

**Minutes
Regular Meeting
of the
Louisville Metro Air Pollution Control Board
November 15, 2006**

The regular meeting of the Louisville Metro Air Pollution Control Board (Board) was called to order on November 15, 2006, at 10:04 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. Barbara Sexton Smith, Ms. Vanessa Ruffin, Mr. Robert 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, Cynthia Lee, Terri Phelps, Matt Stull, Art Chang, Phyllis Fitzgerald, Erin Simpson, Tua Pickering, Steven Gravatte, Corey Ryan, Adam Monroe, Steve Taylor, Jenny Rhodes, and Monica Little. Also present was Assistant County Attorney Lauren Anderson and County Attorney staff Allison Grant and Tammy Brown.

The following guests were present: Tim Corrigan, GLI; Sarah Lynn Cunningham, Kentucky Resources Council; Brad Dillon, GD&M; Barbara Hall, Ford Kentucky Truck Plant; Rachael Hamilton, Frost Brown Todd; Tim Hooker, Linebach-Funkhouser, Inc.; Jonathan Miller, DuPont Performance Elastomers; Rich Robinson, American Synthetic Rubber Company; and Paige Mosser Theriac, TECI.

Approval of Minutes

The minutes of the October 18, 2006, public hearing and regular Board meeting were approved as distributed.

New Business

A. Action on District recommended measures from the Air Quality Task Force Report

Mr. Trout, Assistant Director, reported that the Air Quality Task Force Report Review Committee recommends full Board approval of the 11 measures in Phase 1 of the 8-Hour Ozone Strategies. Mr. Williams, Director, stated that these measures had been evaluated and recommended by the Air Quality Task Force. In addition, Mr. Williams said that the remaining recommended strategies will be implemented in subsequent phases.

Motion: Mr. Thomas moved to accept the recommendation for full Board approval of the 11 measures from the Air Quality Task Force to be implemented by the District.

Dr. Al-Shami asked how many measures were originally presented for review. Mr. Trout responded that 28 measures were recommended by the Air Quality Task Force. The 11 are being recommended as a Phase I plan, with implementation of the other measures to follow.

The motion passed unanimously.

Committee Reports

A. Strategy Committee

Mr. Trout reported that the Strategy Committee met November 8, 2006, to review Regulations 5.01, *General Provisions*; Regulation 5.21, *Environmental Accountability for Toxic Air Contaminants*; and Regulation 5.22, *Procedures for Determining the Maximum Ambient Concentration of a Toxic Air Contaminant*. These draft regulations were approved to start the formal Public Review process. The 30-day public comment period started November 9, 2006, and the public hearing will be held December 13, 2006.

B. STAR 5.30 Stakeholder Group

Mr. Trout reported that the STAR 5.30 Stakeholder Group met November 9, 2006. The agenda items included a presentation on the District's environmental acceptability framework under the STAR program, the West Jefferson County Community Task Force's Risk Management Plan, the U.S. Environmental Protection Agency (EPA) Region 4's Relative Risk Screening Analysis, and the EPA's 2002 National Air Toxics Assessment. In addition, the four STAR 5.30 Stakeholder Group's four committees, which met November 2 and 3, 2006, reported on their committee meetings.

C. STAR Implementation Advisory Group

Mr. Trout reported that the STAR Implementation Advisory Group (IAG) met October 27, 2006, and November 10, 2006, continuing discussion on STAR Program regulation issues.

Chair Cassidy thanked the District staff members for all their work with the various committees.

Staff Reports

A. Director

Mr. Williams reported that the District expects to receive, fairly soon, the final West Louisville Air Toxics Study report from Sciences International on the 2001-2005 air toxics monitoring data. The Board will receive a report at the December Board meeting. He said that the Kentucky Division for Air Quality (DAQ) held a public meeting in Frankfort on October 19, 2006, to review its draft of statewide air toxics regulations. Mr. Williams and Mr. Trout attended. Mr. Williams said that the DAQ draft regulations have many similarities to the STAR Program.

B. Air Quality Data

Mr. Williams noted that the October PM_{2.5} monitored levels were the lowest monitored for the month of October in the eight years of PM_{2.5} monitoring.

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

D. Excess Emission Reports

The *Excess Emissions Report* dated October 2006 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. Permit Program Report

Mr. Williams said that the District continues to discuss ways to recruit and retain engineers. He said that the District is currently in the sixth month of the new engineering salary structure and has determined that the salary range is still not competitive with the current market rate, which is approximately \$50,000 annually. As a result, the District has stalled in its recruitment efforts and will revisit the salary issue. Since the permit fee is the primary source of revenue for engineering salaries, the District may recommend changes to Regulation 2.08.

Questions were raised by Dr. Powell and Chair Cassidy regarding the number of engineering vacancies and the total number of engineering position. Mr. Williams replied there are currently six vacancies out of 21 engineering positions.

Mr. Williams reported that the issuance of permits in October is approximately the same as September. Also, two permit engineers have resigned due to one relocating out of state because her spouse accepted a position and one accepting a position with the Kentucky Transportation Department.

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

G. *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

A special Board meeting is scheduled on Wednesday, December 13, 2006, at 10:00 a.m.

Adjournment

The meeting adjourned at 10:26 a.m.

Dr. Karen Cassidy
Chair

Jonathan L. Trout
Secretary-Treasurer