



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE

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Secretary of Natural Resources

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**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. An Amendment effective December 9, 2015 to the Order provided for RPS to continue fumigation activities using methyl bromide at the facility until April 7, 2016.
6. The Amendment effective December 9, 2015 to the Order required RPS to withdraw the air permit application dated August 6, 2009 and as modified for the 520 Finney Avenue, Suffolk, VA facility as of the effective date of the Amendment. The application was considered withdrawn by DEQ letter dated December 15, 2015.
7. RPS has requested to continue fumigation activities using methyl bromide at the facility until July 31, 2016 while attempting to transition fumigation activities to other sites. Prior to construction of fumigation activities at other sites, Royal will seek synthetic minor air permits as required by law.
8. Based on the information available to DEQ to date, RPS is otherwise in compliance with the Order and the December 9, 2015 Amendment to 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 July 31, 2016;
2. Provide monthly status updates to DEQ from May 1, 2016 and due by the 1st 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;

3. 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;
4. Maintain compliance with the Order effective June 22, 2010 as amended herein;
5. Submit all requirements of this Order to: Regional Director, DEQ, Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, VA 23462; and
6. 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;
7. This Amendment supersedes and cancels the Amendment effective December 9, 2015.

And it is so ORDERED this 1 day of April, 2016.

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: 31 Mar 2016 By: Anne E. Bookout, VP & General Counsel
(Person) (Title)
Royal Pest Solutions Inc.

State of Delaware
City/County of New Castle

The foregoing document was signed and acknowledged before me this 31st day of March, 2016, by Anne E. Bookout who is VP & General Counsel of Royal Pest Solutions Inc., on behalf of the corporation.

Kim S. Allen
Notary Public

NA
Registration No.

My commission expires: 12/22/17

Notary seal:

