

**Minutes
Regular Meeting
of the
Louisville Metro Air Pollution Control Board
August 17, 2011**

The regular meeting of the Louisville Metro Air Pollution Control Board was called to order on August 17, 2011, at 10:08 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. Other Board members present were Dr. Nadir Al-Shami, Mr. Ronald Thomas, Ms. Bonnie Biemer and Ms. Kathy Matheny. A quorum was present.

The following Louisville Metro Air Pollution Control District staff members were present: Lauren Anderson, Rachael Hamilton, Paul Aud, Terri Phelps, Cynthia Lee, Eva Addison, Matt King, Michelle King, Dee Lynch, Karen Thorne, Steven Gravatte, Rick Williams, Emily Tyler, Craig Butler, Colette McConville, Starlet Raj, and Monica Little. Also present were Assistant County Attorney Stacy Fritze Dott and County Attorney staff member Tammy Brown.

The following guests were present: Paul Bowe, Marcus Paint; Dennis Conniff, GLI Air Toxics Task Force; Mike DeBusschere, KEC; Brad Dillon, GD&M; Bob Ehrler, LG&E; Carl Hilton, West Jefferson County Community Task Force; Erica Peterson, WFPL; Sarah Scheetz, LG&E and KU Energy, LLC; Alice Simpson, Lubrizol Advanced Materials, LLC; Paige Mosser Theriac, Theriac Environmental Consultants, Inc.

Introductions

Ms. Anderson introduced Ms. Kathy Matheny as a new District Board member who replaced Barbara Sexton Smith. Ms. Matheny is an attorney who is knowledgeable and experienced about the District's work.

Approval of Minutes

Dr. Powell stated that pending a correction to the July Board minutes on page 5, section "C.", under the heading "Motion", to correct the title of "Steve Thomas", the minutes of the Public Hearing and Board meeting held on July 20, 2011 were approved as written.

Public Comments

Mr. Dennis Conniff spoke on behalf of the Air Toxics Task Force. He thanked the Board for approving the amendments to the STAR program in July 2011. Mr. Conniff stated that since the implementation of the STAR program in 2005, the task force had requested that only ethyl acrylate be delisted as a carcinogenic toxic air contaminant. He said the task force would have not asked for ethyl acrylate to be delisted unless there was ample scientific evidence to support their request. Mr. Conniff stated that at the July Board meeting, Ms. Anderson made a very eloquent presentation that he believed demonstrated that the delisting stage is one of the most severe, technical and scientific deficiencies in the STAR program as are the default values for both carcinogens and non-carcinogens. Mr. Conniff said that was the issue the task force believed needed to be addressed. On behalf of the task force, he asked the Board and the District to continue the discussion of the default values.

New Business

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

Ms. Phelps said the District recommended that the Board adopt the Agreed Board Order as proposed.

Motion: Mr. Robert Thomas moved to adopt the Agreed Board Order with Lubrizol Advanced Materials, Inc., as proposed.

Dr. Al-Shami abstained. The motion passed.

Staff Reports

A. Director

Ms. Anderson, Executive Director, thanked the Board for their participation and patience during the recent STAR program revisions. She said another STAR regulation the District adopted in 2005 was Regulation 5.30, which authorized the Board to convene a task force to develop a plan of action to address toxic air emitted from minor stationary sources, area sources, non-road mobile sources, and mobile sources. Ms. Anderson presented an update on Regulation 5.30 that included a review of the stakeholders involved on the task force, the sources of concern identified by the stakeholders, and the process used to develop strategies and a proposed timeline for action. She also discussed the emission sources identified in Regulation 5.30, the next steps for planning and evaluation, and strategies for moving forward. After Ms. Anderson's presentation, Dr. Powell encouraged everyone to do their part to reduce emissions.

B. Air Quality Data

Ms. Anderson stated there had been several ozone exceedances since the previous Board meeting. She said there had been enough exceedances this year that the community would not meet the current ozone standard of 75 ppb. Also, Ms. Anderson reported the community also had exceedances of the SO₂ standard.

The air quality monitoring report was submitted for filing. A copy is attached to the original minutes.

C. Enforcement Status Report

The enforcement report was submitted for filing. A copy is attached to the original minutes.

D. Excess Emission Report

The July 2011 Excess Emission Report was submitted for filing. A copy is attached to the original minutes.

E. Permitting Backlog Report

The permitting backlog report was submitted for filing. A copy is attached to the original minutes.

Next Meeting

The next regular Board meeting is scheduled Wednesday September 21, 2011, at 10:00 a.m.

Other

Dr. Powell said that he would not be able to attend the October 2011 Board meeting and asked Dr. Al-Shami to chair the meeting in his absence.

Adjourn

The meeting was adjourned at 10:43 a.m.

Robert W. Powell, M.D.
Chairman

Rachael Hamilton
Secretary-Treasurer