

ACTION REPORT
STATE AIR POLLUTION CONTROL BOARD MEETING

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

Convened – 10:30 a.m. and Adjourned at 11:10 a.m.

Board Members Present:

Roger L. Chaffe, Chair
Tedd H. Jett
Jo Anne Scott Webb

Richard D. Langford, Vice-Chair
Manning Gasch, Jr.
Michael D. Overstreet

Board Members Absent:

Hullihen W. Moore

Actions Taken:

	Action
I. Review and Approve Agenda	Approved
II. Minutes (June 21, 2013)	Approved w/amendment
III. Regulations - Fast-Track Minor NSR Nonroad Engine Definition (9VAC5-80, Rev. G13)	Adopted
V. High Priority Violators Report	Received Report
V. Public Forum	No speakers
VI. Other Business Air Division Director's Report Director's Report - Celebrating Our Success Future Meetings	Received Report Received Report Confirmed December 6

Minor NSR Nonroad Engine Definition (Chapter 80, Rev. G13) - Request to Publish Proposal for Public Comment and Use the Fast-Track Process: 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. This amendment revises the definition of "nonroad engine" to be more consistent with a similar federal definition. The definition is expanded to include portable and temporary engines. Since nonroad engines are excluded from the definition of "stationary source," this amendment increases the number of engines that are not subject to minor NSR permitting requirements.

High Priority Violators (HPV's) for the Third Quarter, 2013

NOV's Issued from April through June 2013

BRRO	<p>Radford Army Ammunition Plant</p> <p>Radford, Virginia</p> <p>Registration No. 20656</p> <p>SIC 2892 Industrial/Explosives NAICS 325920 Explosives Manufacturing</p>	<p>Discovery date: 4/17/2013</p> <p>Alleged violations:</p> <p>Construction and operation of 3 unpermitted 300 HP diesel engines/pumps. 2 engines installed and in continuous operation since April 2011. Third engine added March 2013.</p> <p>Failure to maintain written documentation of once per shift inspections for absorption tower for Nitric Acid Concentrator/ Sulfuric Acid Concentrator from July through December 2012.</p>	NOV – Issued 5/3/2013
BRRO	<p>Dominion Resources, Inc., Pittsylvania Power Station</p> <p>Hurt, Virginia</p> <p>Registration No. 30871</p> <p>SIC 4911 Electric Services NAICS 221119 Electric Power Generation</p>	<p>Discovery date: 5/29/2013</p> <p>Alleged violations:</p> <p>Failure to conduct required Cylinder Gas Audit on NOx/O2 monitors for each of three boilers during first quarter 2013.</p>	NOV – Issued 6/28/2013
NRO	<p>Buckeye Terminals LLC – Fairfax Terminal</p> <p>Fairfax, Virginia</p> <p>Registration No. 70220</p> <p>SIC 5170 Petroleum and Petroleum Products NAICS 424710 Petroleum Bulk Stations and Terminals</p>	<p>Discovery date: 3/28/2013</p> <p>Alleged violations:</p> <p>Failure to demonstrate monitoring of gasoline pressure drop at top of vapor recovery unit on daily basis from June 1, 2011 through December 31, 2012.</p> <p>Failure to note deviations in Title V Semi-Annual Monitoring Reports (3) and Annual Compliance Certification (1)</p>	NOV – Issued 5/16/2013
SWRO	<p>Virginia City Hybrid Energy Center</p> <p>Wise County, Virginia</p> <p>Registration No. 11526</p> <p>SIC 4911</p>	<p>Discovery date: 4/8/2013</p> <p>Alleged violations:</p> <p>Exceeded CO limit for 30 day rolling average variable permit limit for CFB Units 1 and 2.</p>	NOV – Issued 4/10/2013

	Electric Services NAICS 221119 Electric Power Generation		
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CO's Issued from April through June 2013

None

CO's In Development – Previously Reported NOV's

PRO	Honeywell International Inc. Hopewell, Virginia Hopewell City Registration No. 50232 SIC 2869, 2899, 2819 Industr. Organic Chemical NEC, Chemical & Chem. Prep, NEC, Industrial Inorganic Chemicals NAICS 325199 Chemical Mfg.	Discovery dates: 3/14/2012, 5/11/12, 10/1/2012 Alleged violations: Excess emissions for PM, PM-10, PM-2.5, and sulfuric acid mist from the Sulfuric Acid Plant (SAP). Excess visible emissions from the molten sulfur storage tank. Excess NOx emissions from TW-33.	NOV - Issued 04/17/2012, 5/22/12, 11/19/2012 Order signed 7/15/13 - \$333,370 civil charge assessed along with injunctive relief.
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EPA CD's In Development – Previously Reported NOV's

<i>**The inspections at the Hopewell facilities were conducted as part of EPA Region III's Hopewell Geographic Initiative, which is an enforcement strategy created, in part to better understand the transfer of volatile organic compounds and hazardous air pollutants between facilities in the Hopewell geographic air shed.</i>			
**EPA	Hopewell Regional Wastewater Treatment Facility (WWTP) Hopewell, Virginia Hopewell City Registration No. 50735 SIC 4952 Sewage Systems NAICS 221320 Utilities, Water, Sewage and Other Systems	Discovery dates – 11/07/2007 Alleged violations: Violations of 40 CFR 63 Subpart VVV (Publicly Owned Treatment Works - POTW) and Reasonably Available Control Technology (RACT) that include failure to provide appropriate notification, meet control requirements, conduct inspections and monitoring, properly calculate emission values.	EPA 1st NOV - Issued 07/06/2009 EPA 2nd NOV - Issued 12/17/2010 Additional Information: NOV Meeting was held with EPA, DEQ, and the Responsible Party on 9/23/2009, 03/09/2011 and 8/7/2012. Draft Consent Decree provided to DEQ 7/12/2013.
DEQ - PRO		Discovery dates: 02/04/2011 Alleged violations: Failure to meet 92% HAP mass removal present in wastewater.	NOV - Issued 05/25/2011 Additional Information: This NOV cites the same violations as the EPA NOV issued on 12/17/2010.
**EPA	Smurfit-Stone	Discovery dates – 07/27/2010	NOV - Issued 09/27/2010

	<p>Container Corp. / Hopewell Mill (RockTenn)</p> <p>Hopewell, Virginia</p> <p>Registration No. 50370</p> <p>SIC 2631 Pulp Mills NAICS 322130 Pulp, Paper, and Paperboard Products</p>	<p>Alleged violations: Failure to operate in a manner to demonstrate compliance with HAP reduction requirements.</p> <p>Failure to submit periodic startup, shutdown and malfunction reports.</p>	<p>Additional Information: NOV meetings were held with EPA, DEQ, and the Responsible Party on 01/31/2011 and 8/7/2012. RP submitted requested information to EPA/DEQ September 2012. DEQ received draft CD 2/11/2013, comments provided to EPA/DOJ, discussions to follow soon.</p>
**EPA	<p>Honeywell International Inc.</p> <p>Hopewell, Virginia Hopewell City</p> <p>Registration No. 50232</p> <p>SIC 2869, 2899, 2819 Industr. Organic Chemical NEC, Chemical & Chem. Prep, NEC, Industrial Inorganic Chemicals NAICS 325199 Chemical Mfg.</p>	<p>Discovery date – 11/06/2007</p> <p>Alleged violations: 1st NOV - Alleged violations of the Benzene Waste NESHAP (40 CFR 61 Subpart FF) and the associated Leak Detection and Repair (LDAR) program for the Organic HAPs from Equipment Leaks MACT (40 CFR 63 Subpart H)</p> <p>2nd NOV - Annual NOx and PM10 emission limit exceedances in 2004, 2005, 2006, and 2007 at the A, C, D, and E trains of the Area 9 hydroxylamine production unit.</p>	<p>EPA 1st NOV - Issued 03/10/2009 EPA 2nd NOV - Issued 08/21/2009</p> <p>Additional Information: NOV Meetings held with EPA, DEQ, and the Responsible Party on 5/27/2009, 11/17/2009, 03/25/2010, 11/10/2010 and 1/26/2011. Consent Decree lodged with federal court 3/28/2013, public comment period closed 5/8/2013. Motion to enter CD filed 6/24/2013, entered by Judge 7/18/2013.</p>