



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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MINUTES

STATE AIR POLLUTION CONTROL BOARD MEETING

WEDNESDAY, NOVEMBER 7, 2001

WYNDHAM GARDEN, 4600 LABURNUM AVENUE
RICHMOND, VIRGINIA

Board Members Present:

Gary Baise
JoAnne Scott Webb
Paul G. Anderson
Frederick O. Walker

Board Members Absent:

Karlynn W. Bucher - Vice-Chairman

Staff:

Dennis H. Treacy, Director
Department of Environmental Quality

Cindy M. Berndt
Department of Environmental Quality

Attorney General's Office:

Carl Josephson

- 1) The attached minutes summarize activities, which took place at this Board meeting.
- 2) The meeting was convened at 9:05 a.m. on Wednesday, November 7, 2001. The meeting was adjourned at 11:41 a.m.

Minute No. 1 - Technical Documents Incorporated by Reference (9 VAC 5 Chapter 20, Rev. B00)

Approved 5/21/02

Karen G. Sabasteanski, Policy Analyst, Office of Air Regulatory Development, presented proposed amendments that incorporate the latest edition of referenced technical documents into 9 VAC 5 Chapter 20. The amendments concerned documents that are technical in nature and pertain to areas where the agency has limited expertise, for example, minimum requirements for the design, construction, and use of cargo tanks and tank vehicles for flammable and combustible liquids.

Decision: The Board, based on the briefing materials and staff presentation and recommendations, unanimously adopted the amendments, with an effective date of February 1, 2002 and directed that the amendments be submitted to EPA as a State Implementation Plan Revision.

Minute No. 2 - Federal Documents Incorporated by Reference (9 VAC 5 Chapter 20, Rev. B01)

Karen G. Sabasteanski, Policy Analyst, Office of Air Regulatory Development, presented amendments to the regulations to incorporate newly promulgated federal New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP), and national emission standards for hazardous air pollutants for source categories (Maximum Achievable Control Technology, or MACT), Rules 5-5, 6-1, and Rule 6-2, respectively, of the agency's regulations.

Decision: Based on the briefing material and staff presentation and recommendations, the Board unanimously adopted the amendments, with changes presented at the meeting, with an effective date of February 1, 2002 and directed that the amendments be submitted to EPA in order to retain delegation of authority to enforce the EPA regulations.

In addition, in adopting the amendments, the Board affirmed that it would receive, consider, and respond to petitions by any person at any time with respect to reconsideration or revision, as provided in § 2.2-4006 B of the Administrative Process Act.

Minute No. 3 - Public Forum

Ms. Alice Carlton representing the George Washington and Jefferson National Forests of Virginia expressed support for the report by the Environment and Health Subgroup of the Cumulative Impacts Study. She informed the Board that under current air quality conditions ozone and visibility impairments are occurring. She expressed concern with the cumulative impacts of the 30 plus power plants being proposed in Virginia. Ms. Carlton asked that a cumulative impact analysis of the proposed plants be carried out now, an ongoing dialogue on cumulative impacts be initiated and support for balance for environmental quality and clean energy sources be sought. She recommended that the Board adopt and implement in a timely manner the recommendations of the Environment and Health Subgroup.

Mr. Sandy Rives, representing the Shenandoah National Park, appeared to discuss the Cumulative Impacts Study. Mr. Rives informed the Board that the Park fully supported the recommendations of the Environment and Health Subgroup of the Cumulative Impacts Study. He expressed appreciation for the regional ozone modeling initiated by the Department; however that modeling is

inadequate to address the possible new growth in emissions. Mr. Rives requested that the Cumulative Impacts Study be continued.

Mr. Glen Besa, Sierra Club, appeared to request that the Board briefing books be available to the public at the same time it is available to the Board. He indicated that that would ensure the accuracy of the material presented to the Board. In addition, Mr. Besa expressed concern with the lack of action by Virginia to improve air quality. He asked that Virginia become more serious about air quality and that the Board move forward with actions necessary to protect public health.

Minute No. 4 - Minutes

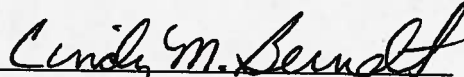
The Board unanimously approved the minutes from the September 20, 2001 meeting.

Minute No. 5 - Director's Report

Mr. John M. Daniel Jr., Director of Air Program Coordination, presented a brief report on recent activities on cumulative impacts. He presented information on the staff's current activities to address cumulative impacts of proposed power plants and provided background on recent newspaper articles concerning the State Corporation Commission and cumulative impacts.

Minute No. 6 - State Advisory Board On Air Pollution Reports

Ms. Melanie Davenport introduced the committee reports prepared by the State Advisory Board during 2001. The reports presented included two on cumulative impacts, one from the Environment and Health Subgroup and the other from the Industry Subgroup; a report on confidential business information; and lastly, a report on ammonia. The board received the reports and thanked the Advisory Board for their efforts over the past year.


Cindy M. Berndt

