

MINUTES

STATE AIR POLLUTION CONTROL BOARD MEETING

**MONDAY, DECEMBER 8
HOUSE ROOM C
GENERAL ASSEMBLY BUILDING
9TH & BROAD STREETS
RICHMOND, VIRGINIA**

Board Members Present:

**Richard D. Langford, Chair
Manning "Chip" Gasch, Jr.
Samuel A. Bleicher
Michael D. Overstreet**

**Tedd H. Jett, Vice-Chair
Ann F. Kirwin
Rebecca R. Rubin**

Department of Environmental Quality:

**James J. Golden, Deputy Director
Cindy M. Berndt, Office of Regulatory Affairs Director**

Attorney General's Office:

Matthew L. Gooch, Attorney General's Office

These minutes summarize activities that took place at this Board Meeting. The meeting convened at 10:30 a.m. and adjourned at 11:32 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. Kirwin, unanimously approved the minutes of the Board's meeting on September 5, 2014.

Minute No. 3 - Federal Documents Incorporated by Reference (Rev. H14) - Request for Board Action on Exempt Final Regulation: Ms. Karen G. Sabasteanski of the Office of Regulatory Affairs presented final exempt amendments to the regulations for the control and abatement of air pollution 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 board's regulations.

Ms. Sabasteanski explained that the regulation amendments update state regulations that incorporate by reference certain federal regulations to reflect the Code of Federal Regulations as published on July 1, 2014, including:

1. One new NSPS is being added: Subpart BBa, Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013 (40 CFR 60.60.280a through 40 CFR 60.288a). The date of the Code of Federal Regulations book being incorporated by reference is being updated to the latest version.
2. No new NESHAPs are being incorporated. The date of the Code of Federal Regulations book being incorporated by reference is being updated to the latest version.
3. No new MACTs are being incorporated. The date of the Code of Federal Regulations book being incorporated by reference is being updated to the latest version.

Based on the Board book material, staff presentation and Board discussion, on a motion by Ms. Kirwin, 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 - PM_{2.5} Nonattainment and Maintenance Areas, Northern Virginia (9VAC5 Chapter 20, Rev. G14) - Request for Board Action on Exempt Final Regulation: Ms. Karen G. Sabasteanski of the Office of Regulatory Affairs presented exempt final amendments to the regulations for the control and abatement of air pollution concerning the redesignation of the Counties of Arlington, Fairfax, Loudoun, Prince William; Cities of Alexandria, Fairfax, Falls Church, Manassas, Manassas Park as attainment/maintenance for very fine particulate matter (PM_{2.5}). Ms. Sabasteanski explained that the amendments (i) revise the list of maintenance areas to include northern Virginia for PM_{2.5} (9VAC5-20-203); and (ii) revise the list of nonattainment areas to remove northern Virginia for PM_{2.5} (9VAC5-20-204).

Based on the Board book material, staff presentation and Board discussion, on a motion by Mr. Jett, 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. 5 - High Priority Violators (HPV's) For the Fourth Quarter, 2014: Ms. Kerri Nicholas with the Division of Enforcement presented a report on high priority violators for the fourth quarter of 2014.

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

Minute No. 7 - Division Director's Report: Mr. Michael Dowd of the Air Division briefed the Board on the U.S. Environmental Protection Agency's (EPA) proposed revisions to the national ambient air quality standard for ozone and on comments submitted to EPA on the proposed federal clean power plan.

Minute No. 8 - Future Meetings: The Board confirmed April 6, June 19, September 11 and December 4 as the dates of their meetings in 2015.

Cindy M. Berndt, Office of Regulatory Affairs