

MINUTES

STATE AIR POLLUTION CONTROL BOARD MEETING

WEDNESDAY, MARCH 13, 2013
GENERAL ASSEMBLY BUILDING
HOUSE ROOM C
9TH & BROAD STREETS
RICHMOND, VIRGINIA

Board Members Present:

Roger Chaffe, Chair
Hullihen Williams Moore
Jo Anne Scott Webb
Michael D. Overstreet

Richard Langford, Vice-Chair
Manning "Chip" Gasch, Jr.
Tedd Jett

Department of Environmental Quality:

David K. Paylor
Debra Harris

Cindy M. Berndt

Attorney General's Office:

Sarah J. Surber

These minutes summarize activities that took place at this Board Meeting. The meeting convened at 10:00 a.m. and adjourned at 11:08 a.m.

Minute No. 1 - Review and Approve Agenda: The agenda was approved.

Minute No. 2 - Minutes: The Board, on a motion by Ms. Webb, unanimously approved the minutes from the Board's November 30, 2012, meeting, as contained in the Board book.

Minute No. 3 - Major New Source Review Permits (9VAC5-80, Rev. A13), Request for Board Action on Exempt Final Regulation: Ms. Sabasteanski, Office of Regulatory Affairs, presented amendments to the regulations for the control and abatement of air pollution concerning the definition of "regulated NSR pollutant." Ms. Sabasteanski explained that on October 25, 2012 (77 FR 65107), EPA promulgated final amendments revising the definition of "regulated NSR pollutant" to remove the term "particulate matter emissions" from the requirement to include the condensable particulate matter fraction. "Particulate matter emissions" refers to the non-criteria indicator for particulate matter (PM) that is regulated under various new source performance standards (NSPSs), using EPA Method 5 for the compliance test.

Ms. Sabasteanski briefed the Board on the following substantive amendments to be made to the regulation:

1. In 9VAC5-80-1615 B, a typographical error is being corrected.
2. The definition of "regulated NSR pollutant" in 9VAC5-80-1615 C is being modified to reflect the revisions EPA has made which specify that only PM₁₀ and PM_{2.5} may include condensable PM for NSR purposes.

Based on the Board book material, staff presentation and Board discussion, the Board, on a motion by Mr. Moore, unanimously adopted the proposal with an effective date consistent with the APA and affirmed that it will 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 APA.

Minute No. 4 - Ambient Air Quality Standards (9VAC5-30, Rev. B13), Request for Board Action on Exempt Final Regulation: Ms. Mary E. Major, Office of Regulatory Affairs, presented amendments to the regulations for the control and abatement of air pollution concerning revision of the National Ambient Air Quality Standard (NAAQS) for PM_{2.5} (particles in the ambient air with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers). Ms. Major explained that on January 15, 2013 (78 FR 3086), EPA revised the annual arithmetic mean concentration for PM_{2.5} to 12 µg/m³.

Ms. Major briefed the Board on the following substantive amendments to be made to the regulation:

1. New requirements for reference conditions relative to the new PM_{2.5} standard are added.
2. New requirements for PM_{2.5} are added.

Based on the Board book material, staff presentation and Board discussion, the Board, on a motion by Mr. Langford, voted 6 to 1 (Mr. Moore voted no) to adopt the proposal with an effective date consistent with the APA and affirmed that it will 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 APA.

Minute No. 5 - High Priority Violators (HPVs) for the Fourth Quarter, 2012: Ms. Kerri Nicholas, Division of Enforcement, presented a report on high priority violators for the first quarter of 2013.

Minute No. 6 - Public Forum: No one appeared during the public forum.

Minute No. 7 - State Advisory Board on Air Pollution Reports: Mr. John Roland, Chair of the State Advisory Board (SAB), briefed the Board on the status of the SAB's work over the past year. Mr. Rodney Sobin presented the SAB's report on "District Energy Systems-Improving Efficiency for Producing Electricity, Heating and Cooling Building Complexes". Mr. Richard Langford advised the Board that the SAB report on minor new source review thresholds was nearing completion.

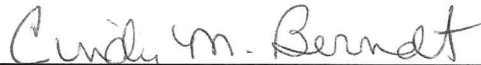
Minute No. 8 - State Advisory Board on Air Pollution Appointments: The Board approved the following appointments to the State Advisory Board on Air Pollution with terms expiring on December 31, 2015:

- Daniel Ancona, III - Renewable Energy Consultant
- Brian T. Castelli - Alliance to Save Energy
- James (Jim) Christman, Esquire - Hunton & Williams
- Dan Demers - Virginia International Terminals, Inc.
- H. Dean Downs, Jr., Environmental Quality Management, Inc.
- L. Evans Drake - Honeywell, Inc.
- Daniel Goldstein, Environmental Resources Management
- Paige Holt - Alliant Techsystems, Radford Army Ammunition Plant
- Ronald Jefferson - Appalachian Power Company
- Joe Loschiavo- DuPont Company, Spruance Plant
- Anil Mehrotra, Steam Plant Engineer, Hampton/NASA Steam Plant

- Gerald (Jerry) L. Pellett, PhD - NASA Langley Research Center
- John Roland- JVR Environmental
- William Shobe, Director, Weldon Cooper Center for Public Service, UVA
- Cathy Taylor- Dominion Generation
- Lauren Beauchesne- Bear Island Paper WB, LLC
- Robert Dick- SCS Engineers
- Alleyn Harned- Virginia Clean Cities
- James Taylor- MeadWestvaco
- Heather Wood- Virginia Port Authority

Minute No. 9 - Air Division Director Report: Mr. Michael G. Dowd, Air Division Director, presented a report to the Board on implementation of the one hour SO₂ National Ambient Air Quality Standard.

Minute No. 10 - Future Meetings: The Board confirmed June 21, September 20 and December 6, 2013, as the dates of their next meetings.



Cindy M. Berndt

Approved Minute No. 2
June 21, 2013