

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 10.1-1308 of the Code of Virginia, relating to vapor recovery*
3 *equipment.*

4 [S 908]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 10.1-1308 of the Code of Virginia is amended and reenacted as follows:**

8 § 10.1-1308. Regulations.

9 A. The Board, after having studied air pollution in the various areas of the Commonwealth, its
10 causes, prevention, control and abatement, shall have the power to promulgate regulations, including
11 emergency regulations, abating, controlling and prohibiting air pollution throughout or in any part of the
12 Commonwealth in accordance with the provisions of the Administrative Process Act (§ 9-6.14:1 et seq.),
13 except that a description of provisions of any proposed regulation which are more restrictive than
14 applicable federal requirements, together with the reason why the more restrictive provisions are needed,
15 shall be provided to the standing committee of each house of the General Assembly to which matters
16 relating to the content of the regulation are most properly referable. No such regulation, shall prohibit
17 the burning of leaves from trees by persons on property where they reside if the local governing body of
18 the county, city or town has enacted an otherwise valid ordinance regulating such burning. The
19 regulations shall not promote or encourage any substantial degradation of present air quality in any air
20 basin or region which has an air quality superior to that stipulated in the regulations. Any regulations
21 adopted by the Board to have general effect in part or all of the Commonwealth shall be filed in
22 accordance with the Virginia Register Act (§ 9-6.15 et seq.).

23 B. Any regulation requiring the use of stage 1 vapor recovery equipment shall require the use of
24 such equipment only in areas that have been designated at any time by the U.S. Environmental
25 Protection Agency as non-attainment areas for the pollutant ozone.

ENROLLED

SB908ER