

General Permit for Biomass

Mary E. Major

DEQ

Office of Regulatory Affairs



General Assembly Legislation 2008

Section 10.1-1308.1

- Expedited process for permitting qualified energy generators (QEGs) that use biomass
- Not applicable to any QEG subject to major new source review; Section 110(a)(2)(C) of the CAA



Legislative Definitions

- Biomass:
 - Forest-related materials
 - Agricultural-related materials
 - Animal waste
 - Solid woody waste
 - Crops and trees planted to produce energy
 - Landfill gas, wastewater treatment gas, biosolids, including organic waste byproducts generated during the wastewater treatment process
 - Municipal solid waste; excluding tires and medical and hazardous waste



Legislative Definitions

- Expedited process:
 - Fee no more than \$50
 - Final permit action 60 days after receipt of completed application

Legislative Definitions

- Qualified energy generator:
 - Commercial facility
 - With the *capacity annually to generate no more than five megawatts of electricity* or produce the equivalent amount of energy in the form of fuel, steam, or other energy product, that is generated or produced from biomass, and is sold to an unrelated person or used in a manufacturing process.

General Permit Regulation Development

- TAC formed: meetings since August
- Obstacles:
 - No emission factors for most of materials identified as biomass
 - Need emissions limits to write general permit
 - Phrase “*capacity annually to generate no more than five megawatts of electricity*” is difficult to interpret



Regulation Development

- ❑ Testing schedule
- ❑ Compliance determination and verification by emission testing
- ❑ Recordkeeping requirements
- ❑ Reporting requirements
- ❑ Compliance
- ❑ Enforcement

Regulation: Biomass Research and Development Test Facility

- Allows 18 months to construction
- Allows 12 months to conduct testing
- Test results will be compared to permitting emission thresholds
 - PM 25 tpy
 - PM 10 15 tpy
 - PM 2.5 10 tpy
 - NO_x 40 tpy
 - SO₂ 40 tpy
 - CO 100 tpy
 - VOC 40 tpy

Key Issues

- How to ensure source is not major
- Emissions above threshold values:
 - Continue to operate until permit is issued?
 - Possible violation of federal requirements
 - Required to shutdown?
- Once facility is permitted and wants to switch fuel do they meet original threshold values or are they a modified source?
- What is the proper opacity limit?



Follow Process on Townhall

- <http://townhall.virginia.gov/>



Meetings and public hearings

The Town Hall includes all public meetings addressing regulatory policy, including public hearings on proposed regulations. Public meetings not pertaining to regulations can be found on Virginia's **Commonwealth Calendar** website.

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| 01-Apr-09 (Wed) | Board for Contractors | <u>Informal Fact-Finding Conference for the Recovery Fund</u> [Minutes] |
| 01-Apr-09 (Wed) | Board of Long-Term Care Administrators | <u>Informal Conference</u> [Minutes] |
| 01-Apr-09 (Wed) | State Board of Health | <u>Sewage Handling and Disposal Appeals Review Board</u> |
| 01-Apr-09 (Wed) | Virginia Outdoors Foundation | <u>Preservation Trust Fund Committee</u> |
| 01-Apr-09 (Wed) | Virginia Outdoors Foundation | <u>Quarterly Meeting of VOF Board of Trustees</u> [Agenda] [Minutes] |
| 01-Apr-09 (Wed) | Real Estate Board | <u>Informal Fact-Finding Conference - Disciplinary</u> [Minutes] |
| 02-Apr-09 (Thu) | Virginia Outdoors Foundation | <u>Quarterly Meeting of VOF Board of Trustees</u> |