

**Public Hearing Minutes
of the
Louisville Metro Air Pollution Control Board
August 17, 2011**

A public hearing of the Louisville Metro Air Pollution Control Board was called to order on August 17, 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 Chairman, Dr. Robert Powell.

General Statement, Rules and Purpose

The Chairman read the opening announcements, rules and purpose of the Public Hearing which was to review a proposed Agreed Board Order with Lubrizol Advanced Materials, Inc.

1. Proposed Agreed Board Order with Lubrizol Advanced Materials, Inc.

Ms. Terri Phelps, District Enforcement Manager, said the District alleged that Lubrizol Advanced Materials, Inc. violated its District operating permit and directed the company to pay an administrative penalty. The company agreed to the terms of the order.

Lubrizol operates a coating and resins manufacturing facility subject to its Title V operating permit. Since 2006, the company had reported a number of instances of non-compliance with their permit. The company missed nine weekly visible emissions surveys in 2006, ten in 2007 and three in 2008. The company had not reported missing any visible emissions surveys since 2008. On November 28, 2006, the company reported a pin hole leak that had developed in the welded joint of a nozzle on a water tank which allowed 7 ½ gallons of water contaminated with 783 parts per million (ppm) of vinyl chloride to be discharged to the building floor. The waste water discharge was in excess of the 10 ppm standard in the vinyl chloride NESHAP. The release was stopped within ten minutes. The company conducted a root cause analysis and found spots of corrosion that could not be identified by normal thickness testing methods. The company reported plans to replace both seal water tanks and to conduct periodic internal inspection of the tanks. In 2007, the company reported exceeding its particulate matter limits after a baghouse failed. After the 2007 incident, the company adjusted its preventative maintenance programs for the equipment.

The company agreed to an administrative penalty of \$6,750. Ms. Phelps said the District would recommend that the Board adopt the Agreed Board Order as proposed.

Statements

Ms. Alice Simpson, Health, Safety & Environmental Manager at Lubrizol, said she did not have a statement to make on behalf of the company but would answer any questions the Board may have.

Questions

Dr. Al-Shami asked if Lubrizol employees or the public were exposed to vinyl chloride when the leak occurred since it is a carcinogen and causes liver damage. Ms. Simpson said none of the employees or the public were exposed to vinyl chloride. She said the company's monitoring system monitors the building continuously for vinyl chloride. Also, Ms. Simpson said if there had been exposure, the company would have taken provisions to determine the levels and taken immediate corrective actions to ensure the vinyl chloride was contained inside the building. Dr. Al-Shami asked if blood tests or liver biopsies were

conducted and if OSHA was notified. Ms. Simpson said there are several levels of exposure and the company is required to do immediate blood work but not a liver biopsy. She said OSHA and EPA have specific standards for vinyl chloride and Lubrizol is in full compliance with their standards. Dr. Powell asked if the spill affected Lubrizol's compliance status. Ms. Simpson said the spill required certain actions and the company complied with the Kentucky OSHA and U.S. EPA requirements for vinyl chloride releases. Also, Ms. Simpson said the workers involved in the remediation of the leak were required to use respiratory protection.

Dr. Al-Shami said the leaks occurred in 2006-07 and asked why the District was not informed of the violations immediately. Ms. Phelps said the leaks were reported when they occurred but the District did not take enforcement action until the Compliance Section completed a full evaluation, which takes places every 2-3 years.

Adjournment

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

Robert W. Powell, M.D.
Chairman

Rachael Hamilton
Secretary-Treasurer