

AIR QUALITY COMMITTEE

**Virtual Public Meeting on
Cisco's WebEx Teleconferencing Service**

July 8, 2020

12:30 P.M. - 2:30 P.M.

Shannon M. Arata, Chair, Presiding

In the event the previously scheduled Committee meeting adjourns prior to the estimated adjournment time, the other Committee meeting may be called to order, by the Chairman, fifteen minutes after the previous meeting adjourned.

Meeting audio and presentations will be broadcast via the state web conferencing link posted on the Environmental Management Commission website at <https://deq.nc.gov/about/divisions/water-resources/water-resources-commissions/environmental-management-commission>.

Items marked with an asterisk () will be presented orally at the meeting only upon a request by a Committee member and can be approved where required as a group. Also, items marked with a less-than sign (<) have no agenda item pages in the package.*

I. Preliminary Matters:

1. Call to Order and Notice of NCGS § 138A-15Chairman Shannon M. Arata

General Statute § 138A-15 mandates that the Chair inquire as to whether any member knows of any known conflict of interest or appearance of conflict with respect to matters before the Commission. If any member knows of a conflict of interest or appearance of a conflict, please so state at this time.

2. [Approval of minutes from the Air Quality Committee meeting on January 8, 2020.](#)
3. [Approval of minutes from the Air Quality Committee meeting on March 4, 2020.](#)

II. Concepts:

1. [Adoption of Standards of Performance for Greenhouse Gas \(GHG\) Emissions from Existing Electric Generating Units \(EGU\) under Clean Air Act Section 111\(d\) \(550\) \(Patrick Knowlson, DAQ\)](#)

Explanation: To adopt new rules regulating GHG emissions from existing coal-fired EGUs in order to satisfy the requirements of Environmental Protection Agency's Affordable Clean Energy Rule

POWERPOINT PRESENTATION

2. [Fee Structure Revisions for North Carolina’s Title V Operating Permit Program \(551\)](#) (Mike Abraczinskas, DAQ)

Explanation: To update the fee structure in 15A NCAC 02Q .0203, *Permit and Application Fees*, to sufficiently cover all reasonable (direct and indirect) costs required to develop and administer North Carolina’s Title V operating permit program.

POWERPOINT PRESENTATION

III. < Action Items:

1. None

IV. July EMC Agenda Items:

1.* [Request Approval of Hearing Officer’s Report on Session Law 2013-413 \(H74\) Readoption of Group 6 Rules, 15A NCAC 02D .0403, .0500, .0900, .1400, .1700 and .2615 and Repeal of .0615, and Final Approval of Fiscal Note \(549\)](#) (Joelle Burleson, DAQ)

Explanation: North Carolina General Statute 150B-21.3A requires state agencies to readopt existing rules every ten years. To fulfill this statutory obligation, the DAQ divided several air quality rules in the North Carolina Administrative Code into six groups. The sixth group of rules proposed to be readopted by the EMC is termed “Group 6”. A virtual public hearing was held for this rulemaking on March 31, 2020 via Cisco’s WebEx teleconferencing service.

Recommendation: The Hearing Officer recommends the proposed Group 6 readoptions and repeals, with the recommended changes, as presented in Chapter II, and the OSBM-approved fiscal note in Chapter VI of this hearing report be adopted by the Environmental Management Commission.

POWERPOINT PRESENTATION

[Attachment A – Hearing Officer’s Report](#)

[Attachment B – Fiscal Note](#)

THIS ITEM HAS BEEN REMOVED FROM THE AGENDA

2.* Request Approval of Hearing Officers’ Report on Adoption of Control of Emissions from Log Fumigation Operations, 15A NCAC 02D .0546 and Amendment to Toxic Air Pollutant Guidelines, 15A NCAC 02D .1104 and Final Approval of Fiscal Note (548) (Michael Pjetraj, DAQ)

Explanation: To protect the health of all persons that may live or work in areas subject to airborne releases of methyl bromide from log fumigation operations, the EMC is proposing to adopt a rule that regulates these emissions using an Acceptable Ambient Level (AAL), which limits the concentration of methyl bromide or

other fumigants beyond the fence line of a facility. A virtual public hearing was held for this rulemaking on May 4, 2020 via Cisco's WebEx teleconferencing service.

POWERPOINT PRESENTATION

Attachment A-1 – Hearing Officers' Report Chapters I-IV

[Attachment A-2 – Hearing Officers' Report Chapter V, Comment Period 1](#)

[Attachment A-3 – Hearing Officers' Report Chapter V, Comment Period 2](#)

[Attachment A-4 – Hearing Officers' Report Chapters VI-VII](#)

[Attachment B - Fiscal Note](#)

V. Informational Items:

1.< Director's Remarks (Mike Abraczinskas, DAQ)

2.* **[1995-2020 Air Quality Committee and Environmental Management Commission Calendar](#)**

3.* **[Status of Rulemaking Hearings and Rule Development](#)**

VI.< Closing RemarksChair Shannon
M. Arata

Adjournment: The next Air Quality Committee Meeting is scheduled to meet in the Archdale Building, Ground Floor Hearing Room, on September 9, 2020. The time will be determined as the date approaches.