



Air Pollution Control Board Overview

The following information gives an overview of the Air Pollution Control Board's responsibilities, member qualifications and compensation, and board meetings.

Responsibilities

The Air Pollution Control Board (board) primarily considers the adoption, amendment or repeal of regulations at meetings and may consider the issuance or amendment of certain permits. The regulations concern the control and reduction of air pollution throughout the Commonwealth or in affected areas. The Department of Environmental Quality administers the day-to-day operation of Virginia's air pollution programs, issues permits, and enforces permits and regulations as delegated by Virginia law.

Activities include:

- Monitoring Virginia's air quality.
- Issuing permits for the construction or modification and operation of polluting facilities
- Approving local air pollution control ordinances
- Granting local variances and orders for the control and reduction of air pollution
- Enforcement of law and regulations
- Collecting fees for the administrative and enforcement costs of permits
- Upholding regulations that provide for emissions trading programs to achieve and maintain air quality
- Adopting emissions standards for motor vehicles in certain localities
- Making regulations that set standards and procedures for the inspection of motor vehicles
- Approving training programs for motor vehicle inspectors
- Licensing stations qualified to do safety inspections and fleet owners or lessees to conduct emissions inspections and granting licenses to emissions mechanics or inspectors

Member qualifications

The Governor appoints seven Virginia citizens to serve as board members. The selection is based on merit without regard to political affiliation. Members shall, by their education, training, or experience, be knowledgeable of air quality control and regulation, and shall be fairly representative of conservation, public health, business, and agriculture. No person appointed to the board shall be employed by persons subject to permits or enforcement orders of the board or receive a significant portion of his income, whether directly or indirectly, from persons subject to permits or enforcement orders of the board. Income from a vested retirement benefit shall not be considered income for these purposes.

Compensation

Board members receive reasonable and necessary travel expenses as determined by state regulations.

Meetings

Virginia law requires at least four meetings per year. The average length of the meetings is approximately four hours. The meetings are usually held in Richmond. DEQ provides members with agenda materials to help them prepare for the

meetings. The board's Public Comment Policy at Board Meetings is available at <http://www.deq.virginia.gov/lawsregulations/citizenboards.aspx>.

Information on public meetings of the board and DEQ is available on the [DEQ web site](#), the [Virginia Regulatory Town Hall](#) and the [Commonwealth Calendar](#).

Board Regulations and Department of Environmental Quality Guidance

Regulations adopted by the board are available on the DEQ website and the Virginia Regulatory Town Hall. In addition to regulations adopted by the board, there are numerous documents which provide information or guidance of a general nature to agency staff or the public to interpret or implement statutes or regulations. These documents are generally referred to as guidance documents. The guidance documents which address matters of the board are also available on the DEQ website and the Virginia Regulatory Town Hall. The web address is:

<http://www.deq.virginia.gov/Programs/Air/Laws,Regulations,Guidance.aspx>

Board Assumption of Permitting Decisions

Section 10.1-1322.01 establishes the conditions under which the board makes a final determination on a permit to be issued under the regulations for the control and abatement of air pollution including the conditions under which at least one board member is required to convene a public hearing on a permit. The hearings can be anywhere in the state.

The regulatory citation for incorporation of the law into the Board's regulations is 9VAC5-80, Part I.

State Advisory Board on Air Pollution

The board may establish a State Advisory Board on Air Pollution (SAB) to aid the board and the DEQ in meeting its mandate under the provisions of the Code of Virginia by identifying and analyzing air-related issues involving health, environmental impact, and quality of life. The SAB is authorized under the provisions of § 10.1-1313 of the Code of Virginia.