

Regulatory Advisory Panel (RAP) Meeting
Small Renewable Combustion Energy Permit by Rule
October 7, 2011
Draft Meeting Notes

Location: DEQ Piedmont Regional Office
Glen Allen, VA 23059

Start: 9:35 a.m.

End: 4:14 p.m.

RAP Leader/Facilitator: Carol Wampler, DEQ

Recorder: Heather Mackey, DEQ

RAP Members Present:

Ernie Aschenbach, DGIF (Alt)
Tony Banks, VA Farm Bureau
Charlie Becker, DOF (Alt)
Bob Bisha, Dominion Virginia Power
Rene Hypes, DCR (Alt)

Roger Kirchen, DHR
Kathryn Perszyk, DEQ (Alt)
Donna Wirick, Recast

RAP Members Absent:

Kelly Bonds, Aegis
Randy Bush, VA Forest Products Association
Ray Fernald, DGIF
Robert Greene, Ingenco
John Hart, AEC Idom
Dan Holmes, PEC
John Ignosh, VA Tech Extension Service
Ron Jenkins, DOF
Robin Jones, DMME

Larry Land, VACO
Thomas Numbers, ERM
Rebekah Remick, DEQ
Lynne Rhode, Troutman Sanders
Nikki Rovner, TNC
Scot Sklar, The Stella Group
Tom Smith, DCR
Al Weed, Public Policy VA

Guests and Public Attendees:

Kerri Nicholas, OAG

Agenda Item: Welcome & Opening Remarks

Discussion Leader: Carol Wampler, DEQ

Ms. Wampler welcomed all attendees, noting that there were not enough RAP members present to represent a quorum and that today's efforts would be in the form of a work session, during which suggestions were developed for consideration by the full body at the next RAP meeting.

Agenda Item: Discussion of Draft "Straw Man" Combustion PBR

Discussion Leader: Carol Wampler, DEQ

Ms. Wampler opened the discussion of the draft Straw Man with consideration of Section 9 VAC 15-70-100 change of ownership, project modification and termination. Specific concerns include the requirement for notification of a change in ownership 30 days prior to the transfer date, and the need to provide DEQ with notice of liability agreements between the present and future owners. RAP members presented and discussed language for this section found in DEQ air permits which may be applicable.

The RAP also discussed Part III of the draft PBR, possible "de minimis" provisions for projects less than or equal to 5 MW of rated capacity. Several versions of the de minimis provisions were presented in the draft

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Combustion PBR, including a DHR version and a DGIF version. Both were discussed, and the RAP membership agreed that it would be assist deliberations if the DHR and DGIF versions were merged into draft recommended language in the next iteration of the draft PBR. The RAP made several suggestions for consideration by the full body as noted in the annotated copy of the draft PBR attached to these meeting notes.

Public Forum

No one signed up to speak during the public forum.

Adjournment

The meeting adjourned at 1:21 p.m. The RAP will be contacted concerning convenient dates for its next meeting. Staff will prepare and circulate draft Minutes and a revision of the 9/26/11 Straw Man draft based on the discussion of the past two days for consideration prior to the next RAP meeting.



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Combustion PBR strai

Attachment 1: 9/26/2011 (Draft Combustion PBR "Straw Man," annotated to reflect discussion and recommendations from the 10/6 and 10/7 RAP meetings.)