



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

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

Mailing address: P.O. Box 10009, Richmond, Virginia 23240

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<http://www.deq.state.va.us>

Dennis H. Treacy  
Director

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James S. Gilmore, III  
Governor

John Paul Woodley, Jr.  
Secretary of Natural Resources

### STATE AIR POLLUTION CONTROL BOARD MEETING

THURSDAY, SEPTEMBER 28, 2000

DEPARTMENT OF ENVIRONMENTAL QUALITY

629 EAST MAIN STREET

RICHMOND, VIRGINIA

#### Board Members Present:

Peter W. Schmidt, Chairman  
Paul G. Anderson

Karlynn W. Bucher, Vice-Chairman  
Frederick O. Walker

#### Board Members Absent:

JoAnne Scott Webb

#### Department of Environmental Quality:

Dennis H. Treacy, Director  
Cindy M. Berndt

#### Attorney General's Office:

Stewart T. Leeth, Assistant Attorney General

1. These minutes summarize the activities of the Board at this meeting.
2. The meeting was convened at 10:00 a.m. and was adjourned at 10:50 a.m.



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### EXCERPT FROM THE PROCEEDINGS OF THE STATE AIR POLLUTION CONTROL BOARD AT ITS MEETING ON SEPTEMBER 28, 2000

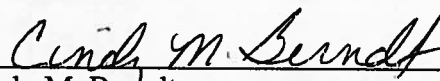
#### **Minute No. 1 – Control of Emissions from Fleet Vehicles – Repeal (MH)**

Ms. Mary E. Major, Office of Air Regulatory Development, Department of Environmental Quality, presented the proposed repeal of the Control of Emissions from Fleet Vehicles (9 VAC 5 Chapter 121) regulation to the Board. Ms. Major explained that the law provided that the regulations and program for the control of emissions from fleet vehicles could not become effective if the U.S. Environmental Protection Agency approved a Board-adopted and implemented equivalent air pollution reduction program.

Ms. Major further explained that the Board had adopted an equivalent program, that the program had been approved by the U.S. Environmental Protection Agency, and the regulation for the control of emissions from fleet vehicles could now be repealed.

#### **Board Decision**

The Board, based on the briefing material and staff presentation, unanimously repealed 9 VAC 5 Chapter 121, with an effective date of January 1, 2001 with the understanding that the Board will receive, consider, and respond to petitions by any interested person at any time with respect to reconsideration or revision.

  
Cindy M. Berndt



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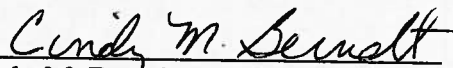
#### **Minute No. 2 – Federal Operating Permits for Stationary Sources – Final (K97)**

Mr. Robert Mann, Office of Air Regulatory Development, Department of Environmental Quality, presented final amendments to the regulations for the control and abatement of air pollution concerning federal operating permits for stationary sources (9 VAC 5 Chapter 80). Mr. Mann explained the amendments were necessary to (1) correct deficiencies in the program, (2) place in regulation specific interpretations of certain provisions of the regulation, (3) incorporate federal guidance into the regulation and (4) incorporate new federal requirements pertaining to acid rain, compliance assurance monitoring and Section 112(j) of the Clean Air Act.

In addition, Mr. Mann briefed the Board on the changes to the proposal being made in response to public comment.

#### **Board Decision**

The Board, based on the briefing material and staff presentation, unanimously adopted the amendments with an effective date of January 1, 2001 and directed staff to submit the regulation to the U.S. Environmental Protection Agency with a request for full federal approval of Virginia's Title V program.

  
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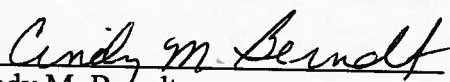
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#### Minute No. 3 – Control of Nitrogen Oxides from Stationary Sources – Proposed (A99)

Ms. Mary E. Major, Office of Air Regulatory Development, Department of Environmental Quality, presented proposed amendments to the regulations for the control and abatement of air pollution concerning control of nitrogen oxides from stationary sources (9 VAC 5 Chapter 40, Articles 4 and 8). Ms. Major explained the amendments were necessary to make the state version of the non-CTG NO<sub>x</sub> RACT rule consistent with the federally approved version and to adopt NO<sub>x</sub> controls necessary to address air quality violations. In addition, Ms. Major briefly detailed the proposed amendments to the regulation.

#### **Board Decision**

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

  
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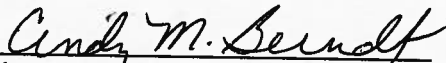
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#### **Minute No. 4 – Public Forum**

No one appeared during the public forum.

  
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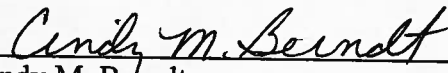
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#### **Minute No. 5 – Report on Air Quality Program Activities**

The Board received a report from John M. Daniel, Jr., Department of Environmental Quality, on air quality program activities.

  
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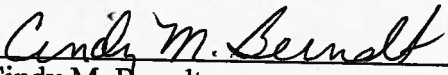
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#### **Minute No. 6 – Minutes**

The Board unanimously approved the minutes from the minutes from the meeting on July 11, 2000.

  
Cindy M. Berndt