

**Minutes
Regular Meeting
of the
Louisville Metro Air Pollution Control Board
August 18, 2010**

The regular meeting of the Louisville Metro Air Pollution Control Board was called to order on August 18, 2010, at 10:00 a.m. in the Board Room of the Louisville Metro Air Pollution Control District, 850 Barret Avenue, Louisville, Kentucky, by the Vice-Chair, Dr. Nadir Al-Shami. Other Board members present were, 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, Cynthia Lee, Eva Addison, Michelle King; Matt King, Craig Butler, Shane Corbin, Karen Thorne, Shannon Hosey, Steven Gravatte, Rick Williams, Starlet Raj, Erin Vachon, Larry Garrison, Diana Prentice, Steve Holley, Devin Cassell, Emily Tyler, and Monica Little. Also present were Assistant County Attorneys Stacy Fritze Dott, Jennifer Swyers, and Thomas Patteson.

The following guests were present: Paul Bowe, Marcus Paint Company; Anissa Brady, AFSCME; Carolyn Embry, American Lung Association; Arnita Gadson, Kentucky Environmental Quality Commission; Barbara Hall, Ford-Kentucky Truck Plant; Carl Hilton, West Jefferson County Community Task Force; Sarah Scheetz, E.ON U.S.; and Paige Mosser Theriac, Theriac Environmental Consultants, Inc.

Introduction

Ms. Anderson introduced Steve Holley who began employment with the District as an Engineer I.

Public Comment

Arnita Gadson, of the Kentucky Environmental Quality Commission, said she had concerns about the District changing the terminology from “we shall” to “we may” in the proposed amendments to the STAR regulations. Ms. Gadson said she believes the change in terminology lessens the effectiveness and support of the regulations.

Ms. Anderson said the District intended to use regulatory language to standardize the STAR regulations when the wording was changed from “we shall” to “we may.” Ms. Anderson said the District did receive comments about the change in terminology when the regulations were released for the informal/external comment period on March 17, 2010. Ms. Anderson said District staff will revise the regulations and implement some of the recommendations received during the public comment period.

Approval of Minutes

The minutes of the regular Board meeting held on July 21, 2010, and the minutes of the Strategy Committee held on August 3, 2010, were approved as written.

Committee Report

Ms. Biemer said that the Strategy Committee met August 3, 2010, to review and discuss the draft amendment to STAR Regulation 5.21 *Environmental Acceptability for Toxic Air Contaminants*, Version 5 – Proposed, August 3, 2010. Ms. Biemer said the Strategy Committee approved that Regulation 5.21 be released for the formal 30-day public comment period.

Staff Reports

A. Director

Ms. Anderson said the Strategy Committee met and approved the start of the formal 30-day public comment period for Regulation 5.21, Version 5. She said the proposed amendments will extend the deadline to submit environmental acceptability demonstrations for Group 2 stationary sources, and to integrate the STAR program into the regulation. Ms. Anderson said the deadlines proposed for Regulation 5.21, Version 5 were part of the larger package of STAR amendments that were sent for informal public comment on March 17, 2010. She said comments were received but the District did not receive any comments on the proposed deadlines.

Ms. Anderson said the District submitted a letter on August 2, 2010, to EPA Region 4 that indicated the District had authority or could interpret its regulations to include greenhouse gas (GHG) permitting. Ms. Anderson reviewed a presentation on GHG emissions that included information on when GHG was regulated as a pollutant, the federal regulations that have been proposed to permit GHG emissions, and how it affects the District. She said that EPA will phase in the GHG permitting requirements and the first deadline is January 2, 2011. Ms. Anderson said EPA has proposed two rules: a State Implementation Plan and a Federal Implementation Plan (SIP/FIP Fix) to address states that cannot meet the GHG deadlines.

Ms. Biemer asked if the District's SIP is insufficient and if there was legal basis for the opinion that the District is sufficient. Ms. Anderson said the District plans to propose an amendment to the District's Prevention of Significant Deterioration (PSD) regulation to update the date in which the federal PSD regulation is incorporated by reference. Ms. Anderson said the proposed amendment, which will include the important parts of the EPA's GHG permitting proposal, will be brought before the Policy Committee for discussion.

Mr. Jacob said to learn more about GHG, he suggested reading a book titled "Hot, Flat & Crowded" by Thomas Friedman.

Ms. Anderson said the District received positive press coverage recently when Jefferson County Public Schools' implemented their "no idling" campaign for the 2010-11 school year. She said the District will continue to educate the community about the importance of not idling through outreach and education.

B. Air Quality Data

Ms. Anderson reported that the community experienced several exceedances of the 8-hour ozone standard. She said ozone levels have reduced but there needs to be a greater reduction in ozone in order to comply with the current EPA standard of 75 ppb.

Ms. Anderson said there was an exceedance of the PM_{2.5} standard which occurred on July 4, 2010, and expects EPA to consider it an exceptional event.

The air quality monitoring reports was 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 July 2010 *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.

F. Lawn Care for Cleaner Air Awards

The August 2010 *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 15, 2010, at 10:00 a.m.

Adjournment

The meeting was adjourned at 10:36 a.m.

Dr. Nadir Al-Shami
Vice-Chair

Rachael Hamilton
Secretary-Treasurer