

**Minutes
Public Hearing
of the
Louisville Metro Air Pollution Control Board
August 10, 2007**

A public hearing of the Louisville Metro Air Pollution Control Board was called to order on August 10, 2007, at 10:06 a.m. in the Board Room of the Louisville Metro Air Pollution Control District, 850 Barret Avenue, Louisville, Kentucky, by the Chair, Dr. Karen Cassidy.

General Statement, Rules and Purpose

The Chair read the opening announcement, rules, and purpose of the Public Hearing, which was to receive comments on a proposed Federally Enforceable District Origin Operating Permit (FEDDOOP) renewal for Swift & Company (Swift).

Mr. Jesse Goldsmith, Manager of Engineering, reviewed the proposed FEDDOOP operating permit Swift has asked the District to renew. The permit is a synthetic minor permit that incorporates a construction permit for a natural gas-fired boiler that was issued since the original permit was issued. The District provided a 30-day public comment period. Mr. Goldsmith said that no written comment was received other than a request for a public hearing.

Statements

Casey Clements, Data Advantage, said that his company has invested in several properties in the area. If the permit is issued allowing increased particulate emissions, he said he would need to decide whether to invest in additional properties in the area.

Steve Makela, Data Advantage, Butchertown Historic Properties, who has developed several high-scale condominiums and other businesses in the area, said he doesn't believe that Swift has been a good neighbor. The District should limit the degradation of the neighborhood.

Christine Romesburg, Butchertown resident, who bought her house in October 2005, has asthma which she indicated is now worse. She said that the smells are also worse.

Christine Sundberg, Miss C's Kitchen and Pantry, said she believes that it would be going backwards to allow the company to increase its emissions.

Mark Isaacs, Legacy Homes, said that he is against the issuance of the permit unless the allowed pollution is decreased. He suggested that the refrigeration units be plugged into electricity instead of using diesel engines for power. Swift should abate the remaining odors.

Martha Vories, East Downtown Business Association (EDBA), said that the EDBA is opposed to the permit renewal and increased pollution. She said that, from a personal point of view, Swift should either solve the odor problem or move to a different location.

Tabby Lewis, nurse and Butchertown resident, stated that there were 50,000 people, 17,000 of whom are children, living in the Louisville area who have asthma. Exposure to pollution risks

asthma and heart attacks. She said that the pollution should not be allowed to increase.

Debbie Rosenstein, Rosenstein Real Estate Ventures, said that the problem does not affect just the Butchertown area, it affects the entire city.

Andy Cornelius, Butchertown Neighborhood Association, said there is no requirement for pollution prevention in the permit. He asked how emissions could be reduced with the implementation of pollution prevention measures. He said that the permit should not be issued as proposed.

Jim Segrest, President of the Butchertown Neighborhood Association, said that, when reporting an odor from Swift, he was told by a District staff person, "It's Butchertown; it's supposed to smell that way." He said that Swift has expanded beyond the neighborhood concept.

Catherine Willett, Butchertown resident, said that the District shouldn't allow an increase of 90 tons per year of pollution. She commented that the Swift fines have been minimal. She said that she currently can't enjoy her property; the problem would be worse with a 50% increase in pollution.

Mac Willett, business owner and Butchertown resident, said that the small fines for odor violations will not be an economic disincentive for Swift to correct the problem, including the installation of new equipment. He said that the District should study the effectiveness of the current level of fines.

Tim Holman, Butchertown resident, said he believes that the community could live with a pork processing plant if Swift invested in improving its antiquated facilities. He said that there is a pork processing plant in the middle of the University of Kentucky's Lexington campus that does not cause an odor problem. He said that Swift should retain the jobs in Louisville, but perhaps the plant should be moved to a different location.

Angie Impellizzeri, Butchertown resident, mentioned that Mayor Abramson had signed a city treaty to address global warming. She said that issuing the permit to Swift would be a dangerous precedent.

Emily Boone, small business owner, said that while the Swift employees are cordial to the neighbors, the corporate philosophy is to just meet the law. She opposes the increased pollution. She mentioned that an EPA report identified Jefferson County as the worst polluted county in the southeast. If the District needed more legal tools to deal with pollution, the District should let the people know.

Gwenn Knight, Butchertown resident, said that she has no respiratory problems except when she is at home.

Tim Stevens, realtor and Butchertown resident, said that the smell from Swift is extremely bad at 1 to 2 a.m.

Barbe Kempf, counselor at Lincoln Elementary, stated that children's asthma attacks have been the cause of a high absentee rate.

Diane Stego, business owner, said that others have told her that they did not locate businesses in Butchertown because of the odors from Swift.

Leah McKinley, Butchertown resident, said that she can tolerate the smell but that she is concerned about the health effects from the pollution. She said that the pollution could be reduced by, for example, requiring electric hookups for the trucks.

Brooke Lauren Vaughn, Butchertown resident, said the pollution from Swift is terrifying.

Mr. Goldsmith explained that following today's public hearing, the District will prepare a comment and response document that will be posted on the District's website, www.louisvilleky.gov/apcd. Mr. Trout, Assistant Director, said that the purpose of requesting e-mail addresses is so the District can send a copy of the comment and response document directly to those who made comments today. Mr. Trout said that after reviewing the comments made today, the District will take action on the proposed permit renewal. Regulation 1.19 provides an administrative hearing process for persons who consider themselves aggrieved by the District's action on the permit.

Mr. Trout explained that the Board meets at 10:00 a.m. on the third Wednesday of each month; the public is provided an opportunity to address the Board and District at each meeting to comment on an air pollution matters.

Mr. Williams, Director, stated it may take several weeks to review and research the issues that were raised today.

Dr. Cassidy announced that the next regular Board meeting is August 15, 2007, at 10:00 a.m.

Adjournment

The public hearing meeting adjourned at 10:53 a.m.

Dr. Karen Cassidy
Chair

Jonathan L. Trout
Secretary-Treasurer