

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR DIVISION

INTRA AGENCY MEMORANDUM

TO: File

FROM: Gary Graham
Regulatory Analyst 

SUBJECT: Meeting Minutes - Regulatory Ad Hoc Advisory Group Concerning Permits for New and Modified Sources (Rev. H05)

DATE: March 14, 2006

INTRODUCTION

At 10:00 a.m., March 8, 2006, the second meeting of the ad hoc advisory group concerning permits for new and modified sources (minor new source review) was held in the First Floor Conference Room, Department of Environmental Quality, 629 East Main Street, Richmond, Virginia. A record of meeting attendees is included as Attachment A.

SUMMARY OF DISCUSSION

1. The group discussed many of the issues identified at the January 24, 2006 meeting after agreeing that it was appropriate to start with the text of the previously withdrawn revision K04 (minor new source review) in order to resolve issues with K04 as determined by the group and to move the regulatory process along as quickly as possible. A revised draft of revision K04 was presented to the group for discussion as the first draft of the H05 regulation.
2. The group discussed the use of the term "facility" in the draft regulation and the applicability of the term with respect to Chapters 50 and 60 (using the Summary of Emission Standards Applicability on the documents distributed list below) and the group proposed some changes to the draft H05 regulation. The group also discussed the definitions of several of the other "unit definitions" listed on summary of such terms (see the documents distributed list below).
3. The group discussed the basis for the Article 6 exemptions, found some agreement with respect to what changes should constitute the categories for exemptions by emission rate (9 VAC 5-80-1320 C and D), and identified some possible differences in interpretation concerning the extent of the emissions units that should be considered and the period over which the changes must be considered as a single project. The group suggested some changes to the first draft of the regulation to resolve the ambiguity. The department will integrate the suggestions with some additional

alternative language, for discussion at a future meeting.

4. Discussion also revealed differences in interpretation of the extent of the changes that should be subject to BACT. The Department will present some alternative language at a future meeting in an effort to better define the issue and identify the common ground.
5. The draft regulation included changes designed to address issues with debottlenecked emissions units. Discussion revealed that ambiguity remained. The group identified some possibilities for resolution. The Department will work on some language to resolve the ambiguity to present to the group at a future meeting.
6. One of the members presented some possible solutions for making the references contained in the regulation less confusing. Discussion was limited by time and the proposals will be discussed in more detail at a future meeting.
7. Discussion on the following unaddressed topics was deferred to a future meeting:
 - a) Discussion of what clarification is needed, if any, concerning the intended implementation of MACT provisions through Chapter 80, Article 6 of the regulations (minor new source review, or minor NSR).
 - b) Review of what would be required to add exemptions for temporary emissions units (such as package boilers, peaking generators, pilot plants and process trials).
 - c) Review what additional safeguards would be needed to ensure that the use of such exempt emissions units provides the public with the appropriate opportunity for participation before the units are installed. Similarly, are any additional safeguards for relocating portable stationary sources necessary to offer the local public the opportunity to participate before the relocation occurs.
 - d) Review the extent to which Title V language should be incorporated into the minor NSR regulation to clarify questions concerning the implementation of Articles 1 and 3 after a new minor NSR permit is issued.

The group agreed to follow up on these issues at either the next meeting or the following meeting of the ad hoc advisory group.

DOCUMENT DISTRIBUTION

The following documents were distributed to the group prior to or at the meeting:

1. Draft 1 of Revision H05 (H05-AH-REG1.doc).
2. List of unit definitions (H05-unit definitions.doc).
3. Final minutes of the January 24, 2006 meeting.
4. Agenda for the March 8, 2006 meeting.

5. Chapter 50, Article 4 of the regulations.
6. Summary of Emission Standards Applicability for Chapters 50 and 60 of the regulations.
7. Suggestions for changes to relating to references for 9 VAC 5-80-1100 subsections C, E and K (as examples).

TEMPLATES\PROPOSED\AH08
REG\DEV\H05-AH08-2

Attachments


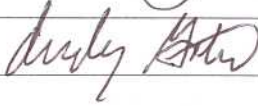

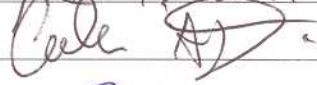

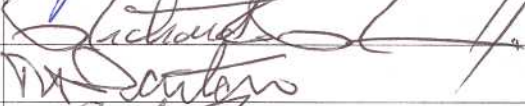
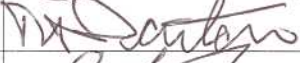
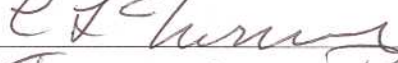
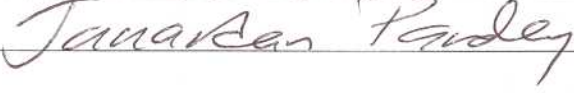
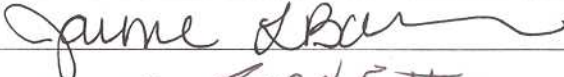
**COMMONWEALTH OF VIRGINIA
STATE AIR POLLUTION CONTROL BOARD**

**AD HOC GROUP MEETING
ATTENDANCE RECORD**

March 8, 2006

SUBJECT: Permits for New and Modified Sources (Revision H05)

LOCATION: Eighth Floor Conference Room, Department of Environmental Quality, 629 East Main Street, Richmond, Virginia

PRINTED NAME	SIGNATURE (absent if no signature)
Gary Graham	
Dan Holmes	(ABSENT)
Andy Gates	
Bob Asplund	(ABSENT)
Tom Knauer	
Cale Jaffe	
John Cline	(ABSENT)
Bob Mann	
Richard Rasmussen	
Terry Darton	
Chuck Turner	
Janardan Pandey	
Non-members (Representing):	
Jaime Bauer (DEQ) SPCA	 MIKE BARNETT