

**Minutes  
Regular Meeting  
of the  
Louisville Metro Air Pollution Control Board  
July 19, 2006**

The regular meeting of the Louisville Metro Air Pollution Control Board (Board) was called to order on July 19, 2006, at 10:28 a.m. in the Board Room of the Louisville Metro Air Pollution Control District, 850 Barret Avenue, Louisville, Kentucky, by the Vice-Chair, Lee Howard. Other Board members present were Dr. Nadir Al-Shami, Barbara Sexton Smith, Vanessa Ruffin, and Ronald Thomas. A quorum was present.

The following Louisville Metro Air Pollution Control District (District) staff members were present: Art Williams, Jon Trout, Art Chang, Marty Layman, Matt Stull, Terri Phelps, Steve Taylor, Jenny Rhodes, Erin Simpson, Michelle Stites, Phyllis Fitzgerald, Corey Ryan, Hanea Cox, Adam Monroe, Tammy Brown, Lilibeth Lanceta and Monica Little. Also present were Assistant County Attorneys Lauren Anderson and Stacy Fritze.

The following guests were present: Andy Battjes, Brown-Forman; Rebecca Cash, LFI; Dennis Conniff, GLI Environmental Affairs Committee; James Cox, Ryan Lehr, Jerold Wilson and James Stone, Brown Mackie College; Diane Cruz, Ron Blatt, and David Newman, citizens; Carolyn Embry, American Lung Association; Jason Ferry, LFCMD; Jack France, LCOM/Belknap; Arnita Gadson, West County Community Task Force; Barbara Hall, Ford-Kentucky Truck Plant; Tim Hooker; Linebach-Funkhouser; Joan Lindop, Sierra Club; Michelle Kendall, Jim Beam; Jonathan Miller, DuPont Performance Elastomers; Jenny McDonald, Kentucky Resources Council; Wallace McMullen, Sierra Club; Peter Raymond, Alcan-LLP; Rich Robinson, American Synthetic Rubber Company; Larry Schumer, Tetra Tech; Randy Simon, KIPDA; Kevin Spangler, OxyVinyls; Paige Mosser Theriac, TECI; and John Lyons, Lona Brewer, John Gowins, and Susan Weaver, Kentucky Division for Air Quality.

**Introduction of New Board Member**

Vice-Chairman Howard introduced new Board member Mr. Ronald Thomas, who was appointed to the Board to fill one of two vacancies. Mr. Thomas' term expires April 30, 2009. Mr. Williams also announced that Dr. Robert Powell was appointed to Board, but was unable to attend the meeting.

**Introduction of New Staff**

Mr. Williams introduced new District staff members Adam Monroe, Engineer I, and Lilibeth Lanceta, Environmental Coordinator in the STAR Program.

**Public Recognitions**

Ms. Fitzgerald, Coordinator for the Lawn Care for Cleaner Air program, recognized and awarded certificates to Diane Cruz, Ron Blatt, and Jack France for their residential low-

maintenance and unique landscaping designs that promote clean air and water preservation.

Ms. Fitzgerald announced an upcoming garden tour at seven homes that competed in the District's low-maintenance landscape competition in 2005. The garden tour is free but requires a ticket for entrance. The tours are scheduled July 22, 2006, and August 12, 2006. In addition, posters are available of the winning designs and can also be viewed on the District's website.

### **Approval of Minutes**

The minutes of the June 21, 2006, Public Hearing and Regular Board meeting were approved as distributed.

### **Unfinished Business**

#### **A. Air Quality Task Force Recommended 8-Hour Ozone Strategies**

Mr. Williams reported that the Air Quality Task Force Recommended 8-Hour Ozone Strategies plan was redesigned after input from the Board. The new format includes two additional columns, "resources needed for implementation" and a scoring section. Mr. Williams explained the purpose of the new columns and the identification of greenhouse gases (GHG) as an affected pollutant, and said that the District will continue to develop the plan, providing further prioritization and an assessment of the additional staff and budget resources needed to implement the recommended strategies.

Mr. Thomas asked what the next step is. Mr. Williams responded that the next step is to specify the length of time needed to complete a strategy. Next, monetary and staff resources will be determined. Mr. Howard asked when the next update will be provided. Mr. Williams stated a report will be given at the next Board meeting.

Mr. Howard asked if financial and human resources are available to complete the projects. Mr. Williams stated there are several funding resources that could be used, including the remaining Vehicle Emissions Testing Program funds and penalty funds, to implement the recommended strategies.

### **New Business**

#### **A. Election of Board Officers**

Vice-Chairman Howard announced the slate of Board Officers to be elected for the 2006-07 term, Dr. Karen Cassidy, Chair, and Mr. Lee Howard, Vice-Chairman. There were no additional nominations. Dr. Cassidy and Mr. Howard were elected by unanimous consent as the Chair and Vice-Chairman, respectively, for the 2006-07 term.

#### **B. Amendment to Regulation 5.14 *Hazardous Air Pollutants and Source Categories*, Version #7, Draft #1 - Proposed, January 8, 2006**

Mr. Trout said that the District recommends that the Board adopt amended Regulation 5.14

*Hazardous Air Pollutants and Source Categories*, Version #7, Draft #1 - Proposed , dated January 8, 2006, as proposed.

**Motion:** Dr. Al-Shami moved to adopt amended Regulation 5.14 as recommended by the District.

The motion passed unanimously.

**C. Amendment to Regulation 5.23 *Categories of Toxic Air Contaminants*, Version #2, Draft #1 - Proposed, January 8, 2006**

Mr. Trout said that the District recommends that the Board adopt amended Regulation 5.23 *Categories of Toxic Air Contaminants*, Version #2, Draft #1 - Proposed, dated January 8, 2006, as proposed.

**Motion:** Dr. Al-Shami moved to adopt amended Regulation 5.23 as recommended by the District.

The motion passed unanimously.

**D. Amendment to Regulation 5.20 *Methodology for Determining Benchmark Ambient Concentration of a Toxic Air Contaminant*, Version #2, Draft #1 - Proposed, January 8, 2006**

Mr. Trout stated the District recommends that the Board adopt amended Regulation 5.20 *Methodology for Determining Benchmark Ambient Concentration of a Toxic Air Contaminant*, Version #2, Draft #1 - Proposed, January 8, 2006.

**Motion:** Dr. Al-Shami moved to adopt amended Regulation 5.20 as recommended by the District.

The motion passed unanimously.

**E. Amendment to Regulation 5.30 *Report and Plan of Action for Identified Source Sectors*, Version #2, Draft #1 - Proposed, May 19, 2006**

Mr. Trout stated that the District recommends that the Board adopt amended Regulation 5.30 *Report and Plan of Action for Identified Source Sectors*, Version #2, Draft #1 - Proposed, May 19, 2006, as proposed.

**Motion:** Mr. Thomas moved to adopt amended Regulation 5.30 as recommended by the District.

The motion passed unanimously.

## **Committee Reports**

### **A. STAR Implementation Advisory Group**

Mr. Trout reported that the STAR Implementation Advisory Group (IAG) met on June 30, 2006, and July 14, 2006. At the two meetings, the STAR IAG reviewed additional issues that were raised regarding the STAR program. The group is finalizing the first set of issues regarding modeling, which is involved in the next report due from the Title V sources. The District reviewed these issues and presented preliminary recommendations to the group as to whether the current regulations or provisions should be retained or modified. If a regulation revision is required to implement a change, the STAR IAG will make a recommendation to the Board. Mr. Trout also announced that the District has scheduled several STAR Program workshops for Title V and Federally Enforceable District Origin Operating Permit (FEDOOP) sources.

### **B. STAR Regulation 5.30 Stakeholder Group**

Mr. Williams said that 25 individuals representing business, industry, government, and the public sector attended the first STAR Regulation 5.30 Stakeholder Group meeting on July 13, 2006. Dr. Cassidy attended the meeting and provided some history on Regulation 5.30, what it is meant to accomplish, and the Board's treatment of other sources including large industries. She emphasized that the Board expects there to be active and meaningful involvement by the group in the development of the report and plan of action. The stakeholder group will meet on the second Thursday of each month and expects to meet through May 2007. The next meeting is scheduled for August 10, 2006, at 2:00 p.m.

## **Staff Reports**

### **A. Director**

Mr. Williams announced that the Metro Council approved the 2006-07 budget which the Mayor proposed for the District. The new budget went into effect July 1, 2006.

Mr. Williams said that the KAIRE (Kentuckiana Air Education) program is very active in promoting events to raise awareness in the community on how to achieve cleaner air. Also, the KAIRE radio ads recorded by local citizens and Louisville Metro employees, including Louisville Metro Health Department Director Adewale Troutman, continue to be aired on local radio stations.

Mr. Stull reported that KAIRE is sponsoring a Louisville Bats game on July 19, 2006. For the remainder of the Bats season this year, the KAIRE banner will be displayed at the games. If a player hits the banner, each person attending the game will receive a free gift, compliments of KAIRE.

Mr. Williams announced that the District has a new website address - [www.louisvilleky.gov/apcd/](http://www.louisvilleky.gov/apcd/).

## **B. Air Quality Data**

Mr. Williams reviewed data from the Louisville 8-Hour Ozone Monitoring report which contains historical and 2006 data. Air quality alerts were issued for the community on three consecutive days earlier this week. Also, the community had the first exceedance of the 8-hour ozone standard on July 18, 2006. Exceedances were recorded at two of the area's seven monitoring sites. There were six hours of exceedance at the New Albany monitoring site and the Watson Lane monitoring site had three hours of exceedance.

The 8-Hour Ozone Monitoring report was submitted a filing. A copy is attached to the original minutes.

Mr. Williams reported that the monitored levels of fine particles have consistently exceeded the annual standard since the District began monitoring in 1999. During the month of June 2006, the readings were slightly lower than June 2005. The District will review the fine particle averages at the end of the year and will determine if attainment is achieved. In order to achieve attainment of the annual fine particle standard, the three-year design value must not exceed 15  $\mu\text{g}/\text{m}^3$ . Mr. Williams said that he is uncertain whether the federal standard can be met this year, because the fine particle concentrations historically have increased to the highest levels of the year during the summer months.

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 7/11/06* report was submitted for filing. A copy is attached to the original minutes.

## **D. Excess Emission Reports**

The *Excess Emissions Report, 5/12/06 through 7/10/06*, was submitted for filing. A copy is attached to the original minutes.

## **E. STAR Program Tracking Report**

The STAR Program Tracking Report was submitted for filing. A copy is attached to the original minutes.

## **F. STAR Program Regulation 5.30 Status Report**

The STAR Program Regulation 5.30 Status report was submitted for filing. A copy is attached to the original minutes.

## **G. Permit Program Report**

Mr. Williams reported that for the second consecutive month there has been a net reduction in outstanding permits.

The Permit Program Report was submitted for filing. A copy is attached to the original minutes.

**H. *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.

**Next Meeting**

The next regular Board meeting is Wednesday, August 16, 2006, at 10:00 a.m.

**Adjournment**

The meeting adjourned at 11:07 a.m.

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Lee Howard  
Vice-Chairman

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Jonathan L. Trout  
Secretary-Treasurer