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EPA CRITICIZES VIRGINIA'S CLEAN AIR IMPLEMENTATION PLAN

Virginia's implementation plan for National Ambient Air Quality ozone and carbon monoxide standards was received by EPA on January 12, 1979. These plans were required to conform with Part D of the Clean Air Act and provide for the attainment of the national air quality standards as expeditiously as possible. On July 30, 1979, EPA published its acceptance of the submitted plan subject to its revisions in the areas outlined below. 44 Fed. Reg. 44564.

In examining the state implementation plan, the agency found the general enforceability of the volatile organic compound regulations deficient; the proposed "bubble concept" under Sec. 4.55(b) was an unacceptable technique for measuring emissions. Furthermore, EPA found Virginia's commitment to implementing transportation controls, specifically an Inspection/Maintenance program, unsatisfactory.

The agency noted the following deficiencies in the submitted state program:

1. The Commonwealth had not demonstrated that attainment of the ozone standard was impossible by 1982 despite the implementation of reasonable available control technology for the 11 volatile organic compound stationary source categories and the implementation of transportation control measures. EPA denied an extension until 1987 unless the nonattainment was justified by the State Board.
2. The 1977 emission inventory submitted by the state did "not satisfy the requirements of section 172(b)(4) of the Clean Air Act, as amended."
3. The state's provisions for reasonable further progress as defined under the Transportation Control Maintenance portion of the plan were "inadequate."
4. While Virginia had adequately incorporated growth factors into its implementation plan, the state had not submitted a tracking plan for emission growth rates.
5. The state had departed from its Control Techniques Guidelines that provided information on available air pollution control techniques which are presumptive norms for reasonably available technology under the Air Act. Thus, EPA found that the state regulations in the following areas were not supported:
 - a) emission limitations on surface coating operations for autos and trucks at Norfolk Ford Assembly plant;
 - b) emission limitations for end seal surface coatings on cans;
 - c) gasoline bulk loading plant regulations;
 - d) exemptions for state service stations with a throughput of less than 20,000 gallons each month;
 - e) exemptions for sources of volatile organic compound emissions less than 7.3 tons/yr., 40 days/we., 8 hours/day;
 - f) asphalt paving regulations; and
 - g) the provision exempting methyl chloroform and methylene chloride from nonmethane definition.

The agency criticized the failure of the Virginia Assembly to adopt and submit a schedule for its enactment of a statewide inspection and maintenance program for vehicles. It seemed to warn that these programs would be mandated in three of the state's air quality maintenance regions: northern Capitol-interstate, southern Capitol intrastate, Hampton Roads intrastate. (ed. note: EPA must still act on Governor Dalton's request for an extension of the July 1, 1979, deadline for submission of an inspection-maintenance plan. EPA requested a schedule of Dalton's legislative plan for submitting this program to the Assembly.)

The State Air Pollution Control Board has indicated that it would submit revisions in compliance with EPA's proposals. A Board member told the *Environmental Practice News* that the Board expected to submit its revisions to EPA the first of the year. He commented that many revisions have already been made informally with the agency, but hearings are required to revise the specific regulations that had been found deficient. He added that implementing an inspection-maintenance program would require an amendment of the Virginia Code.

L.S.R.