



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

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Dennis H. Treacy
Director

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James S. Gilmore, III
Governor

John Paul Woodley, Jr.
Secretary of Natural Resources

MINUTES

STATE AIR POLLUTION CONTROL BOARD

THURSDAY, MAY 24, 2001 MEETING

House Room C, General Assembly Building
Richmond, Virginia

Board Members Present:

Peter W. Schmidt - Chairman
Karlynn W. Bucher - Vice-Chairman
JoAnne Scott Webb
Paul G. Anderson
Frederick O. Walker

Staff:

Dennis H. Treacy, Director
Department of Environmental Quality

Cindy M. Berndt
Department of Environmental Quality

Attorney General's Office:

Roger Chaffe

- 1) The attached minutes summarize activities, which took place at this Board meeting.
- 2) The meeting was convened at 10:00 a.m. on Thursday, May 24, 2001. The meeting was adjourned at 11:20 a.m.

Approved: Sept. 20, 2001



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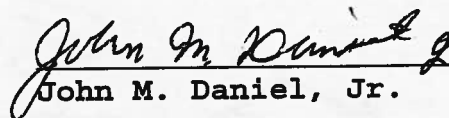
EXCERPT FROM THE PROCEEDINGS OF THE STATE AIR POLLUTION CONTROL BOARD AT ITS MEETING ON MAY 24, 2001

MINUTE NO. 1 - Permit Program Fees for Stationary Sources (Rev. K97)

Dr. Kathleen Sands, Office of Air Regulatory Development, present final amendments to Article 2 of 9 VAC 5 Chapter 80 concerning permit program fees for stationary sources. Dr. Sands explained the effective date of Article 2 had been suspended in order to reconsider provisions of the regulation concerning quarterly payment of permit program fees. Dr. Sands informed the Board that new language had been developed which would allow for a quarterly payment option that staff believed addressed the concerns of the public and the Department.

Decision

The Board, based on the staff presentation and briefing material, unanimously adopted the amendments to Article 2 of 9 VAC 5 Chapter 80 and directed staff to submit the amendment to the U.S. Environmental Protection Agency as an amendment to Virginia's Title V program.


John M. Daniel, Jr.



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EXCERPT FROM THE PROCEEDINGS OF THE STATE AIR POLLUTION CONTROL BOARD AT ITS MEETING ON MAY 24, 2001

MINUTE NO. 2 - Permits for Major Stationary Sources and Major Modifications Locating in Nonattainment Areas (Rev. D00)

Ms. Karen G. Sabasteanski, Office of Air Regulatory Development, presented Revision D00 to permits for major stationary sources and major modifications locating in nonattainment areas. Ms. Sabasteanski explained that the amendments would establish a generic offset ratio of 1 to 1, preparing the state for whatever ozone classification structure EPA finally develops, as well as preventing the application of unnecessarily restrictive offset ratios in the meantime.

Decision

Based on the staff presentation and the briefing material provided, the Board unanimously authorized the Department to promulgate the proposal for public comment.



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MINUTE NO. 3 - Toxic Pollutants (Rev. G00)

Dr. Kathleen Sands, Office of Air Program Development, presented the proposed amendments to the state toxic pollutant program (Rev. G00 - 9 VAC 5 Chapters 40 and 50). Dr. Sands explained that the amendments would match the number and type of state-regulated pollutants to those regulated under the federal program and would exempt from state applicability those sources which are subject to a federal hazardous air pollutant standard or which have been federally determined to require no regulation.

Decision

Based on the staff presentation and the briefing material provided, the Board unanimously authorized the Department to promulgate the proposal for public comment.



John M. Daniel, Jr.



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MINUTE NO. 4 - Regulation for Mobile Sources (Rev. I00)

Dr. Kathleen Sands, Office of Air Program Development, presented the proposed amendments to the regulation governing emission standards for mobile sources (Rev. I00 - 9 VAC 5 Chapter 180 and Rule 4-41 of 9 VAC 5-40). Dr. Sands explained that the Rev. I00 would repeal Rule 4-41 of 9 VAC 5 Chapter 40 since its provisions were now obsolete and replace it with a 9 VAC 5 Chapter 180 which would focus on the control of visible emissions from motor vehicles. In addition, Dr. Sands detailed the provisions of the replacement regulation.

Decision

Based on the staff presentation and the briefing material provided, the Board unanimously authorized the Department to promulgate the proposal for public comment.


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MINUTE NO. 5 - Northern Virginia Vehicle Emission Inspection and Maintenance (I/M) Program - (Rev. MG)

Ms. Mary E. Major, Office of Air Program Development, presented the proposed amendments to the northern Virginia vehicle emission inspection and maintenance program regulation (9 VAC 5 Chapter 91). Ms. Major explained that the amendments would conform the regulation to changes in Virginia law and federal regulations, as well as current testing procedures and would enhance program enforcement. In addition, Ms. Major briefed the Board on the specific amendments to the regulation; e.g. changes to the vehicle model-years covered and requirements for on-board diagnostic testing.

Decision

Based on the staff presentation and the briefing material provided, the Board unanimously authorized the Department to promulgate the proposal for public comment.


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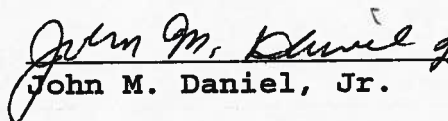
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MINUTE NO. 6 - State Operating Permit for Stationary Sources - Periodic Review (Chapter 80)

Dr. Kathleen Sands, Office of Air Program Development, presented a periodic review report on the Board's State Operating Permit for Stationary Sources (9 VAC 5-80). She explained that the regulation establishes a procedural and legal basis for the issuance of operating permits to establish emission standards and other source-specific regulatory requirements for owners of certain stationary sources of air pollution. In addition, Dr. Sands briefed the Board on the results of the staff's review and the recommendation that the regulation be retained without amendment.

Decision

Based on the staff presentation and the briefing material provided, the Board unanimously approved the periodic review report on the State Operating Permit for Stationary Sources.



John M. Daniel, Jr.



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MINUTE NO. 7 - Regulation for General Administration - Periodic Review

Dr. Kathleen Sands, Office of Air Program Development, presented a periodic review report on the Board's Regulation for General Administration (9 VAC 5-70). She explained that the regulation establishes provisions governing general (not program-specific) administration of the regulatory program of the Board. In addition, Dr. Sands briefed the Board on the results of the staff's review and the recommendation that the regulation be retained without amendment.

Decision

Based on the staff presentation and the briefing material provided, the Board unanimously approved the periodic review report on the Regulation for General Administration.



John M. Daniel, Jr.



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MINUTE NO. 8 - Public Forum

Mr. Glen Besa, representing the Sierra Club, appeared during the public forum to discuss the NOx SIP call. He informed the Board that, contrary to the Department's earlier statements, the state would benefit from implementation of the NOx SIP call particularly due to better air quality in Richmond and not having to implement maintenance provisions under the SIP for the Richmond area.



Cindy M. Berndt



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MINUTE NO. 9 - Report on Air Program Activities

The Board received a report from Mr. John M. Daniel, Jr. on air program activities.

A handwritten signature in cursive script that reads "Cindy M. Berndt".

Cindy M. Berndt



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EXCERPT FROM THE PROCEEDINGS OF THE STATE AIR POLLUTION CONTROL BOARD AT ITS MEETING ON MAY 24, 2001

MINUTE NO. 10 - Appointments to the State Advisory Board on Air Pollution

The Board unanimously reappointed the following members of the Advisory Board with terms expiring on December 31, 2002:

Ted D. Handel, Ph.D.
Pamela F. Faggert

I. Russell Berkness
Tedd H. Jett

In addition, the Board unanimously appointed the following to the Advisory Board with terms expiring on December 31, 2002

Christi Gordon
August Wallmeyer

Robert Burnley
Naraine Persaud


Cindy M. Berndt



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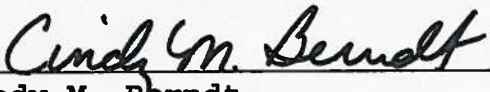
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MINUTE NO. 11 - Future Meetings

The Board set September 20, 2001 as the date for their next meeting.



Cindy M. Berndt



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MINUTE NO. 12 - Minutes

The Board unanimously approved the minutes of their meetings on September 28 and November 8, 2000.

A handwritten signature in cursive script that reads "Cindy M. Berndt".

Cindy M. Berndt