

MINUTES

STATE AIR POLLUTION CONTROL BOARD MEETING

FRIDAY, SEPTEMBER 20, 2013
GENERAL ASSEMBLY BUILDING
HOUSE ROOM C
9TH & BROAD STREETS
RICHMOND, VIRGINIA

Board Members Present:

Roger Chaffe, Chair
Manning "Chip" Gasch, Jr.
Tedd Jett

Richard Langford, Vice-Chair
Jo Anne Scott Webb
Michael D. Overstreet

Board Members Absent:

Hullihen Williams Moore

Department of Environmental Quality:

David K. Paylor
Debra Harris

Cindy M. Berndt

Attorney General's Office:

Matthew L. Gooch

These minutes summarize activities that took place at this Board Meeting. The meeting convened at 10:30 a.m. and adjourned at 11:10 a.m.

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

Minute No. 2 - Minutes: The Board, on a motion by Mr. Langford, unanimously approved the minutes from the Board's June 21, 2013, meeting, with a correction to the date of the meeting.

Minute No. 3 - Minor NSR Nonroad Engine Definition (Chapter 80, Rev. G13) - Request to Publish Proposal for Public Comment and Use the Fast-Track Process: Mr. Gary E. Graham presented fast-track amendments to the minor new source review (NSR) program regarding the definition of "nonroad engine". Mr. Graham explained that Article 6 of 9VAC5-80 (Permits for Stationary Sources) establishes a minor new source review (NSR) permit program for any stationary source that is not a major stationary source subject to either prevention of significant deterioration (PSD) or nonattainment new source review requirements. Unless the new source or project is exempt, owners are required to obtain a permit prior to beginning construction of a new facility or the expanding an existing one. It establishes permit application, application review, and public participation requirements; standards for granting permits and general permits; exemptions for small new facilities and projects; and procedures for amending, combining, reopening, transferring, invalidating, suspending, revoking and enforcing permits.

Mr. Graham advised the Board that the fast-track amendment would revise the definition of "nonroad engine" to be more consistent with a similar federal definition and expand it to include portable and temporary engines.

Based on the Board book material, staff presentation and Board discussion, the Board, on a motion by Mr. Langford, unanimously:

1. Authorized the Department to promulgate the proposal for public comment; and
2. Authorized the Department to set an effective date 15 days after close of the 30-day public comment period provided that:
 - (i) the proposal completes the fast-track process as provided in § 2.2-4012.1 of the APA, and
 - (ii) the Department does not find it necessary to make any changes to the proposal.

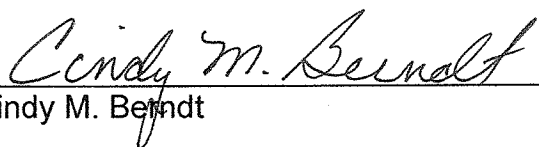
Minute No. 4 - High Priority Violators Report: Ms. Kerri Nicholas, Division of Enforcement, presented a report on high priority violators report for the third quarter of 2013.

Minute No. 5 - Public Forum: No one appeared during the public forum.

Minute No. 6 - Division Director's Report: Mr. Michael Dowd, Air Division Director, briefed the Board on the 2013 Ozone Season.

Minute No. 7 - Celebrating Our Success: The Board received a report from Mr. David K. Paylor on the 20th Anniversary of the Department.

Minute No. 8 - Future Meetings: The Board confirmed December 6, 2013, as the date of their next meeting.


Cindy M. Berndt