

TENTATIVE AGENDA
STATE AIR POLLUTION CONTROL BOARD MEETING

THURSDAY, JUNE 18, 2020

ELECTRONIC COMMUNICATION MEETING

Virtual Meeting Using GoToWebinar - To Register go to:
<https://attendee.gotowebinar.com/register/4915857521396643854>

Any additional details/final arrangements necessary will be announced.
No public physical location is scheduled at this time. If a public
Physical location is established, details will be announced.

Announcements will be made through the Virginia Regulatory Town Hall
and on the Department of Environmental Quality website.

Convene – 10:30 A.M.

Agenda Item	Presenter	Tab
Call to Order	Moreno	
Introductions	Board Members	
Review and Approve Agenda	Moreno	
Review and Approve Minutes (December 6, 2019)	Moreno	A
High Priority Violations Report	Nicholas	B
Director/Division Director Report/Updates on:	Paylor/Dowd	
<ul style="list-style-type: none"> • Budget • Environmental Justice • VDH Health Assessment - Buckingham Compressor Station • Balico Work-force Training (Chickahominy Power Station) • General Assembly Action on the RGGI Regulation • Virginia Clean Economy Act • Pending Permit Applications and Upcoming Regulatory Actions • Agency COVID-19 Activities 		
Public Engagement Committee Update	Moreno	
Public Forum		
Future Meetings (September 17, and December 3, 2020)		
Adjourn	Moreno	

NOTE: The Board reserves the right to revise this agenda without notice unless prohibited by law. Revisions to the agenda include, but are not limited to, scheduling changes, additions or deletions. Questions on the latest status of the agenda should be directed to Cindy M. Berndt at (804) 698-4378.

PUBLIC COMMENTS AT STATE AIR POLLUTION CONTROL BOARD MEETINGS: The Board encourages public participation in the performance of its duties and responsibilities. To this end, the Board has adopted public participation procedures for regulatory action and for case decisions. These procedures establish the times for the public to provide appropriate comment to the Board for its consideration.

For REGULATORY ACTIONS (adoption, amendment or repeal of regulations), public participation is governed by the Administrative Process Act and the Board's Public Participation Guidelines. Public comment is accepted during the Notice of Intended Regulatory Action phase (minimum 30-day comment period) and during the Notice of Public Comment Period on Proposed Regulatory Action (minimum 60-day comment period). Notice of these comment periods is announced in the Virginia Register, by posting to the Department of Environmental Quality and Virginia Regulatory Town Hall web sites and by mail to those on the Regulatory Development Mailing List. The comments received during the announced public comment periods are summarized for the Board and considered by the Board when making a decision on the regulatory action.

For CASE DECISIONS (issuance and amendment of permits), the Board adopts public participation procedures in the individual regulations which establish the permit programs. As a general rule, public comment is accepted on a draft permit for a period of 30 days. In some cases a public hearing is held at the conclusion of the public comment period on a draft permit. In other cases there may be an additional comment period during which a public hearing is held. In light of these established procedures, the Board accepts public comment on regulatory actions and case decisions, as well as general comments, at Board meetings in accordance with the following:

REGULATORY ACTIONS: Comments on regulatory actions are allowed only when the staff initially presents a regulatory action to the Board for final adoption. At that time, those persons who commented during the public comment period on the proposal are allowed up to 3 minutes to respond to the summary of the comments presented to the Board. Adoption of an emergency regulation is a final adoption for the purposes of this policy. Persons are allowed up to 3 minutes to address the Board on the emergency regulation under consideration.

CASE DECISIONS: Comments on pending case decisions at Board meetings are accepted only when the staff initially presents the pending case decision to the Board for final action. At that time the Board will allow up to 5 minutes for the applicant/owner to make his complete presentation on the pending decision, unless the applicant/owner objects to specific conditions of the decision. In that case, the applicant/owner will be allowed up to 15 minutes to make his complete presentation. The Board will then allow others who commented at the public hearing or during the public comment period up to 3 minutes to exercise their rights to respond to the summary of the prior public comment period presented to the Board. No public comment is allowed on case decisions when a FORMAL HEARING is being held.

POOLING MINUTES: Those persons who commented during the public hearing or public comment period and attend the Board meeting may pool their minutes to allow for a single presentation to the Board that does not exceed the time limitation of 3 minutes times the number of persons pooling minutes, or 15 minutes, whichever is less.

NEW INFORMATION will not be accepted at the meeting. The Board expects comments and information on a regulatory action or pending case decision to be submitted during the established public comment periods. However, the Board recognizes that in rare instances new information may become available after the close of the public comment period. To provide for consideration of and ensure the appropriate review of this new information, persons who commented during the prior public comment period shall submit the new information to the Department of Environmental Quality (Department) staff contact listed below at least 10 days prior to the Board meeting. The Board's decision will be based on the Department-developed official file and discussions at the Board meeting. In the case of a regulatory action, should the Board or Department decide that the new information was not reasonably available during the prior public comment period, is significant to the Board's decision and should be included in the official file, the Department may announce an additional public comment period in order for all interested persons to have an opportunity to participate.

PUBLIC FORUM: The Board schedules a public forum at each regular meeting to provide an opportunity for citizens to address the Board on matters other than those on the agenda, pending regulatory actions or pending case decisions. Those persons wishing to address the Board during this time should indicate their desire on the sign-in cards/sheet and limit their presentations to 3 minutes or less.

The Board reserves the right to alter the time limitations set forth in this policy without notice and to ensure comments presented at the meeting conform to this policy.

Department of Environmental Quality Staff Contact: Cindy M. Berndt, Director, Regulatory Affairs, Department of Environmental Quality, 1111 East Main Street, Suite 1400, P.O. Box 1105, Richmond, Virginia 23218, phone (804) 698-4378; fax (804) 698-4346; e-mail: cindy.berndt@deq.virginia.gov.

High Priority Violations (HPVs) for the First and Second Quarters 2020

NOVs Issued from October 2019 through March 2020

BRRO	Southern Finishing Company, Inc. Martinsville, Virginia Registration No. 30515	Discovery Date: 10/2/2019 Alleged Violation: Excess opacity observed during VEE; missing MACT DDDDD compliance reporting; missing required MACT JJ certification for how facility complies with formaldehyde usage.	NOV: Issued 11/13/2019
PRO	Richmond Energy LLC Henrico, Virginia Registration No. 52198	Discovery Date: 8/12/2019 Alleged Violation: Exceeded maximum sulfur content in landfill gas analysis; exceeded short term VOC and SO2 emissions limits during stack test	NOV: Issued 10/31/2019
TRO	Perdue AgriBusiness LLC - Chesapeake Chesapeake, Virginia Registration No. 60277	Discovery Date: 5/13/2019 Alleged Violation: Exceeded permitted solvent loss ratio for Hexane at the Soybean Oil Extraction Facility.	NOV: Issued 10/8/2019
VRO	University of Virginia Charlottesville, Virginia Registration No. 40200	Discovery Date: 9/9/2019 Alleged Violations: Exceeded CO and SO ₂ emission limits from boilers; sorbent injection rates below recommended low level and no alarms activated.	NOV: Issued 10/4/2019

Consent Orders issued from October 2019 through March 2020

BRRO	Norcraft Companies LP Lynchburg, Virginia Registration No. 30845	Discovery Date: 5/3/2019 Alleged Violations: Construction of new spray booth line prior to mutual shutdown of old line; missing inspection records for MACT JJ from January 1, 2018-August 31, 2018.	NOV: Issued 5/15/2019 Consent Order effective 2/26/2020, including civil charge of \$16,653.00.
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PRO	Carry On Trailer Corporation Montross, Virginia Registration No. 52063	Discovery Date: 6/19/2018 Alleged Violations: Exceeded VOC emissions limit, operated at major source levels.	NOV: Issued 8/8/2018 Consent Order effective 11/7/2019, including civil charge of \$52,463.00.
PRO	INGENCO – Dinwiddie Petersburg, Virginia Registration No. 51083	Discovery Date: 3/4/2019 Alleged Violations: Improper differential pressure gauges on oxidation catalyst, missing, incomplete and inconsistent records, failure to conduct visible emissions evaluations, reporting violations.	NOV: Issued 5/6/2019 Consent Order effective 3/16/2020, including a civil charge of \$66,000 and a compliance plan.
PRO	INGENCO – Rockville Rockville, Virginia Registration No. 51201	Discovery Date: 6/6/2018 Alleged Violations: Failed to maintain records as required by permit or regulation, exceeded permit opacity limits.	NOV: Issued 8/23/2018 Consent Order effective 3/16/2020, including a civil charge of \$66,000 and a compliance plan.
SWRO	Dominion Energy – Virginia City Hybrid Energy Center Wise, Virginia Registration No. 11526	Discovery Date: 6/20/2019 Alleged Violations: Exceeded PM ₁₀ and PM _{2.5} emission limits during annual compliance test.	NOV: Issued 7/16/2019 Consent Order effective 10/21/2019, including civil charge of \$32,550.
VRO	Masco Cabinetry LLC Mount Jackson, Virginia Registration No. 81062	Discovery Date: 4/25/2019 Alleged Violations: Late annual tune-up on boilers, late submittal of MACT 5D annual compliance report	NOV: Issued 6/6/2019 Consent Order effective 2/5/2020, including civil charge of \$15,169.70.

Consent Orders in Development – Previously Reported NOV's

BRRO	Wolverine Advanced Materials – Cedar Run Blacksburg, Virginia Registration No. 21240	Discovery Date: 1/4/2019 Alleged Violation: Late submittal of catalyst activity report, failed to demonstrate permitted destruction efficiency rate in catalyst activity test.	NOV's: Issued 2/5/2019, 4/17/2019, 6/4/2019
NRO	Digital Loudoun II, LLC Ashburn, Virginia Registration No. 73670	Discovery Date: 11/29/2018 Alleged Violation: Failed to conduct stack testing on new units in accordance with permit.	NOV's: Issued 1/14/2019, 4/8/2019
NRO	Panda Stonewall LLC Leesburg, Virginia Registration No. 73826	Discovery Dates: 11/27/2018, 3/28/2019 Alleged Violations: Exceeded short term and annual CO limit in permit during early stages of operation of the new facility. Also, exceeded short term NOx limit	NOV's: Issued 12/20/2018, 4/23/2019
PRO	AdvanSix Resins and Chemicals LLC Hopewell, Virginia Registration No. 50232	Discovery Dates: 9/10/2018, 4/26/2019 Alleged Violation: Title V permit violations reported after third party audit. VOC emissions bypassed flare and vented directly to ambient air through cold box vent stack.	NOV's: Issued 2/4/2019, 7/15/2019

PRO	AMPAC Fine Chemicals Virginia, LLC Petersburg, Virginia Registration No. 50856	Discovery Date: 5/8/2019 Alleged Violations: Late submittal of Title V application, late submittal of notification of use of methylene chloride, improper leak testing of chemical manufacturing process unit, missing or incomplete records and inspection plans.	NOV: Issued 8/12/2019
PRO	INGENCO – Amelia Jetersville, Virginia Registration No. 31047	Discovery Date: 5/10/2018 Alleged Violations: Failed to maintain records as required by permit or regulation, exceeded inlet charge air temperature.	NOV: Issued 8/13/2018
PRO	River Pools and Spas Warsaw, Virginia Registration No. 52484	Discovery Date: 1/17/2019 Alleged Violation: Exceeded permitted VOC (styrene) limits at major source levels.	NOV: Issued 2/26/2019
VRO	University of Virginia Charlottesville, Virginia Registration No. 40200	Discovery Date: 5/17/2019 Alleged Violations: Exceeded opacity and CO emission limits from boilers, late tune-up on boiler, failure to notify DEQ of a malfunction.	NOV: Issued 6/6/2019