

**Minutes
Regular Meeting
of the
Louisville Metro Air Pollution Control Board
March 21, 2007**

The regular meeting of the Louisville Metro Air Pollution Control Board (Board) was called to order on March 21, 2007, at 10:44 a.m. in the Board Room of the Louisville Metro Air Pollution Control District, 850 Barret Avenue, Louisville, Kentucky, by the Vice-Chairman, Mr. Lee Howard. Other Board members present were Ms. Barbara Sexton Smith, Dr. Nadir Al-Shami, Mr. Ronald Thomas, and Dr. Robert Powell. A quorum was present.

The following Louisville Metro Air Pollution Control District (District) staff members were present: Art Williams, Jon Trout, Jesse Goldsmith, Matt Stull, Terri Phelps, Cynthia Lee, Michelle Stites, Art Chang, Martha Gammons, Steven Gravatte, Corey Ryan, Steve Taylor, Jenny Rhodes, Tua McDermott, Lilibeth Lanceta, Anne Marie Gauntlett, Shannon Clemons, Robert Wesely, and Monica Little. Also present were Assistant County Attorneys Lauren Anderson, Stacy Fritze, and Kathy Hargraves and County Attorney staff members Allison Grant and Tammy Brown.

The following guests were present: Robert and Lucy Offutt and family members; David Armstrong, former County Judge/Executive; Todd Hollenbach, former County Judge/Executive; Representative Daryl Owens, District 43; Susan Clark, Noveon; Amanda Clephas, Louisville Metro Community Outreach; Eboni Cochran, REACT; Dennis Conniff, GLI Air Toxics Task Force; Tim Corrigan, GLI; Brad Dillon, GD&M; Tom FitzGerald, Kentucky Resources Council; Martha Flack, Resident & REACT; Carolyn Skees Franklin, Resident; Barbara Hall, Ford Kentucky Truck Plant; Winnie Hepler, REACT & Justice Resource Center; Paul Howard, Tetra Tech; Charles Huff, CR Huff Environmental, Inc.; Denny Larson, Global Community Monitor; Gracie Lewis, REACT; Joan Lindop, Sierra Club; Greg Long, Ford Louisville Assembly Plant; James McDonald, URS Corporation; Leah McKinley, Butchertown Resident; Wallace McMullen, Sierra Club; Jonathan Miller, DuPont Performance Elastomers; Vince Pinnick, American Synthetic Rubber Company; Peter Raymond, Alcoa, LLP; Rich Robinson, American Synthetic Rubber Company; Steve Samuels, REACT; Bill Sexton, former District Director; Kevin Spangler, Oxy Vinyls, LP; Paige Mosser Theriac, TECI; Sarah Scheetz, E.ON U.S.; and Carla Wallace, Braden Community Center.

Introduction of New Staff, Departure of County Attorney Staff

Mr. Williams introduced new District staff members - Shannon Clemons, Engineer I; Anne Marie Gauntlett, Environmental Engineering Specialist; and Robert Wesely, Engineer I.

Mr. Williams announced the resignation of Allison Grant, an intern with the County Attorney's Office who has been assigned to work with the District. Ms. Grant has accepted a position with Supreme Court Justice William McAnulty.

Approval of Minutes

The minutes of the February 21, 2007, regular Board meeting were approved as distributed.

New Business

A. Agreed Board Order with Tetra Tech, Inc., and Central Station, LLC

Ms. Phelps said that the District recommends the adoption of the Agreed Board Orders with Tetra Tech, Inc., and Central Station, LLC, as proposed.

Motion: Dr. Al-Shami moved to adopt the Agreed Board Orders with Tetra Tech, Inc., and Central Station, LLC, as recommended by the District.

The motion passed unanimously.

Committee Reports

A. STAR 5.30 Stakeholder Group

Mr. Trout reported that the STAR 5.30 Stakeholder Group met March 8, 2007, and each of the committees, Health/Risk, Area and Minor Source, Mobile and Non-Road Mobile Source, and Report and Plan of Action, also met over the last month. He indicated that the most notable outcome from one of the committees was that the Health/Risk Committee reached agreement on recommended environmental acceptability goals for stationery sources that are either categorized as minor sources or area sources.

During the next few months, the Area and Minor Source Committee will focus on perchloroethylene dry cleaning plants and waste oil furnaces. The Mobile and Non-Road Mobile Source Committee is focusing on the risks from idling diesel trucks and is reviewing a draft idling regulation. The Report and Plan and Action Committee continues to review drafts of the STAR 5.30 report and plan of action.

Ms. Smith informed the Board that a full STAR 5.30 report and final recommendation will not be presented to the Board for approval at the June 2007 meeting. Ms. Smith stated that she continues to receive positive feedback from committee members, and will provide an update on the projected timeline for completing the report.

Staff Reports

A. Director

Mr. Williams reported that the District received a copy of a U.S. Environmental Protection Agency (EPA) memorandum regarding pending requests for redesignation to attainment of the 8-hour ozone standard. Mr. Williams stated that from his review of the EPA memo, it may be several months before EPA moves forward on the redesignation request. The delay is due to a

U.S. Court of Appeals for the District of Columbia Circuit decision on December 22, 2006, regarding the EPA's rules for implementing the 8-hour ozone standard.

Mr. Williams said that the ozone panel of the EPA Clean Air Science Advisory Committee has made a final recommendation to the EPA that the 8-hour ozone standard be toughened to the 60 to 70 parts-per-billion range. The standard is currently 0.08 parts per million, which, when using the EPA's rounding convention, becomes 84 parts per billion. The EPA is under court order to propose any new standard before the end of 2007, and finalize any new standard by March 2008.

Mr. Williams stated that with the new staff members, there are four remaining vacant engineering positions.

B. Air Quality Data

Mr. Williams reported that the February monitored PM_{2.5} levels were low, the second lowest February in the nine years that the District has been monitoring PM_{2.5}. The January and February combined monitored levels are the lowest combined levels in those nine years. He said that the trend of lower readings so far this year is very positive.

The air quality monitoring reports were submitted for filing. A copy of each report is attached to the original minutes.

C. Enforcement Status

The *APCD Enforcement Status 3/14/07* report was submitted for filing. A copy is attached to the original minutes.

D. Excess Emission Reports

The *Excess Emissions Report*, dated February 2007, was submitted for filing. A copy is attached to the original minutes.

E. STAR Program Projects

The *STAR Program Projects* report, dated 2/18/07, was submitted for filing. A copy is attached to the original minutes.

F. Regulation 5.30 Program Status Report

The *Regulation 5.30 Program Status Report*, dated March 2007, was submitted for filing. A copy is attached to the original minutes.

G. Permit Application Log

Mr. Williams reported that 23 permit applications were received and 23 were completed in February 2007, which resulted in no net change.

The *Permit Application* Log, dated February 2007, was submitted for filing. A copy is attached to the original minutes.

H. Permitting System Improvement Plan

Mr. Williams discussed the updated Permit Improvement Plan report. He indicated that the majority of the zero-to-six-month projects were completed. The *Permitting System Improvement Plan*, dated 3/20/07, was submitted for filing. A copy is attached to the original minutes.

I. Lawn Care for Cleaner Air Awards

The list of this month's *Lawn Care for Cleaner Air* Award recipients was submitted for filing. A copy is attached to the original minutes.

Recognition of Robert T. Offutt, former District Director

Mr. Williams reviewed the highlights of Mr. Robert's Offutt's achievements as Director of the District from 1969 to 1993. Mr. Offutt was congratulated for the outstanding leadership he provided the District and the resulting significant improvements in air quality and quality of life for the citizens of Jefferson County by former County Judge/Executive David Armstrong, former County Judge/Executive Todd Hollenbach, and former County Commissioner and current State Representative Daryl Owens. Mr. Offutt was presented with a plaque and Louisville Metro proclamation commemorating March 21, 2007, as Robert T. Offutt Day. A reception followed the meeting in honor of Mr. Offutt's 23 years of service with the District.

Next Meeting

The next regular Board meeting is scheduled Wednesday, April 18, 2007, at 10:00 a.m.

Adjournment

The meeting adjourned at 11:17 a.m.

Lee Howard
Vice-Chairman

Jonathan L. Trout
Secretary-Treasurer