

**Minutes
Regular Meeting
of the
Louisville Metro Air Pollution Control Board
August 15, 2007**

The regular meeting of the Louisville Metro Air Pollution Control Board (Board) was called to order on August 15, 2007, at 10:13 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. Other Board members present were Mr. Lee Howard, Dr. Nadir Al-Shami, Ms. Vanessa Ruffin, Mr. Ronald Thomas, and Dr. Robert Powell. A quorum was present.

The following Louisville Metro Air Pollution Control District (District) staff members were present: Art Williams, Jon Trout, Matt Stull, Cynthia Lee, Terri Phelps, Larry Garrison, Eva Addison, Martha Hettinger, Erin Vachon, Steve Taylor, Jenny Rhodes, Steven Gravatte, Corey Ryan, Shane Corbin, Tua McDermott, Lilibeth Lanceta, Anne Marie Gauntlett, Bob Wesely, Craig Butler, and Monica Little. Also present were Assistant County Attorneys Lauren Anderson, Stacy Fritze, and Kathryn Hargraves, and County Attorney staff member Tammy Brown.

The following guests were present: Ben Basil, Rep. John Yarmuth's staff; Susan Clark, Lubrizol Advanced Materials; Dennis Conniff, GLI/Air Toxics Task Force; Tim Corrigan, GLI; Chris Dolan, URS; Jonathan Miller, DuPont Performance Elastomers; Vince Pinnick and Rich Robinson, American Synthetic Rubber; Sarah Scheetz, E.On U.S.; Kevin Spangler, Oxy Vinyls, LP; Christine Sundberg, Miss C's Kitchen & Pantry; Paige Mosser Theriac, TECI; and Dan Weiss, Duke Energy.

Introduction of New Staff

Mr. Williams, Director, introduced two new District staff members. Martha Hettinger is the Compliance Supervisor in the Engineering Section and will oversee the inspection of facilities and review records related to compliance. Ms. Hettinger has a Bachelor's degree in Mechanical Engineering, a Master's in Business Administration from Harvard, and has completed three semesters toward a law degree. Shane Corbin, Environmental Coordinator, fills the position previously held by Phyllis Fitzgerald in the Environmental Programs Section. Mr. Corbin has a Bachelor's degree in Biology and is near completion of his Master's degree in Urban Planning from the University of Louisville.

Approval of Minutes

The minutes of the regular Board meeting on July 18, 2007, were approved as distributed.

New Business

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

Dr. Cassidy announced that Mr. Howard would recuse himself from this agenda item because he is employed by Lubrizol.

Mrs. Phelps said that the District recommends the adoption of the Agreed Board Order with Lubrizol Advanced Materials, Inc., as proposed.

Motion: Dr. Al-Shami moved to adopt the Agreed Board Order with Lubrizol Advanced Materials, Inc., as recommended by the District.

The motion passed unanimously.

B. Agreed Board Order with Dixie Demolition, Inc.

Mrs. Phelps said that the District recommends the adoption of the Agreed Board Order with Dixie Demolition, Inc., as proposed.

Motion: Mr. Thomas moved to adopt the Agreed Board Order with Dixie Demolition, Inc., as recommended by the District.

The motion passed unanimously.

Committee Reports

A. Fine Particle Air Quality Task Force

Mr. Trout, Assistant Director, said that the Fine Particle Air Quality Task Force (Task Force) held its third meeting on July 26, 2007. The focus of the meeting was to review several years of PM_{2.5} speciated ambient air monitoring data in an effort to determine the types of fine particles that are increased on days with high levels of PM_{2.5}. Mr. Trout reported that Board member Dr. Robert Powell and Pat Moran, a former environmental engineer who is now an attorney, will co-chair the Task Force. Also, four committees were formed. The Emissions Inventory/Modeling Data Committee will be chaired by Dan White of Duke Energy. The Stationary and Area Source Committee will be chaired by Tim Corrigan of GLI. The Mobile/Non-Road Mobile Source Committee will be chaired by Tom Fitzgerald of the Kentucky Resources Council. The Report and Plan of Action Committee will be chaired by Karen Scott of the Regional Airport Authority. Mr. Trout indicated that the Task Force and the committees have a limited amount of time to complete their work; the PM_{2.5} attainment demonstration State Implementation Plan (SIP) submittals are due in April 2008. The next meeting of the Task Force is August 23, 2007, at 2:00 p.m.

B. STAR 5.30 Stakeholder Group

Mr. Williams said that the Strategic Toxic Air Reduction (STAR) 5.30 Stakeholder Group met August 9, 2007, effectively completing its task of developing a report and plan of action for toxics. The Stakeholder Group's Report and Plan of Action will be presented to the Board at the September meeting. The Plan of Action will include approximately 35 recommendations for actions the community could pursue to reduce exposure to air toxics. Mr. Williams indicated that the group does not expect to continue meeting although the group does recommend that the Board consider using ad hoc stakeholder groups as needed to address specific issues such as

perchloroethylene dry cleaners and diesel engine idling restrictions.

Staff Reports

A. Director

Mr. Williams reported that the KAIRE program will participate in the 2007 Kentucky State Fair. The KAIRE booth is being organized by District staff members Matt Stull, Dee Lynch, and TJ Jessie. Thirty District staff have volunteered to work the KAIRE booth to raise the community's awareness and understanding about the relationship between air quality and the activities we engage in. Mr. Williams extended an invitation to the Board members to join District staff members at the KAIRE booth.

Mr. Williams said that District staff met with the suburban fire chiefs on August 8, 2007, to gain a mutual awareness and understanding of open burning issues in the county. The fire departments' main concern is fire safety and the District's is respiratory health. There was a good dialogue and the discussion raised the level of understanding and cooperation on open burning issues in the community.

Mr. Williams stated that a public hearing was held on August 10, 2007, to take comments on the proposed renewal of the Federally Enforceable District Origin Operating Permit (FEDOOP) for Swift & Company. Residents and business owners in close proximity to the Swift & Company plant expressed concern about the odors and pollution that the company emits in the Butchertown neighborhood. The District will review the comments and develop a comment and response document. District action on the permit renewal is not expected to occur for several weeks.

Mr. Williams reported that the Climate Change Committee, which he chairs through the Louisville Metro's Partnership for a Green City, held its third meeting on August 16, 2007. Committees have been formed and the process has started to develop a request for proposal to conduct a greenhouse gas emission inventory. Mr. Williams previously reported that Mayor Abramson signed a climate protection agreement in April 2005. There are currently 500 cities across the United States that have likewise signed the agreement, which obligates the cities to undertake a range of measures to reduce greenhouse gas emissions by seven percent below 1990 levels.

Mr. Williams said that the District is collaborating on an initiative being led by the Louisville Metro Department of Public Health and Wellness. As a result of an enforcement action, the Louisville Metropolitan Sewer District (MSD) entered into a consent decree with the State whereby over the next 20 years MSD will spend approximately \$800 million to eliminate combined sewer overflows. As part of the agreement, MSD donated approximately \$1.2 million to a supplemental environmental project fund to conduct health assessments for individuals interested in participating in the project. The goal of the project is to gain a better understanding of the relationship between environmental exposure and health. The project is specifically focused on the West Louisville area.

Mr. Williams reported that Strathmoor Village, a sixth class city, adopted an ordinance prohibiting most vegetation except grass on street easements. Some of the citizens in Strathmoor Village who wanted to be able to plant flowers, ground covers, and other non-grass vegetation sought help from the District. Cynthia Lee, Manager of Environmental Programs, attended the Strathmoor Village Commission meeting to promote Lawn Care for Cleaner Air initiatives. As a result, the Commission decided not to enforce the ordinance and will allow its citizens to plant alternative vegetation on their easement areas.

Mr. Williams said that the former Phillip Morris facility at 18th & Broadway is being demolished. The buildings do contain asbestos and the District is working very closely with the demolition contractors so that the asbestos is removed in compliance with the federal requirements. The necessary demolition approvals have been obtained and regular inspections are being conducted by District staff.

B. Air Quality Data

Mr. Williams reviewed the monthly ozone report dated August 13, 2007. For the seven monitors in the five-county Louisville area, 14 exceedances were recorded on 10 different days so far in 2007. Mr. Williams stated that overall the number of exceedances were low despite the high temperatures that we have experienced this summer. He cautioned that the Louisville area remains very close to violating the 8-hour ozone standard. Mr. Williams explained that a reading at the Buckner monitor of 83 parts per billion would cause a new violation of the 8-hour ozone standard.

Mr. Williams reported that the average monitored PM_{2.5} concentration for July 2007 was 18.9 µg/m³. The July average is the second lowest PM_{2.5} average since the District began monitoring it in 1999. Mr. Williams stated that while the year-to-date 2007 readings are lower than in previous years, he doesn't believe that the community will achieve attainment this year. As a result, the District will continue to work with the Fine Particle Air Quality Task Force to develop a set of recommended control strategies for attaining the annual PM_{2.5} standard.

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 8/8/07* report was submitted for filing. A copy is attached to the original minutes.

D. Excess Emission Reports

The *Excess Emissions Report* dated July 2007 was submitted for filing. A copy is attached to the original minutes.

E. STAR Program Projects

The *STAR Program Projects* report dated 8/14/07 was submitted for filing. A copy is attached to the original minutes.

F. Regulation 5.30 Program Status Report

The *Regulation 5.30 Program Status Report* dated August 2007 was submitted for filing. A copy is attached to the original minutes.

G. Permit Application Log

Mr. Williams reported that during July 2007, the Engineering Section received 28 permit applications and issued 6 permits, for a net backlog increase of 22. Mr. Williams stated that a quarterly Permit Improvement Plan will be distributed at the September Board meeting.

The *Permit Application Log* dated July 2007 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 scheduled for Wednesday, September 19, 2007, at 10:00 a.m.

Adjournment

The meeting adjourned at 10:35 a.m.

Dr. Karen Cassidy
Chair

Jonathan L. Trout
Secretary-Treasurer