

**Public Hearing Minutes  
of the  
Louisville Metro Air Pollution Control Board  
January 20, 2010**

A public hearing of the Louisville Metro Air Pollution Control Board was called to order on January 20, 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 Chairman, Dr. Robert Powell.

**General Statement, Rules and Purpose**

The Chairman read the opening announcements, rules and purpose of the Public Hearing which was to review an Agreed Board Order with BAE Systems Land & Armaments, LP.

**1. Agreed Board Order with BAE Systems Land & Armaments, LP**

Ms. Phelps said the District recommended the Board consider adoption of an Agreed Board Order alleging that BAE Systems Land & Armaments, LP (BAE) violated its Title V Operating Permit and the National Emissions Standards for Chromium Emissions, and directing the company to pay an administrative penalty. Ms. Phelps said the company agreed to the terms of the order.

Ms. Phelps said that BAE operates a military armament manufacturing facility pursuant to a Title V operating permit issued by the District, as well as the National Emissions Standards for Chromium Emissions. She said the National Emission Standards for Chromium Emissions, for chrome plating and anodizing, requires that regulated equipment meet the maximum achievable control technology (MACT) standard which requires that the inlet velocity pressure be maintained within certain ranges to ensure compliance with the emissions standard.

Ms. Phelps said that from 2002 to 2008, BAE reported regular deviations from the monitoring ranges. She said the company conducted several stack tests in an effort to reassess the appropriate monitoring ranges, and when it was unsuccessful, sought relief from the District from the requirement to monitor the inlet velocity pressure. However, BAE did not petition the U.S. Environmental Protection Agency for alternative monitoring requirements, as required by the MACT standard.

Ms. Phelps said that in 2008, BAE installed a HEPA filter which allowed it to discontinue monitoring the inlet velocity pressure. Since then, BAE has demonstrated to the District that the inlet velocity pressure reading was invalid and demonstrated through other monitoring and operating methods that it was unlikely that the emission limit itself was exceeded. Ms. Phelps said the violation alleged by the District is for failure to monitor as required by the MACT standard.

Ms. Phelps said the company also reported several deviations from its permit conditions for volatile organic compounds or particulate matter from 2005 to 2007. She said the District did not consider the deviations to be significant and in each case the company corrected the problem promptly.

Ms. Phelps said that to resolve the allegations, the company agreed to pay an administrative penalty of \$20,250.

## Comments

Dr. Al-Shami asked for more information about the volatile organic compound emissions. Ms. Phelps said the emissions were insignificant and were not hazardous pollutants. She gave an example of emissions from a vapor degreaser. She said the company installed an automatic shut off on certain equipment that corrected the problem.

Dr. Al-Shami asked how the District assessed the administrative penalty. Ms. Phelps said the majority of the penalty was related to the National Emissions Standard for Chromium Emissions.

## Adjournment

The public hearing adjourned at 10:06 a.m.

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Dr. Robert W. Powell  
Chairman

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Rachael Hamilton  
Secretary-Treasurer