

MINUTES

STATE AIR POLLUTION CONTROL BOARD MEETING

FRIDAY, JUNE 17, 2016
HOUSE ROOM C
GENERAL ASSEMBLY BUILDING
9TH & BROAD STREETS
RICHMOND, VIRGINIA

Board Members Present:

Richard D. Langford, Chair
Michael D. Overstreet
Nicole M. Rovner

Ann F. Kirwin
Samuel A. Bleicher
Rebecca R. Rubin

Board Members Absent:

Manning "Chip" Gasch, Jr.

Department of Environmental Quality:

David K. Paylor, 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 10:00 a.m. and adjourned at 11:45 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. Rovner, unanimously approved the minutes of the Board's meeting on December March 18, 2016.

Minute No. 3 - Definition of Volatile Organic Compound (9VAC5-10, Rev. C16): Ms. Karen G. Sabasteanski presented fast-track amendments to the Regulations for the Control and Abatement of Air Pollution concerning the definition of volatile organic compound. Ms. Sabasteanski explained that U.S. Environmental Protection Agency (EPA) regulations at 40 CFR Part 51 sets out requirements for the preparation, adoption, and submittal of SIPs. Section 51.100, which consists of a list of definitions, includes a definition of VOC. This definition is revised by EPA in order to add or remove VOCs as necessary. On February 25, 2016 (81 FR 9339), EPA revised the definition of volatile organic compound (VOC) to remove the recordkeeping, emissions reporting, photochemical dispersion modeling and inventory requirements related to the use of t-butyl acetate (also known as tertiary butyl acetate or TBAC) as a VOC. The state definition must now be revised accordingly.

Ms. Sabasteanski advised the Board that the proposal removes the recordkeeping, emissions reporting, photochemical dispersion modeling and inventory requirements related to the use of t-butyl acetate (also known as tertiary butyl acetate or TBAC) as a VOC.

Based on the Board book material, staff presentation and Board discussion at the meeting, the Board, on a motion by Ms. Kirwin, unanimously (1) authorized the Department to promulgate the proposal for public comment using the fast-track process with the understanding that the authorization constitutes board adoption of the amendments provided (i) the proposal completes the fast-track process as provided in § 2.2-4012.1 of the APA and (ii) the Department does not find it necessary to make any changes to the proposal; and (2) set an effective date 15 days after close of the 30-day public comment.

Minute No. 4 - Virginia Electric and Power Company Greenville Power Station – Prevention of Significant Deterioration Permit Registration No. 52525 - Public Participation Report and Request for Board Action: Mr. Michael Dowd, Air Division Director, presented a Prevention of Significant Deterioration Permit for Virginia Electric and power Company Greenville Power Station as contained in the Board book. Mr. Dowd's presentation covered a description of the proposed project, a review of the prevention of significant deterioration (PSD) permitting process, the permit development timeline, pollutants triggering PSD for the project, air quality monitoring performed, the limits in the initial draft permit and proposed controls, public comment on the initial draft, the Department's response to the significant comments (correct limits to accurately reflect best available control technology (BACT) for certain parameters, aggregate with the proposed Atlantic Coast Pipeline, require use of solar as a fuel, require additional monitoring, and oppose use of fracked gas), and recommended revisions to the initial draft permit in response to the comments.

After Mr. Dowd completed his presentation and responded to questions from the Board, the Board then heard from several speakers: Ms. Pamela Faggert from Dominion, Raymond Bryant, Jr., Tricia Lewis and Natalie Slate from Greenville County and Evan Johns representing the Sierra Club and Appalachian Voices.

After additional questions of the speakers and Mr. Dowd from the Board, Mr. Dowd advised the Board that the Department staff had prepared the Dominion Greenville Power Station PSD permit in accordance with all applicable statutes, regulations and agency practices; the limits and conditions in the permit have been established to protect air quality. The proposed permit is based on the agency permit files, comments received during the public comment period and any explanation of comments previously received during the public comment period made at the Board meeting.

Based on the Board book material, presentations by staff and the public at the meeting, Board discussion and staff recommendations, the Board, on a motion by Mr. Overstreet, found that (1) the permit has been prepared in conformance with all applicable statutes, regulations and agency practices; (2) the limits and conditions in the permit are protective of air quality; and (3) all public comments relevant to the permit have been considered. Further, the Board approved the permit and conditions as presented at the meeting and authorized the Director to issue the permit as approved by the Board.

The vote was 5 to 0 in favor of the recommendations with Mr. Bleicher abstaining. Mr. Bleicher, speaking as a citizen of Virginia, stated his belief that building new natural gas plants and pipelines is a serious mistake for the environment and for Dominion and therefore could not vote

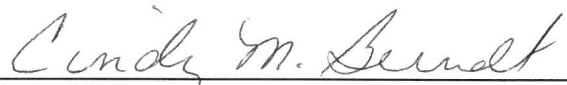
in favor of the permit. However, recognizing that the permit was based on current law and regulations he could not vote against the permit, so he abstained.

Minute No. 5 - High Priority Violations (HPVs) For the Second Quarter 2016: The Board received a report from Ms. Kerri Nicholas, Division of Enforcement, on high priority violations for the second quarter of 2016.

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

Minute No. 7 – Division Director’s Report: Mr. Michael Dowd, Air Division Director, briefed the Board on recent events regarding the federal Clean Power Plan.

Minute No. 8 – Future Meetings: The Board confirmed September 9 and December 5 as the dates of their meetings for the remainder of 2016.


Cindy M. Berndt

Approved - September
9, 2016