

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

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September 26, 1979

FILED IN THE OFFICE OF
SECRETARY OF STATE OF
WEST VIRGINIA

THIS DATE 9/27/79

Hon. A. James Manchin
Secretary of State
W-151 State Capitol
Charleston, West Virginia 25305

Dear Mr. Manchin:

This is notification of approval or disapproval of rules and regulations in accordance with Section 11, Article 3, Chapter 29A of the West Virginia Code.

On September 24, 1979, the Legislative Rule-Making Review Committee approved regulations submitted by the Medical Licensing Board relating to Physicians Assistants.

The Committee approved the following regulations of the Air Pollution Control Commission:

Regulation III - "To Prevent and Control Air Pollution From The Operation of Hot Mix Asphalt Plants";

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

Regulation XXI - "To Prevent and Control Air Pollution From the Emission of Volatile Organic Compounds From the Storage of Petroleum Liquids in Fixed Roof Tanks";

Regulation XXIII - "To Prevent and Control Air Pollution From the Emission of Volatile Organic Compounds From Bulk Gasoline Terminals"; and

Regulation XXIV - "To Prevent and Control Air Pollution From the Emission of Volatile Organic Compounds From Petroleum Refinery Sources."

Regulations XXIII and XXIV were approved with the nonsubstantive amendments attached.

The Committee disapproved the following regulations of the Air Pollution Control Commission:

Regulation VI - "To Prevent and Control Air Pollution From Combustion of Refuse";

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Regulation VII - "To Prevent and Control Particulate Air Pollution From Manufacturing Process Operations";

Regulation XVII - "To Prevent and Control Particulate Air Pollution From Materials Handling, Preparation, Storage and Sources of Fugitive Particulate Matter"; and

Regulation XVIII - "To Prevent and Control Particulate Air Pollution From Direct Meat-Firing Devices."

A copy of the approved and disapproved regulations is enclosed.

Very truly yours,

Robert M. Steptoe

Robert M. Steptoe

William E. Shingleton

William E. Shingleton

Enclosures

WEST VIRGINIA ADMINISTRATIVE REGULATIONS

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

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REFERENCES.

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
Air Pollution Control Commission

FILED IN THE OFFICE OF
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WEST VIRGINIA

Chapter 16-20
Series VIII
(1975)
(1979)

THIS DATE 9/27/79

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

Section 1. Anti-Degradation Policy.

4.04. 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 a 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.

Section 2. Definitions.

- 2.01. "Air Pollutants" shall mean solids, liquids, or gases which, if discharged into the air, may result in a statutory air pollution.
- 2.02. "Air Pollution", 'statutory air pollution', shall have the meaning ascribed to it in Section Two of Chapter Sixteen, Article Twenty of the Code of West Virginia, as amended.
- 2.03. "Commission" shall mean the West Virginia Air Pollution Control Commission.
- 2.04. "Person" shall mean 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.
- 2.05. "Particulate Matter" shall mean any material, except uncombined water, that exists in a finely divided form as a liquid or solid.
- 2.06. "Standard Conditions" shall mean, for the purposes of this regulation, a temperature of 25°C and a pressure of 760 millimeters of mercury column.
- 2.07. "Ambient Air Quality Standards" shall mean 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.

Section 3. Ambient Air Quality Standards.

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

(a) Sulfur Dioxide

Primary Standard

Annual Arithmetic Mean - 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 (0.50 ppm) - not to be exceeded more than once per year

(b) Particulate Matter

Primary Standard

Annual Geometric Mean - 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

~~Annual-Geometric-Mean---60-micrograms-per-cubic-meter~~

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

Section 4. Methods of Measurement.

4.01. 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

4.02. 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 Scaringelli, 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.

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.

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., "Spectro-
photometric Determination of Atmospheric Sulfur Dioxide."
Analytical Chemistry, Vol. 39, pp. 1709-1719, December, 1967.

WEST VIRGINIA
AIR POLLUTION CONTROL COMMISSION

Mr. W. M. Robinson
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July 9, 1980

If I may be of further assistance, please contact me at 348-4022.

Sincerely yours,

Tom Bryant

Tom Bryant
Air Pollution Specialist

TB/dgb

Enclosures

cc: Mrs. Mary Jane Lopez
Secretary of State's Office
State Capitol Complex
Charleston, West Virginia 25305
Telephone: 348-2112

TLB copy

7-9-80

Mrs. Lopez:

Thanks again. Should this arrangement become too burdensome for comfort, please feel free to suggest an alternative. We are progressing with our in-house printing efforts.

Truly yours,

Tom Bryant