

**Air Quality Control Advisory Council Meeting Notes  
December 10, 2012 @ 8:15 am  
MDE Headquarters—Aqua Conference Room  
1800 Washington Boulevard  
Baltimore MD 21230**

**AQCAC MEMBERS PRESENT**

Sania Amr  
Kevin Barnaba  
Lorne Garrettson  
Kip Keenan  
John Kumm  
John Quinn  
Ross Salawitch  
Larry Schoen  
Karen Young  
Sara Tomlinson

**AQCAC MEMBERS ABSENT**

Andrea Bankoski  
Bill Cunningham  
Donald Moore  
Ronald White

**PARTICIPANTS VIA PHONE**

Sue Garonzik

**VISITORS**

Barry Miller  
Edwin Much, Exelon Power

**MDE-ARMA**

Diane Franks  
Randy Mosier  
Carolyn Jones  
Katy Perry  
Husain Waheed  
Karen Irons  
John Artes  
Kathy Wehnes

*This is a summary of the December 10, 2012 Air Quality Control Advisory Council Meeting and serves as a record of the Council's vote on regulatory action items. The meeting is recorded and the digital file is maintained by MDE/ARMA. This digital file*

*is considered public information and may be reviewed in its entirety by anyone who is interested in the details of the discussions.*

### **MEETING OPENING/OPENING REMARKS**

Chairman Quinn and Diane Franks opened the meeting with introductions of members and visitors.

### **PRESENTATION, DISCUSSION, AND ACTION ON REGULATIONS**

#### **Approval of Minutes from October 18<sup>th</sup> meeting:**

*Motion to approve the October 18<sup>th</sup> minutes was made by Sania Amr and seconded by Kevin Barnaba. Ross Salawitch abstained; all other members present voted in favor.*

#### **COMAR 26.11.27- R.P Smith Amendments- Healthy Air Act**

Randy Mosier and Eddie Durant presented on this action, which reinstates the original annual season emission limits for NO<sub>x</sub>, and annual emission limits for SO<sub>2</sub> for R. Paul Smith Power Station electric generating units as established under COMAR 26.11.27- Emissions Limitations for Power Plants.

Lorne Garrettson asked whether anyone would try to run this plant again. Diane Franks responded that someone could purchase it and use a different power source to run it, due to its location on the power grid. If rates are not re-established, the amount of Renewable Energy Credits available will be reduced to the original amount in the Healthy Air Act. Ms. Franks noted that R. Paul Smith has written a letter regarding the concern that the regulation will be retroactive, and we will be informing them through a letter that this is not the case. Karen Irons added that the permit has been administratively extended.

*Motion to approve this action was made by John Kumm, and seconded by Ross Salawitch. All members present voted in favor.*

#### **COMAR 26.11.17- New Source Review- PM fine**

Karen Irons presented on this action, which was previously discussed at the March 26, 2012 meeting of the Council, and updates COMAR to Incorporate EPA's New Source Review Fine Particulate Matter (PM<sub>2.5</sub>) Requirements.

Larry Shoen and Ross Salawitch asked about how we monitor condensibles now versus how we did in the past. Karen Irons stated that permits will not be retroactive and will be subject to the typical five-year review. Ms. Irons explained that when a new standard comes out, this regulation will allow us to consider condensibles. Sources will need to upgrade controls if MDE issues new regulations and will need to obtain new permits. Moving forward, all new permits for sources will include condensibles speciation

monitors. Condensable is defined by a stack test method; PM fine monitors do not collect condensables data.

Members asked for clarification on which counties are non attainment, the precursors, and the thresholds.

*Motion to approve this action was made by Kip Keenan and seconded by Sania Amr. All members present voted in favor.*

### **COMAR 26.11.37- Outer Continental Shelf- IBR**

Carolyn Jones presented on this action, which is required in order to allow the U.S. EPA to delegate to the State of Maryland EPA's authority to control air pollution from sources on the Outer Continental Shelf (OCS). This authority would allow the Department to issue federal air quality permits to any OCS sources, including an offshore wind farm should one decide to locate offshore of Maryland.

Larry Schoen asked how we compare to other states in regards to this action. Carolyn Jones responded that other states have also used the Incorporation by Reference method. State-specific regulations apply more to permits, and the federal government will then incorporate Maryland regulations by reference. Ms. Jones is looking into the impact on water and wildlife, and what action(s) MDE's Water Management Administration is taking.

John Kumm asked whether this action is considered a conformity issue. Karen Irons and Diane Franks responded that general conformity and pre-construction permitting processes are needed, and NSR will likely be applicable. Any Maryland regulations applicable on land will also be applicable offshore.

*Motion to approve this action was made by John Kumm, and seconded by Sania Amr. All members present voted in favor.*

### **Confirmation of Next meeting dates:**

The Council's 2013 meeting dates were confirmed for:

February 11

May 13

September 9

December 9

The meeting adjourned at 10:15 a.m.