

**Public Hearing Minutes
of the
Louisville Metro Air Pollution Control Board
September 21, 2011**

A public hearing of the Louisville Metro Air Pollution Control Board was called to order on September 21, 2011, at 10:00 a.m. in the Board Room of the Louisville Metro Air Pollution Control District, 850 Barret Avenue, Louisville, Kentucky, by the Vice-Chair, Dr. Nadir Al-Shami.

General Statement, Rules and Purpose

The Vice-Chair read the opening announcements, rules and purpose of the Public Hearing which was to review an Agreed Board Order with E.I. du Pont de Nemours & Company.

1. Proposed Agreed Board Order with E.I. du Pont de Nemours & Company

Ms. Terri Phelps, District Enforcement Manager, said the District alleged that E.I. du Pont de Nemours & Company violated its Title V permit and federal regulations and required the company to pay a penalty. She said the company agreed to the terms of the order.

Ms. Phelps said beginning in 2006, du Pont had self-reported various deficiencies in their periodic monitoring required by its Title V permit and federal toxic regulations. Ms. Phelps said the company had taken corrective action in the management of its monitoring requirements and recently hired a new environmental team to better implement the monitoring requirements.

The company agreed to pay \$51,000 as an administrative settlement. Ms. Phelps said the District would recommend that the Board adopt the Agreed Board Order as proposed.

Discussion

Dr. Al-Shami stated that the violations began in 2006 and asked why the District was not informed of them until 2011. Ms. Phelps said the company reported the deficiencies beginning in 2006 and 2007 in their semi-annual report. She said initially the District felt the incidents were isolated and immediate action was not taken until a recent full compliance evaluation.

Dr. Al-Shami asked if any of the violations involved a chemical release. Ms. Phelps said the deficiencies did not involve excess emissions, but were related to periodic monitoring to make sure the equipment was functioning properly.

Ron Thomas asked if the company had completed inspections but did not submit documentation to the District. Ms. Phelps said violations involved both missed inspections and improper documentation.

Ms. Biemer stated that the violations appeared to be a flagrant disregard for the terms of the permit and the penalty was fully justified.

Adjournment

The public hearing adjourned at 10:07 a.m.

Dr. Nadir Al-Shami
Chairman

Rachael Hamilton
Secretary-Treasurer