

STAR Advisory Group Process Summary

Adopted in June 2005, the Strategic Toxic Air Reduction (STAR) Program is a regulatory program to reduce harmful contaminants in the air we breathe. With STAR's help, Louisville has made great strides toward improving air quality and the quality of life for local residents.

The Louisville Metro Air Pollution Control District developed the STAR Advisory Group to ask for advice from industry representatives, community groups, and environmental advocates about how to make the STAR regulations clearer and more useful, while maintaining the health based standards that were set to protect Louisville's air quality. The District's goal is to ensure that the program is clear so that residents and the regulated community understand the program requirements and implementation policies.

The following summaries outline each meeting of the STAR Advisory Group from February to April 2009.

February 20, 2009 Meeting

Air Pollution Control District (District) Executive Director Lauren Anderson gave a background presentation that included the following highlights:

STAR Status Report

- To date, all environmental acceptability demonstrations and compliance plans for Louisville's largest sources, called Title V facilities, have been received on time. Several compliance extensions were requested to obtain construction permits from the District for improvements. Phase II of STAR will include an assessment of risk from Category 2 TACs as well as the risk from smaller permitted sources, called synthetic minors or FEDOOPs.
- The STAR Program divides toxic air contaminants (TACs) into categories. Category 1 TACs were identified through monitoring and were determined to pose the greatest health risk to the community. Category 2 TACs were identified by the U.S. Environmental Protection Agency (EPA) as the remaining most toxic chemicals released by companies in Louisville.
- The STAR Implementation Advisory Group (IAG) met from 2006 to 2007 to identify implementation issues and suggest changes to ensure compliance with STAR goals and standards. This group suggested several implementation improvements but stopped meeting before District regulations or internal policies were changed. IAG suggestions were revisited by the District's new leadership and, along with other regulatory changes, were incorporated into an advanced notice of proposed rulemaking (ANPR). Public comment on the ANPR was reviewed and the District decided to convene a new STAR Advisory Group to address additional issues raised.

District objectives for the STAR Advisory Group

- The District's goal is to make the air we breathe cleaner for the citizens of Louisville.
- The District seeks to achieve compliance with STAR standards.

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- To address confusion with the STAR permitting process, the District intends to make the STAR regulations as clear and “implementable” as possible, now and in the future.
- The District has identified some revision to the STAR regulations that might make them easier to implement.

Overview of appropriate topics for discussion

- Building on the work of the IAG, the goal of the STAR Advisory Group is to improve implementation of STAR. Suggestions related to STAR implementation are appropriate during this process.
- Suggested changes to STAR standards are not appropriate during this process.

Assistant County Attorney, Kathy Hargraves explained the District’s drafting objectives and led a discussion of the draft STAR Advisory Group timeline and identified topics.

Explanation of drafting objectives

- To draft regulations in plain English, to improve understanding and compliance.
- To organize the structure of regulations to make them easier to understand and comply with.
- To make regulations clearer and more useful.
- To make regulations as succinct as possible.
- To move definitions into one regulation in Part 5 of District regulation.

Discussion of STAR Advisory Group timeline and topics

- District staff reviewed the draft timeline with stakeholders, which will serve as an agenda for the remaining STAR Advisory Group meetings. Additional discussion topics that stakeholders have requested to be added to the timeline include:
 - Should ethyl acrylate be listed as a carcinogen?
 - Should trivalent chromium be recategorized as a non-carcinogen since the International Agency for Research on Cancer (IARC) has delisted it?
 - Should the TAC list be made consistent with EPA’s list of hazardous air pollutants (HAPs)? Of particular interest is the treatment of phosphorous. The TAC list currently includes “phosphorous compounds” while the HAP list only includes phosphorous.
 - Should the use of propane be considered de minimis similar to the use of natural gas?
 - Should FEDOOPs be required to perform an environmental acceptability demonstration for Category 2 TACS?
 - Should AERMOD be used for modeling needs going forward? When a model is rejected what test will be used?
 - Should sources have process-specific emission limits?

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- If a facility has a toxic air pollutant (TAP) based permit, should that facility be required to get a STAR-based permit?
- Is prior notice required as a permit condition for changes in concentration or identity of TACs?
- How should fugitive emissions be addressed?
- Intermittent rates and maximum ambient TAC concentration.
- Stakeholders agreed that two meetings may be necessary to thoroughly discuss issues of permitting currently scheduled for discussion on March 20, 2009.
- It was suggested that the District host a meeting/workshop to orient new stakeholders and the public to the language of the STAR program and the technical issues that will be discussed throughout this process.

March 6, 2009 Meeting

Air Pollution Control District (District) Executive Director Lauren Anderson began the meeting by reiterating that the purpose of the STAR Advisory Group is to gather information before the STAR regulations are amended for clarification.

Stakeholders discussed a list of STAR related topics identified at the previous STAR Advisory Group meeting. These topics were based on written comments submitted to the District regarding the January 21, 2009 advance notice of proposed rulemaking (ANPR). Stakeholders who submitted written comments regarding issues included in the meeting agenda were asked to prepare for the group a concise explanation of and reasons for their comments.

Discussion of recategorizing or delisting of toxic air contaminants (TACs)

- Should ethyl acrylate be recategorized as a non-carcinogen?
 - According to several stakeholders, the inclusion of ethyl acrylate and its benchmark ambient concentration (BAC) in the STAR Program originated from Michigan's Air Toxics Program. Stakeholders noted that ethyl acrylate was recategorized as a non-carcinogen by the state of Michigan.
 - One stakeholder noted that chemicals included in the STAR Program should not change unless the status of the chemical changes with International Agency for Research on Cancer (IARC) or the Agency for Toxic Substances and Disease Registry (ATSDR). Another stakeholder explained that IARC lists ethyl acrylate as a carcinogen when ingested but not when inhaled.
 - District staff noted that the list of TACs regulated by the STAR Program reflects conditions existing in 2005. At present, TACs not listed in Categories 1-4 are regulated by District Regulation 5.01, which includes the general duty clause that prohibits emissions of toxic chemicals in harmful amounts.
 - Several stakeholders suggested revising District Regulation 5.20 §§ 2.2 to give the District authority to recategorize TACs on a case by case basis.
- Should total chromium be broken out by valence on the list of TACs?
 - One stakeholder noted that the STAR Program regulates chromium as a category 1 TAC regardless of the valence state (i.e. trivalent chromium vs. hexavalent chromium). Category

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- 1 TACs include the eighteen chemicals proven through monitoring to exceed the STAR Program's health risk goals. The STAR Program requires compliance for category 1 TACs sooner than other categories of TACs.
- It was noted that the toxicity of chromium varies depending on its valence state. Trivalent chromium (Cr^{+3}) has a relatively low health risk, but hexavalent chromium (Cr^{+6}) has a very high health risk and is a human carcinogen. The baseline monitoring study that was used to create the list of category 1 TACs did not speciate between Cr^{+3} and Cr^{+6} .
 - Several stakeholders noted that the current regulation allows for the speciation of Cr^{+3} and Cr^{+6} for the purpose of an environmental acceptability demonstration but does not address the issue of compliance deadlines. Even when separated from Cr^{+6} , Cr^{+3} is still considered a category 1 TAC, which makes the compliance deadline sooner rather than later.
- Radon and radionuclides
 - One stakeholder noted that facilities may be licensed and actively regulated for radiation by the Nuclear Regulatory Commission (NRC) and by the state of Kentucky. These facilities should have an NRC license. NRC's regulation of radiation is covered in 10 CFR 20. The stakeholder also stated that to avoid dual regulation, EPA repealed its NESHAP regulating NRC-regulated chemicals while still regulating radionuclides emitted from non-NRC licensed facilities under the Clean Air Act (CAA). The stakeholder suggested that regulation of radon and radionuclides under the STAR Program is the same dual regulation that EPA was trying to avoid.
 - Several stakeholders suggested that chemicals regulated by the NRC should not be regulated under the STAR Program at facilities with an NRC license. However, facilities that are not regulated by the NRC should continue to be regulated by the District. Stakeholders also suggested that reporting of radon and radionuclide emissions under STAR should continue regardless.
 - Should the category 4 TAC list be updated to conform to EPA's list of hazardous air pollutants (HAPs)?
 - One stakeholder noted that by regulation (see District Regulation 5.23 §§ 4.1) the category 4 TAC list should be consistent with EPA's HAP list in CAA §112, including all compounds that are not found in Category 1, 2 or 3 TAC lists. However, the stakeholder stated that there are discrepancies between the Category 4 TAC list and EPA's HAP list. The stakeholder gave the example of phosphorous. The Category 4 TAC list includes "phosphorous and phosphorous compounds" while the EPA HAP list includes only specific phosphorous compounds.
 - Several stakeholders agreed that "phosphorous compounds" is too broad.
 - It was noted that District Regulation 5.14 lists "phosphorous compounds" as a HAP and should be changed if District Regulation 5.23 is changed.
 - One stakeholder requested that the following question be added to the timeline for discussion at a later time: Because the District has not calculated BACs for all TACs, are the default BAC values in District Regulation 5.20 §§ 3.3.5 and 4.11 appropriate for compounds?

Discussion of toxic air pollutants (TAPs) regulated under 5.11/5.12 and STAR

- What happens to sources that currently have toxic air pollutant (TAP) conditioned permits?
 - Assistant County Attorney Kathy Hargraves explained that the STAR regulations were intended to take the place of District Regulations 5.11 and 5.12 when a STAR permit is

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- issued for a TAC that is also a TAP. However, there are some permits that include 5.11 and 5.12 for minor sources that are not currently regulated by the STAR Program.
- One stakeholder suggested that permits issued under District Regulations 5.11 and 5.12 could be addressed as follows:
 1. A facility demonstrating environmental acceptability under STAR for a TAC without relying on a TAP limit should no longer be subject to 5.11 and/or 5.12.
 2. A facility using its TAP limit to demonstrate environmental acceptability under STAR should continue to meet the 5.11 and/or 5.12 limit.
 3. A facility not subject to STAR regulations should remain subject to 5.11 and/or 5.12 for TAP emissions.
 - One stakeholder noted that the list of TAPs in District Regulation 5.12 is much larger than the STAR TAC list. Based on the suggestion above, if a facility uses TAP limits as part of an environmental acceptability demonstration for STAR and is therefore still subject to District Regulation 5.12, does that facility still have to consider all the TAPs in 5.12 not covered by STAR?
 - Several stakeholders noted the differences between the HAP, TAP, and TAC lists and suggested that reducing reporting redundancies would be helpful. The differences in the lists make emissions inventory preparation and compliance reporting burdensome.
 - Lauren Anderson acknowledged that reporting redundancies do not help clean the air. District Regulations 5.11 and 5.12 are written such that a minor source that currently has a 5.11/5.12 permit will be required to have that permit indefinitely. However, new minor sources are not required to get a 5.11/5.12 permit. The District is seeking the most efficient way to regulate these facilities through implementation of the recommendations of the STAR 5.30 work group.
 - One stakeholder questioned, when a facility renews its Title V permit does the facility have to go through the TAP list? What if the facility took TAP limits under STAR?

Discussion of sources subject to or exempted from STAR

Before the discussion of sources subject to or exempted from STAR, Kathy Hargraves gave a brief overview of the District's intentions regarding the clarification of exempted sources. The District plans to expressly exempt waste oil furnaces in District Regulation 5.01, since those sources were reviewed under STAR Regulation 5.30, but plans to evaluate the recommendations made by the STAR Regulation 5.30 stakeholder group (relating to rain caps and stack height) in regulating waste oil furnaces. The District plans to clarify in general the types of facilities subject to STAR and the types of facilities exempted from STAR. The District also plans to clarify what will happen if District Regulation 5.01, the general duty clause, is violated. Finally, the District plans to clarify what will happen if changes in minor source operations create new emissions of Category 1 and/or Category 2 TACs.

- Should exempted FEDOOPs report chemical usage annually?
 - Several stakeholders noted that District reporting requirements are redundant, because federal reporting requirements provide sufficient information on toxic emissions, including the Toxic Release Inventory (TRI), Superfund Amendments and Reauthorization Act (SARA) Tier II, and EPA's National Emissions Inventory (NEI).

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- One stakeholder noted that a facility exempted from STAR should still be required to report TAC emissions to the District so that usage data is available to calculate the percentage of chemical going into the product verses the air.
- District staff noted that FEDOOPs are required to submit chemical usage and throughput data to the District as part of the annual emissions inventory, regardless of STAR status.
- Should the cumulative impact of all de minimis emissions be considered?
 - One stakeholder noted that the de minimis emissions from a facility could add up to a significant cumulative risk and should be calculated to ensure that the STAR risk goals are being met.
 - Several stakeholders questioned how to calculate cumulative de minimis emissions as well as how to derive a BAC for aggregate risk. One stakeholder noted that a requirement to calculate cumulative risk for de minimis emissions would eliminate the concept of de minimis from the STAR Program.
 - Stakeholders also noted that there is no way to measure the health impacts of cumulative de minimis emissions.
- Should the use of propane be considered de minimis similar to the use of natural gas?
 - One stakeholder noted that propane is commonly used in industrial processes. Like natural gas, propane is considered a relatively “clean fuel” with regard to toxic emissions and should be considered de minimis under the STAR Program.
 - It was noted that District Regulation 5.23 §§ 5.11 exempts the direct release of propane but does not exempt emissions from the combustion of propane.
 - Several stakeholders suggested that language could easily be added to District Regulation 5.01 §§ 1.6.7 to exempt the use of propane as a fuel.
 - One stakeholder noted that TACs should not be exempted without considering the science first and that any such changes would have to be made by amending the regulations

One stakeholder asked a procedural question regarding the outcome of issues and recommendations discussed at STAR Advisory Group meetings. Lauren Anderson reiterated that this is an information gathering process which does not require consensus of the stakeholder group. The District will take the information presented by the stakeholders into consideration when proposing regulatory changes. Any amendment to a District regulation is subject to the regulatory process, which includes a public comment period and a public hearing.

March 20, 2009 Meeting

Stakeholders discussed a list of STAR-related topics identified at the first STAR Advisory Group meeting. These topics were based on written comments submitted to the Air Pollution Control District (District) regarding the January 21, 2009 advance notice of proposed rulemaking (ANPR). Stakeholders who submitted written comments regarding issues included in the meeting agenda were asked to prepare for the group a concise explanation of and reasons for their comments.

Discussion of permits for STAR-regulated sources

- When should permits be required for sources doing environmental acceptability (EA) demonstrations?

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- One stakeholder noted that District Regulation 5.21 describes circumstances for which permit conditions may be necessary in at least five different sections (§2.3.1, §2.6, §3.1.1, §4.3, and §4.7). The stakeholder suggested that these permit condition circumstances be brought together in one section for clarity.
- Several stakeholders suggested that an affected facility shown under existing operating conditions to be in compliance with EA goals should not have additional permit conditions. However, if a construction permit or a revision to the operating permit is necessary to demonstrate EA, stakeholders suggested additional permit conditions should be required.
- Should a specific permit called a “STAR permit” be issued, or could existing types of construction and operating permits be used to include STAR-related conditions?
 - Several stakeholders noted a preference against a separate “STAR permit” because multiple permits will complicate compliance efforts. Stakeholders also noted that there is currently no provision in the regulations calling for a separate “STAR permit.”
 - One stakeholder suggested that STAR-related permit conditions should be incorporated into operating permits to insure public access to information. The stakeholder noted that the public may not know to ask for multiple permits (e.g., operating permit and “STAR permit”) when requesting information for a facility.
 - One stakeholder noted that multiple permits could increase redundancies in the permitting process, for example multiple permits may have identical permit conditions. Similarly, the stakeholder noted that slight differences in the wording of conditions from one permit to another may cause significant compliance issues.
 - One stakeholder questioned if there is not a separate “STAR permit” when and how is the operating permit modified? Also, is there a way to insure compliance until the operating permit is modified? Another stakeholder noted that a modification takes effect upon submission of a request for modification by the affected facility, unless the modification requires prior approval (e.g., a construction permit).
 - A member of the audience questioned if locally enforceable emission limits are incorporated into a federally enforceable permit (e.g., Title V permit) can the US EPA enforce local limits (e.g., emission limits as a condition to comply with STAR)? District staff noted that EPA will not enforce “District-only” permit conditions.
 - District Engineering Manager, Paul Aud, noted that a combined permit will clearly specify which emission limits are federally enforceable and which are “District-only.”
 - One stakeholder suggested that STAR-related permit conditions could be consolidated and included in the “Special Conditions” section of the permit. A member of the audience noted that all Title V permits include a table that specifies which limits are federally enforceable and which are “District-only.” The audience member suggested including information from that table elsewhere in the permit where pollutants are specified.
- What sort of monitoring, record keeping, and reporting should be required and can facilities follow the types of monitoring record keeping and reporting already used in permits?
 - One stakeholder suggested that the need for additional monitoring, record keeping and reporting is fact specific. For example, if EA is demonstrated based on existing permit conditions then no new monitoring, recordkeeping or reporting should be required. For sources making operational changes to implement best available technology for toxics (T-BAT) additional requirements may be necessary (e.g., additional temperature measurement). When new equipment is necessary as part of a compliance plan, new monitoring, recordkeeping and reporting requirements should be required.

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- Should any operational flexibility be built into permits?
 - One stakeholder suggested that the District should limit emission rates but not process inputs. The stakeholder noted that an operator needs the flexibility to determine how to operate (e.g., operating slower with dirtier materials vs. operating faster with cleaner materials).
 - Several stakeholders agreed that emission limits are preferred to process or operational limits.
 - One stakeholder noted that cancer risks are long-term risks which are based on 70 years of exposure. That stakeholder suggested that the annual emissions average currently required is already too narrow a timeframe, therefore emission limits should be no more prescriptive than an annual maximum emission average.
- How should the District incorporate operational flexibility into STAR permitting? Specifically, what types of actions (1) should not require District notification, (2) should require District notification only, and (3) should require District notification and approval?
 - Several stakeholders suggested that the types of actions that should not require District notification include:
 - Changes that do not cause emissions to exceed any emission limitation contained in an operating permit.
 - Changes that do not cause the source to become subject to any additional regulations or requirements.
 - Changes that do not seek to establish or modify a federally-enforceable emission cap or limit.
 - Minor changes in modeling parameters (District Regulation 1.06 §5.3) that do not result in an exceedance of the EA goals, for example removing a building. District staff noted that even minor changes like building placement can change the outcome of modeling.
 - One stakeholder suggested that the regulation could be changed to define a modification as an increase in emissions “above de minimis.”
 - One stakeholder noted that while some actions should not require immediate or prior notification, an affected facility could be required to report operational changes annually. Another stakeholder noted that Title Vs and FEDOOPs have to submit annual compliance certifications, which should be adequate to report operational changes as long as the changes do not cause a violation of the EA goals.
 - Several stakeholders suggested that changes in concentration of a TAC that exceeds the de minimis level but does not exceed the EA goals should require District notification only.
 - Several stakeholders suggested that the types of actions that should require District notification and prior approval include:
 - Changes that cause emissions to exceed the EA goals.
 - Changes that introduce a new TAC.
 - Changes that require a construction permit or an operating permit modification.
 - Changes that require a STAR compliance plan.
 - Changes that require a modified EA goal.
 - Changes in modeling parameters that result in an exceedance of the EA goals.
 - One stakeholder clarified that notification and/or approval should only be required for changes that affect category 1 or 2 TACs.

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- One stakeholder noted that the draft STAR permits, which went out for public comment, require affected facilities to notify the District of and request prior approval for all changes.
- One stakeholder noted that many other changes currently require District notification. The stakeholder suggested that the District should consider STAR requirements in the scope of general notification and approval requirements.
- Should sources have process-specific emission limits?
 - One stakeholder suggested that the need for process-specific emission limits is fact specific. For example, if the affected facility's EA demonstration is based on existing limits no additional process-specific limits should be required. Affected facilities may require process-specific permit limits when:
 - T-BAT is implemented
 - A permit for new construction or modification is needed
 - A limit is taken to meet EA goals
 - A compliance plan is needed under STAR
 - One stakeholder noted that the District currently uses several other options for limiting emissions beyond process-specific emission limits. For example, a permit may include a condition to operate a control device but not specify the process-specific emission limit. In this scenario, it is assumed that proper operation of the control device will result in compliance with emission limits. Other options include limiting a facility's hours of operation and specifying process-rate limitations. District staff noted that District permits incorporate all of these emission limiting tools as appropriate.
 - Several stakeholders noted a preference for emission limits as a control mechanism without additional requirements on how to meet the limits.
- Should a facility be required to get a STAR-based permit if that facility has a toxic air pollutant (TAP) based permit?
 - One stakeholder noted that the STAR program was intended to supersede the requirement for TAP-based permits in District Regulations 5.11 and 5.12. These regulations were based on state regulation that has since been repealed. The stakeholder suggested that facilities subject to STAR should no longer be subject to regulations 5.11 and/or 5.12 and the process limits referencing regulations 5.11 and/or 5.12 (taken by some facilities to demonstrate EA for STAR) should become "STAR limits." The stakeholder also suggested that facilities subject to regulations 5.11 and/or 5.12 but not subject to STAR should be considered under District Regulation 5.30.
- How should fugitive emissions be addressed?
 - One stakeholder noted that fugitive emissions are by their nature variable and a facility cannot easily control these emissions (e.g., leaks and/or leak rates cannot be anticipated and are therefore difficult to quantify). The stakeholder expressed concern that the draft STAR permits had specific limits for fugitive emissions. The stakeholder suggested that facilities should be required to implement a leak detection and repair (LDAR) program in lieu of a fugitive emissions limit.
 - One stakeholder suggested that fugitive losses might be captured through a material balance, a process by which inputs and outputs are measured and the difference is assumed to be emitted into the air. Another stakeholder noted that fugitive losses are too small to be effectively captured by a material balance but they can be calculated through an LDAR program.

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- Several stakeholders noted there is a strong economic incentive to find and fix leaks. It was also noted that work place exposure is an issue for many facilities.

The STAR Advisory Group was unable to fully discuss all items on the agenda because of time constraints. As a result, the discussion of EA demonstrations (agenda items 2.b.i & ii) will be included on the agenda for the April 17, 2009 meeting.

April 17, 2009 Meeting

Stakeholders discussed a list of STAR-related topics identified at the first STAR Advisory Group meeting. These topics were based on written comments submitted to the Air Pollution Control District (District) regarding the January 21, 2009 advance notice of proposed rulemaking (ANPR). Stakeholders who submitted written comments regarding issues included in the meeting agenda were asked to prepare for the group a concise explanation of and reasons for their comments.

Discussion of permits for STAR-regulated sources

- Should deadlines to submit environmental acceptability (EA) demonstrations or compliance plans for Group 2 sources be extended, and if so, for how long?
 - One stakeholder reminded the Advisory Group that the deadline extensions proposed in the January 21, 2009 ANPR would only apply to facilities with Federally Enforceable District Origin Operating Permits (FEDOOPs). It was also noted that the proposed changes to District Regulation 5.21 §4.4 include the EA demonstrations deadline for category 2 TACs and the compliance plan deadlines for category 1 and 2 TACs.
 - One stakeholder noted that the deadlines should not be extended. However, the stakeholder added that if District needs additional time to thoroughly review Group 2 EA demonstrations and compliance plans it may be important to extend the deadlines.
 - District Executive Director Lauren Anderson noted that controlling toxic emissions from the largest sources will produce the most benefit to air quality and public health. For that reason, the District will continue to focus its resources on the review of Title V permits and EA demonstrations and compliance plans for Group 1 sources. In order to focus resources on these sources, it may be necessary to delay the Group 2 deadlines to allow for a thorough review of these submissions by the District.
 - Several stakeholders noted that it would be precipitous for Group 2 sources to prepare a compliance plan for category 1 TACs before receiving comments from the District on submitted EA demonstrations. One Group 2 stakeholder expressed concern about moving on to the compliance planning process without comment from the District because of the considerable time and resources required.
 - One stakeholder noted that extending the submission deadline will provide:
 - Additional time the District needs to comment on Group 2 EA demonstrations; and
 - Additional time Group 2 sources need to incorporate District comment into a compliance plan.
 - One stakeholder asked how long of an extension will be necessary. Several stakeholders noted that it is common for a company's planning process to begin one year prior to implementation. One stakeholder also suggested that the regulatory process to extend the

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- submission deadlines will take time which should be factored into an extended submission date.
- Several stakeholders noted that a September deadline is convenient because it does not interfere with other federal, state or local reporting deadlines.
 - Should Group 2 sources be required to perform an EA demonstration for category 2 TACs?
 - One stakeholder noted that category 2 TACs were not determined to be constituents of concern by the West Louisville Air Toxics Study or the new monitoring data from Scientific International (2001-2005). According to the stakeholder, category 2 TACs have never been shown by air monitoring to occur at levels of concern and no statistically significant increase in category 2 TACs has been monitored. The stakeholder suggested that Group 2 sources should not be required to demonstrate EA for category 2 TACs, at a significant cost the companies, when these TACs do not occur at levels of concern in the ambient air.
 - One stakeholder noted that a construction permit for new processes or process modifications should still require an EA demonstration for category 1-4 TACs.
 - A member of the audience noted that some Group 2 sources submitted category 1 and 2 EA demonstrations at the same time. The audience member suggested that a Group 2 source that has already submitted a category 2 EA demonstration should not be held to a higher standard than other Group 2 sources.

Discussion of models and model inputs

- Clarification of District intent on the use of models and model inputs.
 - To clarify the District's intent in the January 21, 2009 ANPR, Assistant County Attorney Kathy Hargraves noted that the District proposes to allow the use of models that are approved by the U.S. Environmental Protection Agency (EPA).
 - One stakeholder noted that District Regulation 2.11 requires the use of models listed in 40 CFR Part 50 Appendix W. The stakeholder also noted that District Regulation 5.21 allows for the use of models not listed in Appendix W, particularly ISC3, a model used by many companies in initial EA demonstrations for STAR. The stakeholder suggested that this inconsistency in District Regulation should be corrected.
 - District staff noted that the ISC3 model is no longer an EPA preferred model and therefore has been removed from 40 CFR Part 50 Appendix W. EPA guidance now recommends use of the AERMOD atmospheric dispersion model instead of ISC3. However, the ISC3 model is still approved by EPA.
 - One stakeholder noted that generating inputs for a new model (i.e., AERMOD) is costly. The stakeholder suggested that it would be more cost effective for companies to use the original model (i.e., ISC3) to model modifications.

Discussion of emissions inventories

- Clarification of District intent on the use of enhanced emissions inventories for TACs.
 - To clarify the District's intent in the January 21, 2009 ANPR, Kathy Hargraves noted that the District proposes to continue to require the same emissions inventory data through a different, more streamlined process. Kathy also noted that the District does not intend to render reporting requirements for STAR, a District-only regulation, federally enforceable.

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- Should redundant inventory requirements for specific source categories (i.e., auto body shops and dry cleaners) be deleted from District Regulation 1.06 §4?
 - Lauren Anderson noted that reporting requirements for auto body shops (District Regulation 1.06 §4.3) and dry cleaners (District Regulation 1.06 §4.4) are truly redundant, requiring the same reporting as other minor sources (District Regulation 1.06 §4.1.3).
- Should Stage II gasoline dispensing stations be required to report throughput annually?
 - Lauren Anderson noted that it is not necessary for the District to receive annual throughput reports from Stage II gas stations for the following reasons:
 - Reporting histories show that throughput at most Stage II gas stations is relatively consistent from year to year; and
 - Stage II gas stations are required to keep annual throughput records on site, which the District can request at any time.
 - One stakeholder noted that the easiest way for the community to access emissions information is through the District. The stakeholder suggested that if the District stops requiring Stage II gas stations to report throughput annually, it will be difficult for the community to access that information.

Discussion of postcards for first- and second-tier property owners identified by Metro Planning

- Lauren Anderson noted that District Regulation 5.21 §5 requires the District to send a postcard notifying 1st and 2nd tier property owners when a facilities has submitted an administratively complete EA demonstration. There are several issues with this notification system, including:
 - 1st and 2nd tier property owners are not defined – District staff used geographic information systems (GIS) to identify properties adjacent to STAR facilities (1st tier) and properties adjacent to 1st tier properties (2nd tier). For Group 1 sources, many 1st and 2nd tier properties were owned by corporate or industrial interests, many of which are headquartered in other parts of the country.
 - Effectively communicating what an “administratively compete EA demonstration” is on a postcard is extremely difficult, if not impossible.
 - Postcards are a resource intensive notification tool – The postcards sent for Group 1 sources required hundreds of hours of District staff time to identify property owners and hand type addresses. More than 1,800 postcards were sent to property owners closest to Group 1 sources and only 8 requests for additional information were received.
- One stakeholder noted that postcard notification was not favored by industry in the STAR Implementation Advisory Group (STAR IAG) because it was predicted to be ineffective. However, the stakeholder added that industry did not oppose postcard notification provided industry did not have to pay for it.
- One stakeholder noted that the postcard notification system may not be necessary at this stage in the implementation process. Several stakeholders noted that while postcards may not be the most effective method, community notification should be continued.
- Lauren Anderson welcomed additional suggestions on ways to communicate more effectively with the community about the STAR Program.

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- Several stakeholders suggested that adequate information regarding STAR program updates and notifications can be found on the District's website. The stakeholders also suggested that the District should maintain a list of interested parties to send electronic updates.
- One stakeholder suggested sending STAR updates and notices by mail to appropriate neighborhood groups.

Discussion of intermittent rates and maximum ambient TAC concentration

- Several stakeholders agreed with the changes to intermittent rate calculation proposed in the January 21, 2009 ANPR. The stakeholders noted that according to District Regulation 5.22 §1.2, if the average rate for an intermittent emission is less than 10% of the maximum hourly rate, then a rate of 10% of the maximum hourly rate may be used. Stakeholders suggested that this leads to significant over-reporting of intermittent emissions. For example, under the current rule a process that is operated for 10 hours per year must use an intermittent rate of 870 hours per year (i.e., 10% of the maximum hourly rate).
- One stakeholder suggested that the changes to intermittent rate calculation proposed in the January 21, 2009 ANPR should apply to all equipment, not just emergency equipment.

This concluded discussion of the items included on the agenda.

Before wrap up of the STAR Advisory Group process, one stakeholder made the following final comments:

- *From the March 6, 2009 STAR Advisory Group meeting* - The stakeholder reiterated that the emissions from combustion of propane as fuel should be considered de minimis. In addition, the stakeholder suggested that emissions from the combustion of other "clean fuels" including ethane, hydrogen, methane, and liquefied petroleum gas (LPG) should also be considered de minimis.
- The stakeholder noted that the list of benchmark ambient concentrations (BACs) was last modified on September 30, 2008, however the list remains incomplete. According to the stakeholder, there are still a substantial number of TACs that do not have a BAC or de minimis value. The stakeholder requested that the list of BACs be completed. The stakeholder also noted that when a BAC or de minimis value does not exist, the default values in District Regulation 5.20 are extremely conservative. The stakeholder suggested that the District should reconsider these default values because the TACs currently without a BAC or de minimis value are generally considered to be less toxic than TACs that do have a BAC and/or de minimis value.
- *From the March 20, 2009 STAR Advisory Group meeting* – The stakeholder reiterated that operational flexibility is an important issue. The stakeholder also noted that requiring facilities to notify the District of all changes and receive prior approval before making those changes is too restrictive.

In conclusion to the STAR Advisory Group process, Lauren Anderson thanked the stakeholders for their participation. Lauren noted that the District will continue to take comments on the issues discussed by the STAR Advisory Group. Lauren added that the District may reconvene this or another advisory group to discuss STAR-related issues if the need arises.

STAR Advisory Group
Process Summary

One stakeholder asked how the District will move forward with rulemaking. Lauren Anderson explained that the District does not have timeline for rulemaking at this time. Lauren also noted that the next step in the rulemaking process is an informal external review of draft regulation.