

US EPA ARCHIVE DOCUMENT



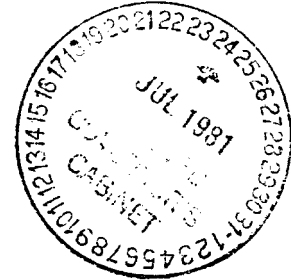
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

6TH AND WALNUT STREETS
PHILADELPHIA, PENNSYLVANIA 19106

JUL 2 2 1981

Maurice B. Rowe
Secretary of Commerce and Resources
Office of the Governor
Richmond, Virginia 23219



Dear Secretary Rowe:

This is in response to your letter dated June 16, 1981 to Regional Administrator Jack J. Schramm requesting delegation of enforcement authority for certain additional New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP). Delegation of enforcement authority for the initial twelve NSPS categories and three NESHAP categories occurred on December 30, 1975.

We have reviewed the pertinent laws and regulations of the Commonwealth of Virginia and have determined that they provide an effective procedure for enforcement of the NSPS and NESHAP regulations by the State Air Pollution Control Board (SAPCB). We have also reviewed the request dated June 19, 1981 by W. R. Meyer, SAPCB Executive Director, that NSPS and NESHAP categories promulgated by EPA in the future be automatically delegated to the SAPCB. Pursuant to your request, the Virginia State Air Pollution Control Board is hereby delegated authority to enforce all NSPS and NESHAP standards promulgated by EPA as of June 16, 1981. In addition, delegation of enforcement authority for future NSPS and NESHAP standards is hereby granted subject to the following conditions:

1. Each standard must be legally adopted by the SAPCB after public notice and an opportunity for a public hearing.
2. Each standard must be adopted by reference to the Federal regulations with only those wording changes provided by the present State regulations.
3. The SAPCB must notify the Director, Enforcement Division, EPA Region III, that it has adopted additional standards and that it intends to enforce the standards in conformance with the terms of this delegation.

All delegations are subject to the general conditions stated in the initial delegation (letter from Daniel J. Snyder, EPA Regional Administrator, to Earl J. Shiflet, Virginia Secretary

of Commerce and Resources, dated December 30, 1975) except that quarterly reports required by Condition 1 of that letter have been replaced by direct updates of the Compliance Data System. Also, Condition 6 relating to sources owned by the United States is hereby rescinded.

A Notice announcing this delegation will be published in the Federal Register in the near future. The Notice will state, among other things, that effective immediately all reports required by the above-referenced Federal regulations should be submitted to the SAPCB with copies to EPA Region III. Any original reports which are received by EPA Region III will be promptly transmitted to the SAPCB.

Since this delegation is effective immediately, there is no requirement that the SAPCB notify EPA of its acceptance. Unless EPA receives from the SAPCB written notice of objections within ten (10) days after receipt of this letter, the Commonwealth of Virginia State Air Pollution Control Board will be deemed to have accepted all terms of the delegation.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Thomas C. Voltaggio", is written over the typed name.

Thomas C. Voltaggio
Acting Director, Enforcement Division