

**Minutes
Regular Meeting
of the
Louisville Metro Air Pollution Control Board
March 19, 2008**

The regular meeting of the Louisville Metro Air Pollution Control Board (Board) was called to order on March 19, 2008, at 10:10 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 Dr. Nadir Al-Shami, Ms. Barbara Sexton Smith, 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, Larry Garrison, Eva Addison, Martha Hettinger, Michelle Stites, Erin Vachon, Chris Bobay, Chris Bryant, Shannon Clemons, Steve Taylor, Jenny Rhodes, Steven Gravatte, Tua McDermott, Shane Corbin, Craig Butler, and Monica Little. Also present were Assistant County Attorneys Lauren Anderson and Stacy Fritze, and County Attorney staff member Tammy Brown.

The following guests were present: Brad Dillon, GD&M; Edward Dusch, Louisville Medical Center Steam Plant; Barbara Hall, Ford - Kentucky Truck Plant; Kevin Spangler, OxyVinyls, LP; and Paige Mosser Theriac, TECI.

Approval of Minutes

The minutes of the public hearing and regular Board meeting on February 20, 2008, were approved as distributed.

New Business

A. Amended Board Order with the Louisville Medical Center Steam Plant

Dr. Cassidy indicated that the District recommends the adoption of the amended Board Order with the Louisville Medical Center Steam Plant and related NO_x RACT Plan, as proposed, with an effective date of March 24, 2008, contingent on there being no adverse, unresolved written comment through the end of the 30-day comment period, which ends Friday, March 21, 2008, or a germane comment leading to a District-recommended change in the Board Order or NO_x RACT Plan.

Motion: Dr. Al-Shami moved to adopt the amended Board Order with the Louisville Medical Center Steam Plant and related NO_x RACT Plan, as recommended by the District.

The motion passed unanimously.

Committee Reports

A. Ozone Air Quality Task Force

Mr. Williams, Director, explained that new 8-hour ozone standard violation in 2007 obligated the District and the Kentucky Division for Air Quality to review the 8-hour ozone contingency plan and determine which additional measures should be pursued to address the ozone violation. Mr. Williams said that the District reconvened the Ozone Air Quality Task Force (Task Force). The Task Force held two stakeholder meetings, coming to a consensus that the adoption of two regulations, an offset lithography regulation and an idling restriction regulation, were sufficient to meet the federal requirement. Mr. Williams said that the District is proceeding to develop both regulations.

Staff Reports

A. Director

Mr. Williams reported that the U.S. Environmental Protection Agency (EPA) recently adopted a new ozone standards of 0.075 parts per million (ppm) compared to the current standard of 0.08 ppm, which is effectively 0.084 ppm. Although the new ozone standard is more stringent, the EPA did not lower the standard to the level recommended by the EPA's science advisers. Mr. Williams said that the states will be required to submit attainment/nonattainment recommendations to the EPA by March 2009. The Louisville area currently does not meet the new standard. The EPA will make designations by March 2010. He explained that the next major task is the submittal, by 2013, of attainment demonstrations for areas not meeting the standard. Depending on the severity of the violation of the standard, attainment of the new 8-hour ozone standard is required between 2013 and 2030. He said that he expects the Louisville area to reach attainment by the year 2015 or sooner. The EPA will continue to use three years of data, but the designation in 2010 will be based on data from 2007-09. He said that in 2007 there were 28 exceedances on 18 days in the Louisville area, with one monitor showing a new violation of the 0.08 ppm standard.

Mr. Williams stated he expects the ozone stakeholder group to again reconvene several years after the Louisville area is formally designated nonattainment for the new ozone standard. The stakeholder group will decide if there are any new measures that should be pursued to achieve the standard. Also, he said that it is possible that litigation may occur with the new standard, which, like what occurred with the 1997 ozone standard, could delay implementation of the new ozone standard.

Mr. Williams said that District staff is developing an implementation plan for the 63 recommendations from the Fine Particle Air Quality Task Force. He indicated that he expects the implementation plan to be ready for Board review in April or May 2008.

Mr. Williams reported that the first greenhouse gas emissions inventory for the Louisville area is being developed by Trinity Consultants.

Mr. Williams gave an update on the District's plan to integrate the recommendations from the Ozone, Fine Particle, and STAR 5.30 stakeholder groups into a unified management plan. The Climate Change recommendations will be incorporated into the plan when they are

completed in early 2009. He said that the recommendations will be sequenced in an order that is rational, efficient, and eliminates duplication. He said the that first draft of the unified plan is expected to be presented to the Board in May 2008.

Mr. Williams reported that he expects to begin recruitment soon for the Engineering Section vacancies, which include the management position previously held by Mr. Jesse Goldsmith.

Mr. Williams said that he continues to track legislation in Frankfort, although there has not been much activity on issues related to energy, environment, or air quality. Also, he stated that very few bills have been signed into law or even passed by both houses of the legislature. The session ends in less than two weeks.

Mr. Williams reported that the Air Quality team will move to the former Bowman Field Vehicle Emission Testing (VET) center. The center was built during the late 1990s with federal Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds. He explained that the lease on the site was prepaid to the Regional Airport Authority through the year 2017, and the District has a lease right to occupy and use the facility until the lease expires. Ms. Lee said that the District will be installing the required NCore monitoring site at this location, which will be named the Cannons Lane Air Monitoring Site (CLAMS). She said that monitoring equipment from two other air monitoring sites will be consolidated at the Cannons Lane site. In addition, low level carbon monoxide monitoring will be stationed at the new location. She explained that the move to CLAMS will not require Board action but will require a public comment period, approval by the Division of Air Quality, and inclusion in the annual report to the EPA.

Mr. Williams stated that the District has identified 30 individuals to serve on the Idling Reduction Work Group (IRWG). The first meeting is scheduled for April 18, 2008, and the IRWG is expected to meet for six months, with a recommend idling regulation ready for Board review this fall. He said that the District has identified several major issues the IRWG will focus on, including the applicability of an idling restriction is applicable, whether both gasoline- and diesel-fueled vehicles will be included, how the restrictions will be enforced, what exemptions for emergency and law enforcement vehicles should be included, and what is the appropriate time limit for idling. He stated that the issue of whether an idling restriction regulation should be adopted will not be discussed; the STAR 5.30, Ozone, and Fine Particle stakeholder groups all recommended the adoption of an idling restriction regulation.

Mr. Williams distributed information on the Mayor's Healthy Hometown Pedestrian Summit, scheduled Saturday, May 10, 2008.

Mr. Williams reported that the District is scheduled to meet with the Kentucky Division for Air Quality the week of March 21, 2008, to further discuss revision the agreement that has existed between the two agencies for 20 years. This agreement addresses how the two agencies relate to each other with respect to the major functions that the agencies undertakes.

B. Air Quality Data

Mr. Williams reported that there were relatively low levels of PM_{2.5} monitored during the month of February 2008. He said that the Louisville area is currently nonattainment for fine particles for the annual standard. The District is working with Kentucky and Indiana on submitting an attainment demonstration. He said that it is likely that neither Kentucky nor Indiana will meet the April deadline, but he believes there will not be a serious consequence for submitting the plan late. He explained that each state is required to conduct a public hearing on the attainment plan submittal.

The air quality monitoring reports were submitted for filing. A copy of each report is attached to the original minutes.

C. Enforcement Reports

The enforcement reports were submitted for filing. A copy of each report is attached to the original minutes.

D. Excess Emission Reports

The February 2008 *Excess Emissions Report* was submitted for filing. A copy is attached to the original minutes.

E. STAR Program Projects

The *STAR Program Projects* report dated 3/12/08 was submitted for filing. A copy is attached to the original minutes.

F. Permit Application Reports

Mr. Williams reported that during February 2008, the Engineering Section received 40 applications and issued 31 permits, for a net increase of nine permits. He said that the FEDOOP, Title V, and minor source permit reports that track the time to complete a permit were revised to simplify the data.

The permit application reports were submitted for filing. A copy of each report 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

The next regular Board meeting is scheduled for Wednesday, April 16, 2008, at 10:00 a.m.

Adjournment

The meeting adjourned at 10:43 a.m.

Dr. Karen Cassidy
Chair

Jonathan L. Trout
Secretary-Treasurer