

**Minutes  
Public Hearing  
of the  
Louisville Metro Air Pollution Control Board  
August 16, 2006**

A public hearing of the Louisville Metro Air Pollution Control Board was called to order on August 16, 2006, at 10:03 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.

**General Statement, Rules, and Purpose**

Chair Cassidy read the opening announcement, rules, and purpose of the Public Hearing, which was to amend one proposed regulation and to repeal one regulation.

**1. Amendment to Regulation 2.08, *Emission Fees, Permit Fees, Permit Renewal Procedures and Additional Program Fees, Version #21, Draft #3 - Proposed, April 12, 2006***

Jon Trout explained the proposed amendments to Regulation 2.08. They include (1) increasing the permit and program fees by 10% to provide program funding at a level to attract and maintain District engineering staff, (2) replacing references to the Title V Permit Fee Advisory Panel with a reference to the Air Pollution Control Board because the Advisory Panel was not re-instituted after the merger of the city and county governments, (3) reducing the permit fee for very large asbestos demolition/renovation projects by reducing the fee for increments of material over 100 increments by 75%, and (4) adding a fee for the second and each subsequent revision of an issued asbestos permit.

**Public Comment Period: 6-29-06 to 7-28-06**

Mr. Trout reported that the District received one written comment during the public comment period regarding Regulation 2.08. The comment questioned the rationale for assessing permit/notification fees for asbestos demolition/projects on the basis of quantity of materials to be removed. Also, the Board was asked to withhold approval until acceptable substitute language and fees are developed.

Mr. Trout said that the District disagreed with the comment, explaining that larger projects required more time to review and provide on-site inspection. He said that the District did not believe that it was appropriate to revise its permit fee structure to postpone the assessment of fees until after a project is completed.

Mr. Trout said that the District intends to recommend at today's Board meeting that the Board adopt amended Regulation 2.08, as proposed, subject to any comments made during today's Public Hearing.

**Statements**

Dennis Conniff, Greater Louisville Inc. (GLI) Environmental Affairs Committee, said that GLI supports the District's recommendation to adopt the proposed permit and program fee

increase. He said that in previous public hearings, GLI had asked the District to include several items in the plan to gain GLI's support of the fee increase. GLI met with District staff several times to discuss the District's permitting program improvement plan.

Mr. Conniff stated, however, that GLI does not support the 36-month timeframe to complete item #16 in the permitting improvement plan; GLI had suggested a shorter timeframe. In addition, Mr. Conniff said that GLI requests that the District implement the plan as rapidly as feasible, trying to exceed rather than meet the deadlines, and that the Board maintain an active oversight of implementation to ensure that commitments made in the plan are fulfilled and that they receive a monthly status report from District staff.

Barbara Sexton Smith asked whether the District will modify the 24-36 month timeframe because GLI does not support it. Art Williams stated that the 36-month timeframe is the District's best assessment as to how long it will take to implement that component. He said, however, that the District will revise the text so that it does not appear that GLI recommended the 36-month timeframe.

**2. Repeal of Regulation 2.14 *Asbestos Inspection Fee During Non-Scheduled Hours, Version #2, Draft #1 - Proposed, January 30, 2006***

Mr. Trout explained that Regulation 2.14 is proposed to be repealed, but the assistance/inspection fee would be moved to Regulation 2.08 with the other asbestos permit fees. He said that the District did not receive a comment during the written comment period on the repeal of this regulation. He said that the District intends to recommend at today's Board meeting that the Board adopt amended Regulation 2.08, as proposed, subject to any comments made during today's Public Hearing.

**Statements**

No statement was made.

**Adjournment**

The public hearing adjourned at 10:13 a.m.

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Dr. Karen Cassidy  
Chair

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Jonathan L. Trout  
Secretary-Treasurer