

**Minutes  
Regular Meeting  
of the  
Louisville Metro Air Pollution Control Board  
February 16, 2011**

The regular meeting of the Louisville Metro Air Pollution Control Board was called to order on February 16, 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, Mr. Bill Jacob, and Mr. Steve Thomas. A quorum was present.

The following Louisville Metro Air Pollution Control District staff members were present: Lauren Anderson, Rachael Hamilton, Paul Aud, Matt Stull, Terri Phelps, Cynthia Lee, Eva Addison, Larry Garrison, Shannon Hosey, Jenny Rhodes, Steve Taylor, Diana Prentice, Emily Tyler, Karen Thorne, Steven Gravatte, Matt King, Rick Williams, Michelle King, Shane Corbin, Colette McConville, Craig Butler, Steve Holley, Devin Cassell, Stewart McCollam and Monica Little. Also present were Assistant County Attorneys Stacy Fritze Dott, and County Attorney staff member Tammy Brown.

The following guests were present: Paul Bowe, Marcus Paint; Mike DeBusschere, KEC; Brad Dillon, GD&M; Carolyn Embry, American Lung Association; Arnita Gadson, KY Environmental Quality Commission; Brad Karas, American Synthetic Rubber Company; Emily McKinney, Frost Brown Todd; Rich Robinson, American Synthetic Rubber Company; and Paige Mosser Theriac, Theriac Environmental Consultants, Inc.

**Approval of Minutes**

The minutes of the Public Hearing and Board meeting held on January 19, 2011, were approved as written.

**Unfinished Business**

**A. Agreed Board Order with the University of Louisville**

Ms. Phelps said that at the January Board meeting, the District presented a proposed Agreed Board Order with the University of Louisville alleging the University had violated District requirements for asbestos renovation projects. The proposed Order required the University to pay a penalty, or to conduct a supplementary environmental project.

During that meeting, members of the Board expressed an interest in ensuring that any asbestos training video produced as part of the supplemental environmental project be made available to the District for training the public in asbestos awareness. Ms. Phelps advised the Board that the University had agreed to this requirement, and it had been incorporated into the Order.

The District recommended adoption of the Agreed Board Order with the University of Louisville, as proposed.

**Discussion**

Mr. Jacob asked if the video would be a generic version that other companies could use for asbestos training. Ms. Phelps said the video would be generic and available for use by other companies.

**Motion:** Mr. Ron Thomas moved to adopt the Agreed Board Order with the University of Louisville as proposed.

The motion passed unanimously.

## **New Business**

### **B. Agreed Board Order American Synthetic Rubber Company**

Ms. Phelps said the District recommended adoption of the Agreed Board Order with American Synthetic Rubber Company, as proposed.

**Motion:** Mr. Ron Thomas moved to adopt the Agreed Board Order with American Synthetic Rubber Company, as proposed.

The motion passed unanimously.

## **Committee Report**

Ms. Bonnie Biemer reported that the Strategy Committee met February 16, 2011, prior to the District Board meeting. The committee reviewed draft amendments to Regulation 3.01 *Ambient Air Quality Standards*, and Regulation 5.02 *Adoption and Incorporation by Reference of National Emission Standards for Hazardous Air Pollutants*. The draft amendments will update the District regulations to be consistent with the federal regulations. The Strategy Committee approved releasing the draft regulations for a 30-day public comment period.

## **Staff Reports**

### **A. Director**

Ms. Anderson said Metro Government replaced the former listserv account with a new e-mail communications system, *GovDelivery*, to keep community residents and constituents informed via e-mail.

Ms. Anderson reported that *The Courier-Journal* published an article on February 6, 2011, about the community's improved air quality and attainment of the federal standard for fine air particles (PM<sub>2.5</sub>).

On the national level, Ms. Anderson said EPA proposed on January 28, 2011, to retain the current carbon monoxide (CO) standard, for which the community is in attainment. However, near-road monitoring for CO may be required. Ms. Anderson said EPA had already lowered the standard for oxides of nitrogen (NO<sub>x</sub>), which will require the District to place a NO<sub>x</sub> monitor close to Interstate 65. A CO monitor could be co-located. Ms. Anderson also said that issues regarding EPA's regulation of greenhouse gases to control climate change have not been resolved. This may affect the work of the District and other permit authorities, but the District will continue to write permits for sources in Louisville.

Shane Corbin, Lawn Care Coordinator, presented the annual report for the 2010 Lawn Care for Cleaner Air Awards (LCCA) program. He reviewed information for the program that included the emissions saved by using electric powered lawn care equipment; the program awarded the highest number of rebates in 2010; participated in several outreach activities; and marketing of the program increased. Mr. Corbin said that in 2011, new initiatives are planned to increase marketing and partnerships to expand the LCCA program.

**B. Air Quality Data**

The air quality monitoring reports were submitted for filing. A copy of the report 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 January 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.

**Other**

Ms. Arnita Gadson, Director of the Environmental Quality Commission, invited the District's Board and staff to attend the Earth Day event in Frankfort, Kentucky on April 15, 2011. Gwen Keyes Fleming, Administrator for EPA Region 4 will be the keynote speaker.

**Next Meeting**

The next regular Board meeting is scheduled Wednesday, March 16, 2011, at 10:00 a.m.

**Adjourn**

The meeting was adjourned at 10:48 a.m.

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Robert W. Powell, M.D.  
Chairman

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Rachael Hamilton  
Secretary-Treasurer