



## COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TIDEWATER REGIONAL OFFICE

Molly Joseph Ward  
Secretary of Natural Resources

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Director

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Regional Director

**STATE AIR POLLUTION CONTROL BOARD ENFORCEMENT  
ACTION –  
AMENDMENT TO ORDER BY CONSENT  
ISSUED TO  
ROYAL PEST SOLUTIONS INC.  
FOR  
ROYAL FUMIGATION SUFFOLK  
Registration No. 61579**

**SECTION A: Purpose**

This is an Amendment of an Order by Consent (Amendment) issued under the authority of Va. Code §§ 10.1-1309 and -1316, between the State Air Pollution Control Board and Royal Fumigation Inc., now known as Royal Pest Solutions Inc., regarding the Royal Fumigation Suffolk facility, for the purpose of revising certain provisions of the Order by Consent (Order) issued by the Board to Royal Fumigation Inc. The Order was issued on June 22, 2010 for resolving certain violations of the Virginia Air Pollution Control Law and the regulations.

**SECTION B: Basis for Amendment**

1. The Order was issued to Royal Fumigation Inc. The company changed its name to Royal Pest Solutions Inc. effective January 1, 2012.
2. “Royal” or “RPS” means Royal Pest Solutions Inc., a corporation authorized to do business in Virginia and its affiliates, partners, subsidiaries, and parents. Royal is a “person” within the meaning of Va. Code § 10.1-1300.

3. RPS owns and operates the Royal Pest Solutions Inc. Suffolk facility, 520 Finney Avenue, Suffolk, Virginia. The facility uses methyl bromide (aka bromomethane, CAS #74839), an EPA listed hazardous air pollutant (HAP), as the main fumigation agent for various products, including wood, logs, and other commodities.
4. The State Air Pollution Control Board entered into the Order with Royal Fumigation Inc. effective June 10, 2010 for: 1) failure to notify DEQ prior to commencement of construction, anticipated startup, and actual startup; 2) failure to obtain a permit before construction; and 3) failure to submit a Title V permit application within one year of startup of the Title V applicable facility.
5. RPS has requested to continue fumigation activities using methyl bromide at the facility until April 7, 2016 while transitioning fumigation activities to other sites for which Royal will seek synthetic minor air permits.
6. Based on the information available to DEQ to date, RPS is otherwise in compliance with the Order and is current with all monitoring and reporting requirements.

**SECTION C: Agreement and Order**

Accordingly, by virtue of the authority granted it in Va. Code §§ 10.1-1309 and -1316 the Board orders RPS, and RPS agrees to:

1. Cease methyl bromide fumigation activities at the 520 Finney Avenue, Suffolk, VA facility not later than April 7, 2016;
2. Withdrawal of the air permit applications dated August 6, 2009 and as modified for the 520 Finney Avenue, Suffolk, VA facility as of the effective date of this Amendment;
3. Provide monthly status updates to DEQ beginning November 1, 2015, continuing and due by the 1<sup>st</sup> of each month, until the Order and Amendment are terminated, regarding activities RPS has taken to transition methyl bromide fumigation activities from 520 Finney Avenue, Suffolk, VA to other sites;
4. Provide air permit applications to DEQ and obtain permits as appropriate, prior to commencement of construction, for any sites where RPS intends to conduct methyl bromide fumigation activities;
5. Maintain compliance with the Order effective June 22, 2010 as amended herein;
6. Submit all requirements of this Order to: Regional Director, DEQ, Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, VA 23462; and

7. RPS understands and agrees that this Amendment does not alter, modify or amend provisions of the Order and that the provisions of the Order remain in effect by their own terms.

And it is so ORDERED this 9 day of December, 2015.

Maria R. Nold  
Maria R. Nold, Regional Director  
Department of Environmental Quality

Royal Pest Solutions Inc. voluntarily agrees to the issuance of this Order.

Date: 12/7/15 By: [Signature] Pres.  
(Person) (Title)  
Royal Pest Solutions Inc.

State of Delaware

City/County of NEW CASTLE

The foregoing document was signed and acknowledged before me this 7<sup>th</sup> day of December, 2015, by ROY RICHARDSON who is PRESIDENT of Royal Pest Solutions Inc., on behalf of the corporation.

[Signature]  
Notary Public

Delaware attorney-at-law and  
Registration No. [Signature]  
My commission expires: n/a to 29 Del.C. §4323

Notary seal: n/a