

**Public Hearing Minutes
of the
Louisville Metro Air Pollution Control Board
April 20, 2011**

A public hearing of the Louisville Metro Air Pollution Control Board was called to order on April 20, 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 proposed amendments to four District regulations. Ms. Rachael Hamilton, Regulatory Specialist, introduced the proposed regulations and recommended their adoption by the Board on behalf of the District.

1. Regulation 1.15 *Version of Federal Regulations Adopted and Incorporated by Reference*, Version #15, Draft #1 – proposed, February 16, 2011

The proposed action updates the District's regulation to incorporate the Code of Federal Regulations (CFR) by changing the date to reference the most recent version, July 1, 2010.

2. Regulation 3.01 *Ambient Air Quality Standards*, Version #5, Draft #1 – proposed, February 16, 2011

The proposed action for Regulation 3.01 updates the current federal national air ambient air quality standards. The regulation also includes several provisions specific to Kentucky. Pending the Board's approval, Regulation 3.01 would also be submitted to EPA for inclusion in the District's State Implementation Plan.

The District received public comments that identified some technical and/or footnote corrections in Sections 7.72, 7.8.1, 7.9.2, 7.9.3, 7.9.4, 7.9.5. The District concurred with the comments and, because the comments were administrative in nature and not intended to be a substantive change from federal law, revised Regulation 3.01 Version 5 Draft 1 accordingly.

Statement

Dr. Powell stated the correction to Section 7.7.2 to delete "75 ppm" and change to "75 ppb" sounded substantive, had it not been made in error. Ms. Hamilton said the change to 75 ppb is the current federal standard and that 75 ppm was a typographical error.

3. Regulation 5.02 *Adoption and Incorporation by Reference of National Emission Standards for Hazardous Air Pollutants*, Version #18, Draft #1 – proposed, February 16, 2011

Changes to Regulation 5.02 adopt and incorporate by reference the current federal regulations in 40 CFR 61 and 40 CFR 63 published in the July 1, 2010, Code of Federal Regulations. The District also proposed to adopt Regulation 5.02 on a semi-annual basis, effective as of the date the regulation would be adopted. Other changes include clarifying that sources must comply with NESHAP and any more stringent provisions of the District regulations consistent with the District's prior version of the regulation.

One comment was received on the proposed regulation requesting that the phrase “Lead Acid Mattery” in Section 3.121 be changed to “Lead Acid Battery”. In addition, the District corrected the section numbers in 3, 4 and 6 to conform the proposed numbering and capitalized “From” throughout the regulation.

4. Regulation 7.02 Adoption and Incorporation by Reference of Federal New Source Performance Standards, Version #15, Draft #1- proposed, February 16, 2011

The proposed changes to Regulation 7.02 adopt and incorporate by reference the federal regulations in 40 CFR Part 60 published in the July 1, 2010 version of the Code of Federal Regulations, effective as of the date Regulation 7.02 is adopted. Other changes include clarifying that sources must comply with NESHAP and any more stringent provisions of the District regulations consistent with the District’s prior version of the regulation.

Adjournment

The public hearing adjourned at 10:11 a.m.

Robert W. Powell, M.D.
Chairman

Rachael Hamilton
Secretary-Treasurer