.

2.2. "Air Pollution", 'statutory air pollution', has the meaning ascribed to it in Section 2 of Chapter 16, Article 20 of the Code of West Virginia, as amended.

2.3. "Commission" means the West Virginia Air Pollution Control Commission.

2.4. "Person" means any and all persons, natural or artificial, including any municipal, public, or private corporation organized or existing under the law of this or any other state or country, and any firm, partnership, or association of whatever nature.

2.5. "Particulate Matter" means any material, except uncombined water, that exists in a finely divided form as a liquid or solid.

2.6. "TSP" or "Total Suspended Particulate Matter" means particulate matter suspended in the atmosphere.

2.7. "PM₁₀" means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers.

~~2.6.~~2.8. "Standard Conditions" means, for the purposes of this regulation, a temperature of 25°C and a pressure of 760 millimeters of mercury column.

~~2.7.~~2.9. "Ambient Air Quality Standards" means the numerical expression of a specified concentration level for a particular air pollutant in the ambient air and the time-averaging interval over which that concentration level is measured.

§45-8-3. Ambient Air Quality Standards.

3.1. The following ambient air quality standards shall not be exceeded at any sampling site:

a. Sulfur Dioxide

Primary Standard

Annual Arithmetic Mean Concentration - 80 micrograms per cubic meter (0.03 parts per million).

Maximum 24-Hour Concentration - 365 micrograms per cubic meter (0.14 ppm) - not to be exceeded more than once per year.

Secondary Standard

Maximum Three (3) Hour Concentration - 1300 micrograms per cubic meter (0.05 ppm) - not to be exceeded more than once per year.

b. Particulate Matter

A. Total Suspended Particulate Matter (TSP)

Primary Standard

Annual Geometric Mean Concentration - 75 micrograms per cubic meter.

Maximum 24-Hour Concentration - 260 micrograms per cubic meter - not to be exceeded more than once per year.

Secondary Standard

Maximum 24-Hour Concentration - 150 micrograms per cubic meter - not to be exceeded more than once per year.

B. PM₁₀

Primary and Secondary Standards

Annual Arithmetic Mean Concentration - 50 micrograms per cubic meter (ug/m³). The standards are attained where the expected annual arithmetic mean, in accordance with Appendix K of 40 CFR 50, is less than or equal to 50 ug/m³.

Maximum 24 Hour Concentration - 150 micrograms per cubic meter (150 ug/m³). The standards are attained when the expected number of days per calendar year with a 24-hour average concentration above 150 ug/m³, as determined in accordance with Appendix K of 40 CFR 50, is less than or equal to one.

§45-8-4. Methods of Measurement.

~~4.1. Suspended particulate matter concentrations shall be determined by high-volume filtration or by such other methods approved as equally or more specific, accurate, sensitive, and reproducible by the West Virginia Air Pollution Control Commission.¹~~

4.1. Total Suspended Particulate Matter (TSP) concentrations shall be measured in the ambient air by:

- a. reference method (high-volume filtration) based on Appendix B of 40 CFR 50, or
- b. an equivalent method designated in accordance with 40 CFR 53.

~~4.2. Sulfur dioxide concentrations shall be determined by any of the methods listed below or by such other methods approved as equally or more specific, accurate, sensitive, and reproducible by the West Virginia Air Pollution Control Commission:~~

- ~~(a) Utilization of the West-Gaeke (pararosaniline) method as modified by Scaringell, et al.²~~
- ~~(b) The use of a continuous sampling and recording instrument based on coulometric, colorimetric, or an equivalent principle and utilizing the modified West-Gaeke analytical procedure as a standard means of calibration.~~

4.2. PM₁₀ concentrations shall be measured in the ambient air as particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers by:

- a. reference method based on Appendix J of 40 CFR 50 and designated in accordance with 40 CFR 53, or
- b. an equivalent method designated in accordance with 40 CFR 53.

4.3. Sulfur dioxide concentrations shall be measured in the ambient air as sulfur dioxide by:

- a. reference method based on Appendix A of 40 CFR 50 and designated in accordance with 40 CFR 53, or
- b. an equivalent method designated in accordance with 40 CFR 53.

~~Section 5. Effective Date~~

~~Regulation Series VIII (1975) was amended by the Commission on the 8th day of January, 1979, and shall become effective the 1st day of May, 1979. Regulation Series VIII (1975), as amended, shall henceforth be cited as Regulation Series VIII (1979). Regulation Series VIII (1975) was adopted by the Commission on the 25th day of June, 1975, and became effective the 1st day of August, 1975, and superseded Regulation Series VIII (1972) which was adopted by the Commission on the 19th day of January, 1972, and became effective March 15, 1972.~~

§45-8-5. Inconsistency Between Regulations.

In the event of any inconsistency between this regulation and any other regulation of the Commission, such inconsistency shall be based upon the application of the more stringent provision, term, condition, method, rule, or regulation.

~~The foregoing is a true and correct copy of the West Virginia Air Pollution Control Commission Regulation Series VIII (1979) as adopted on the 8th day of January, 1979.~~

Carl G. Beard, II
Secretary
West Virginia Air Pollution
Control Commission

WEST VIRGINIA ADMINISTRATIVE REGULATIONS

Subject: Regulation VIII -- "Ambient Air Quality Standards for Sulfur Oxides and
Particulate Matter"

REFERENCES

- ¹"Air Pollution Measurements of the National Air Sampling Network: Analysis of Suspended Particulates, 1957-1961."-- Public Health Service Pub. No. 978, Washington, D. C., 1962.
- ²Scaringelli, F. P., Saltzman, B. E., and Frey, S. A., "Spectrophotometric Determination of Atmospheric Sulfur Dioxide,"-- Analytical Chemistry, Vol. 39, pp. 1709-1719, December, 1967.