

**FINAL MINUTES  
STATE AIR POLLUTION CONTROL BOARD MEETING**

**THURSDAY, NOVEMBER 16, 2023**

COMMUNITY COLLEGE WORKFORCE ALLIANCE  
1651 EAST PARHAM ROAD, RICHMOND, VA 23228

Meeting convened at 10:30 a.m. The meeting adjourned at 11:04 a.m.

**Board Members Present:**

Kimberly Beamer  
James Guy II  
Jay Holloway  
Russell Mait  
Dr. Lornel Tompkins

**Board Members Absent:**

Hope Cupit  
David Hudgins

**Department of Environmental Quality:**

Michael Rolband, Agency Head

Rachael Harrell, Board Coordinator  
Melissa Porterfield, Board Coordinator

**Attorney General's Office:**

Ross Phillips, Senior Assistant Attorney General

**Minute No. 1 – Review and Approval of Agenda:** The board unanimously approved the agenda.

**Minute No. 2– September 13, 2023 Minutes:** The board unanimously approved the minutes from the board's meeting on September 13, 2023.

**Minute No. 3- Fast-Track Action Rev. C23:** Ms. Karen Sabasteanski recommended that the board authorize the department to:

1. Promulgate the proposal for public comment using the fast-track process established in § 2.2-4012.1 of the Administrative Process Act for regulations expected to be non-controversial. The board's authorization should also be understood to constitute its adoption of the regulation at the end of the public comment period provided that (i) no objection to use of the fast-track process is received from 10 or more persons, or any member of the applicable standing committee of either house of the General Assembly or of the Joint Commission on Administrative Rules, and (ii) the department does not find it necessary, based on public comments or for any other reason, to make any changes to the proposal; and

2. Set an effective date 15 days after close of the 30-day public comment period provided (i) the proposal completes the fast-track rulemaking process as provided in § 2.2-4012.1 of the Administrative Process Act and (ii) the department does not find it necessary to make any changes to the proposal.

The Board unanimously approved the fast-track regulation.

**Minute No. 4- Final Exempt Action Rev. D23:** Ms. Karen Sabasteanski recommended that the board authorize the department to:

1. Amend the applicability section to add an exemption for the use of hydrofluorocarbons in the manufacturing processes of aviation and aerospace businesses located in Virginia; and
2. Amend the definition of "new" to correctly cite the applicable federal regulations.

The Board unanimously approved the final exempt regulation with an effective date consistent with the Administrative Process Act.

**Minute No. 5 - Report Regarding Controversial Permits:** Mr. Michael Dowd, Air and Renewable Energy Division Director, provided updates on permits that meet the statutory definition of controversial.

**Minute No. 6- Public Comment Forum:** No comments were received.