

**Minutes
Regular Meeting
of the
Louisville Metro Air Pollution Control Board
June 17, 2009**

The regular meeting of the Louisville Metro Air Pollution Control Board (Board) was called to order on June 17, 2009, at 10:15 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 Ms. Barbara Sexton Smith, Ms. Vanessa Ruffin, Ms. Bonnie Biemer, and Mr. Bill Jacob. A quorum was present.

The following Louisville Metro Air Pollution Control District (District) staff members were present: Lauren Anderson, Joseph Schweinhart, Terri Phelps, Matt Stull, Cynthia Lee, Rachael Hamilton, Eva Addison, Steven Gravatte, Stephen Taylor, Erin Vachon, Shane Corbin, Craig Butler, Karen Thorne, Shannon Clemons Hosey, Narathip Chitradon, Devin Cassell, Dustin Gohs, Steven Grice, and Monica Little. Also present was Assistant County Attorney Stacy Fritze Dott, and County Attorney staff member Tammy Brown.

The following guests were present: Andy Battjes, Brown-Forman; Emily Boone, Clifton Community Council; Tyler Bolden, ASRC; Dennis Conniff, Frost Brown Todd; Tim Corrigan, GLI; Sharon Dodson, E.ON; Justin Faith, Stites & Harbison; Arnita Gadson, Kentucky Environmental Quality Commission; Barbara Hall, Ford-Kentucky Truck Plant; Carl Hilton, West Jefferson County Community Task Force; Paul Howard, MACTEC; Brad Karas, ASRC; Frank Kennedy, KEC; Cheryl-Lynne Patrick, Frost Brown Todd; Richard Robinson, ASRC; Sarah Scheetz, E.ON U.S.; Lauran Sturm, Stites & Harbison; and Paige Mosser Theriac, Theriac Environmental Consultants, Inc.

Introductions

Ms. Anderson introduced Dustin Gohs and Steven Grice, co-op students from the University of Louisville Speed School of Engineering, who are in placement at the District. She also introduced Devin Cassell, a part-time engineering contractor at the District; and Rachael Hamilton, a contractor working on District regulations.

Ms. Anderson announced that Matt King was promoted from Engineer I to an Engineering Supervisor.

Approval of Minutes

The minutes of the Public Hearing and regular Board meeting held on May 20, 2009, were approved as written.

New Business

A. Amended NO_x RACT Agreed Board Order with Texas Gas Transmission

Ms. Anderson said the District recommended that the Board adopt the Amended Agreed Board Order with Texas Gas Transmission, as proposed.

Motion: Mr. Jacob moved to adopt the amended Agreed Board Order with Texas Gas Transmission, as proposed by the District.

The motion passed unanimously.

B. Agreed Board Order with American Synthetic Rubber Company

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

Motion: Ms. Biemer moved to adopt the Agreed Board Order with American Synthetic Rubber Company as proposed by the District.

The motion passed unanimously.

C. Air Quality Trust Fund

Mr. Schweinhart reported that each year at the June Board meeting, the Board receives a report on the income and disbursements in the Air Quality Trust Fund. He said the current balance in the account is \$33,782.02 and no disbursements occurred since last year.

Staff Reports

A. Director

Ms. Anderson said the District was scheduled to meet with the Metro Council on June 16, 2009, to review the District's 2009-10 proposed budget, but the meeting was canceled and rescheduled on June 18, 2009. Ms. Anderson said the Economic Development budget proposed by the Mayor is \$42.5 million, of which the District is expected to receive \$6.5 million. Ms. Anderson said the District is part of Economic Development, which did have a serious funding cut. She reported the District did not have to lay off staff, but two positions that were vacant were eliminated. She said the District's revenue comes from a variety of sources and services are very comprehensive for a local program. Also, she said the District may receive additional funding from EPA since the District has been underfunded for several years.

Ms. Anderson said the U.S. won the case against Duke Energy regarding the Gallagher plant in Indiana. Also, the case with EPA and the Paradise coal-fired plant in Muhlenburg County, Kentucky has resulted in a consent decree.

Ms. Anderson informed the Board that she plans to discuss with them soon several EPA proposals that are expected to burden state and local agencies.

Ms. Anderson announced that Mayor Abramson signed the Mayor's Climate Protection Agreement which is an agreement to reduce greenhouse gas emissions to seven percent below 1990 levels. Also she stated that President Obama has proposed that EPA's 2009-10 budget be increased to \$2.5 million more than last year, and the additional funding will be allocated to air toxics monitoring of schools that reside near chemical companies. Also, she said the Obama

administration has proposed new vehicle standards and a Cash for Clunkers program for consumers who trade in their vehicles for a fuel efficient model.

B. Air Quality Data

Ms. Anderson said that the community has experienced two ozone exceedances under the new ozone standard. She said that PM_{2.5} and ozone are the two pollutants that present the most challenges for the community.

The air quality monitoring reports were submitted for filing. A copy of each 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 May 2009 *Excess Emission Report* was submitted for filing. A copy is attached to the original minutes.

E. Permit Application Reports

The permit application reports were submitted for filing. A copy is attached to the original minutes.

F. 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, July 15, 2009, at 10:00 a.m.

Adjournment

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

Robert W. Powell, M.D.
Chairman

Joseph E. Schweinhart
Secretary-Treasurer