

MINUTES

STATE AIR POLLUTION CONTROL BOARD MEETING

**WEDNESDAY, DECEMBER 9, 2015
HOUSE ROOM C
GENERAL ASSEMBLY BUILDING
9TH & BROAD STREETS
RICHMOND, VIRGINIA**

Board Members Present:

**Richard D. Langford, Chair
Michael D. Overstreet
Samuel A. Bleicher**

**Ann F. Kirwin
Manning "Chip" Gasch, Jr.
Nicole M. Rovner**

Board Members Absent:

Rebecca R. Rubin

Department of Environmental Quality:

**David K. Paylor, Director
Cindy M. Berndt, Office of Regulatory Affairs Director**

Attorney General's Office:

David Grandis, Attorney General's Office

These minutes summarize activities that took place at this Board Meeting. The meeting convened at 9:30 a.m. and adjourned at 10:29 a.m.

Minute No. 1 - Review and Approval of Agenda: The Board approved the agenda.

Minute No. 2 - Minutes: The Board, on a motion by Ms. Rovner, unanimously approved the minutes of the Board's meeting on September 11, 2015.

Minute No. 3 - Federal Documents Incorporated by Reference (Rev. C15) - Request for Board Action on Exempt Final Regulation: Ms. Karen Sabasteanski of the Office of Regulatory Affairs presented amendments to the Regulations for the Control and Abatement of Air Pollution regarding federal documents incorporated by reference. Ms. Sabasteanski explained that the purpose of the action is to update state regulations that incorporate by reference certain U.S. Environmental Protection Agency (EPA) regulations to reflect the Code of Federal Regulations as published on July 1, 2015. Ms. Sabasteanski explained that the amendments:

1. For new source performance standards (NSPSs) the date of the Code of Federal Regulations book being incorporated by reference was updated to the latest version at a previous board meeting. No new NSPSs are being added.

2. For NESHAPs the date of the Code of Federal Regulations book being incorporated by reference is being updated to the latest version. No new NESHAPs are being incorporated.
3. For MACTs the date of the Code of Federal Regulations book being incorporated by reference is being updated to the latest version. No new MACTs are being incorporated.

Based on the Board book material, staff presentation and Board discussion, the Board on a motion by Mr. Bleicher, unanimously adopted the amendments and affirmed that the Board will receive, consider and respond to petitions by any person at any time with respect to reconsideration or revision, as provided by § 2.2-4006 B of the Administrative Process Act.

Minute No. 4 - High Priority Violators (HPV's) For the Fourth Quarter, 2015: Ms. Kerri Nicholas with the Division of Enforcement presented a report on high priority violators for the fourth quarter of 2015.

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

Minute No. 6 - Compliance/Enforcement: Mr. Todd Alonzo of the Air Division and Ms. Kerri Nicholas of the Division of Enforcement presented a report on compliance and enforcement activities.

Minute No. 7 - Division Director's Report: Mr. Michael Dowd of the Air Division briefed the Board on activities surrounding development of the Commonwealth's Clean Power Plan.

Minute No. 7 - Future Meetings: The schedule for 2016 will be set at a later time.

Minute No. 8 - Other Business: The Board, based on discussions led by Mr. Langford, asked staff to announce that the Board would, at the spring meeting, consider inactive status for the State Advisory Board on Air Pollution. In addition, Mr. Langford also suggested that the Board consider amending the Board's Standing Rules and advised that staff would be sending the Board possible revisions for the Board's consideration at the spring meeting.


Cindy M. Berndt, Office of Regulatory Affairs