

**Minutes
Regular Meeting
of the
Louisville Metro Air Pollution Control Board
October 17, 2007**

The regular meeting of the Louisville Metro Air Pollution Control Board (Board) was called to order on October 17, 2007, at 10:02 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 Mr. Lee Howard, Dr. Nadir Al-Shami, Ms. Vanessa Ruffin, 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, Terri Phelps, Larry Garrison, Eva Addison, Diane Hazellief, Martha Hettinger, Michelle Stites, Erin Vachon, Chris Bobay, Shane Corbin, Tua McDermott, Steve Taylor, Jenny Rhodes, Dee Lynch, Corey Ryan, Steven Gravatte, Anne Marie Gauntlett, Narathip Chitradon, Shannon Clemons, Sanjay Dulabh, and Monica Little. Also present were Assistant County Attorneys Lauren Anderson, Stacy Fritze, and Kathryn Hargraves, and County Attorney staff member Tammy Brown.

The following guests were present: Andy Battjes, Brown-Forman; Eboni Cochran, Charles Pope, Gracie Lewis, and Jonathan Tinsley, REACT; Tim Corrigan, GLI; Brad Dillon, GD&M; Bryan Handy, Kentuckiana Engineering Company; Johnny B. Hill, Louisville Presbyterian Theological Seminary; Dwain Kincaid, Kentuckiana Engineering Company; Kenneth Madison, Riverside; Jonathan Miller, DuPont Performance Elastomers; Vince Pennick and Rich Robinson, ASRC; and Paige Mosser Theriac, TECl.

Approval of Minutes

The minutes of the public hearing and regular Board meeting on September 19, 2007, were approved as distributed.

Public Comment

Ms. Cochran read Regulation 1.1.3 regarding odor nuisances and expressed her dissatisfaction with the District's investigation process and made recommendations for improvement.

Mr. Hill said that he is appalled with the air quality in west Louisville and the effect it has on children and the quality of life; poor air quality is one of the main causes of problems that plague the area. He said that he believes that a national forum is needed to address the air pollution concerns in west Louisville and that the issue will continue to be pursued in the future.

Mr. Pope read a portion of the District's website regarding the District's responsibility to ensure compliance with its laws so that air quality is improved. He described his experience with reporting complaints and not receiving prompt follow-up.

Ms. Lewis said she is disappointed that complaints are not investigated on the same day they

are reported, and that she is having health problems due to the pollution in west Louisville.

Mr. Williams said that District staff will evaluate the recommendations presented by Ms. Cochran and a report will be presented to the Board.

New Business

A. Board discussion of STAR 5.30 Stakeholder Group Report and Plan of Action

Chair Cassidy asked the Board if there were any questions or concerns with the final Report and Plan of Action from the STAR 5.30 Stakeholder Group. Chair Cassidy then asked the District to prioritize the 35 recommendations in the report, as the District had done for the ozone Air Quality Task Force's report and recommendations, and present the District's recommendations to the Board at either the November or December Board meeting.

Committee Reports

Fine Particle Air Quality Task Force

Ms. Lee, Manager of Environmental Programs, reported on the progress of the Fine Particle Air Quality Task Force (Task Force) committees. The five committees have met a total of 24 times since August. The Health Committee collected scientific literature to understand the health affects of PM_{2.5} and reached a consensus on adopting a health-based goal. The Emissions Inventory and Modeling (EIMD) Committee collected monitoring, modeling, and emissions inventory data. Several U.S. Environmental Protection Agency (EPA) staff from the Atlanta Regional Office presented information to the EIMD Committee (as well as the Stationary and Area Source Committee) on PM_{2.5} and reported what other states and the EPA are doing. The Stationary and Area Source (SAS) Committee reviewed data from the EIMD Committee and identified PM_{2.5}-related pollutants and sources potentially affecting the Louisville area. The Mobile and Non-Road Mobile (MNRM) Committee reviewed the data from the EIMD Committee and discussed target pollutants, sources of concern, and control strategies that may be implemented in the Louisville area. The SAS and MNRM Committees discussed the STAR 5.30 Stakeholder Group's process and its recommendations. The Report and Plan of Action (RAPA) Committee discussed the progress of the other committees and the reports submitted by the Health and EIMD Committees. The RAPA Committee will meet again in November to review the committee reports, which will be included in the final report.

Ms. Lee thanked District staff for their work with the Task Force and the committees. Mr. Williams thanked Dr. Powell and Mr. Moran for their leadership in keeping the Task Force focused. Dr. Cassidy expressed her appreciation to Ms. Lee for her leadership with the Task Force and the stakeholders for volunteering their time and expertise.

Staff Reports

A. Director

Mr. Williams said that the ozone season will technically end October 31, but that no additional exceedance is expected. In 2007, there were 26 exceedances on 16 different days in the Louisville area. Mr. Williams stated the 26 exceedances were substantially more than any year since 2002. He said that he believes that the hot weather contributed to the exceedances; there is no evidence of increased emissions into the atmosphere from other sources.

Mr. Williams said that, based upon preliminary monitoring data, the Buckner monitor shows a violation of the 8-hour ozone standard. Because of the apparent violation, the Kentucky and Indiana would have an obligation under the Clean Air Act to review the respective ozone maintenance plans and determine what contingency measures should be implemented to address the violation. Mr. Williams said that the District plans to convene the former Ozone Air Quality Task Force in January 2008 to review potential contingency measures and recommend to the Board what additional measures, if any, should be pursued in the community. He said that the Board has previously directed the District to implement at least twelve of the measures recommended by the Ozone Air Quality Task Force; these measures are in the process of being implemented. Mr. Williams said that implementation of these measures may be sufficient to meet the federal requirement. Such action is not required until after the District certifies the data from the ozone season, which is required by July 1, 2008. However, he said that he believes that it is prudent to begin the review process sooner because exceeding the 8-hour ozone standard is a public health issue.

Mr. Williams said that, with the Board's approval, the District will arrange for a brief presentation at the November 2007 Board meeting regarding air quality alerts. He said that air quality alerts are issued in the community to warn the public to protect their health if they need to reduce their exposure to ozone, and to take measures to reduce ozone emissions. There were 22 air quality alerts issued this season. Mr. Williams will invite a representative from the Indiana Department of Environmental Management, which has the lead on the forecasting exercise that is conducted daily, to come in and review the process, and discuss ways the District can improve their overall understanding of air quality alerts.

Mr. Williams said District staff has started the informal review of the third round of changes to the STAR Program regulations. Draft regulations were sent to the STAR Implementation Advisory Group for review at the October 24, 2007, meeting. The next step is for review by the Board's Strategy Committee.

Mr. Williams reported on recent and upcoming discussions on climate change. On October 4, 2007, the city participated in a national community conversation on climate change at the University of Louisville. The next meeting of the Climate Change Committee is scheduled November 1, 2007, from 3:00-5:00 p.m. in the District's Board Room. On November 3, 2007, at 2:00 p.m., in the front of Metro Hall, Mr. Williams will report on what the city is doing to address climate change through the national Partnership for a Green City.

B. Air Quality Data

Mr. Williams said the September 2007, PM_{2.5} levels were fairly typical of previous September monitored levels. The 16.7 µg/m³ reading was the lowest level since April and May 2007, but was generally higher than last year's September reading. Mr. Williams said that fine particle levels tend to decrease after September. Also, Mr. Williams said District staff will revise the fine particle report to include statistics from 2004 to present. The revised report will be distributed at the Board meeting in November 2007.

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

C. Enforcement Status

The *APCD Enforcement Status 10/09/07*, report was submitted for filing. A copy is attached to the original minutes.

D. Excess Emission Reports

The *Excess Emissions Report* dated September 2007, was submitted for filing. A copy is attached to the original minutes.

E. STAR Program Projects

The *STAR Program Projects* report dated 10/6/07, was submitted for filing. A copy is attached to the original minutes.

F. Permit Application Log

Mr. Williams said that 21 new application were received and 44 permits were issued, which is a net reduction of 23. Also, Mr. Williams said the September beginning number of outstanding applications on the log was reduced from the August ending number because the log was revised to eliminate duplicate applications from the same company. In addition, two new fields were added to the report to indicate the facility address and the number of days it took the District to complete the application. Mr. Williams said a new report will be developed to graph the information to indicate the length of time it takes to process a FEDOOP, Title V, and minor source permit applications. Mr. Williams said he is very confident that as key metrics are implemented to reduce the permit backlog, the length of time it takes the District to process a permit will be reduced.

The *Permit Application Log* dated September 2007, was submitted for filing. A copy is attached to the original minutes.

G. Permits Over Time

The *Permits Over Time* report dated January to September 2007, was submitted for filing. A copy is attached to the original minutes.

H. 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

Dr. Cassidy announced the next Board meeting would be held the second week in November, due to the Thanksgiving holiday.

The next special Board meeting is scheduled Wednesday, November 14, 2007, at 10:00 a.m.

Adjournment

The meeting adjourned at 10:37 a.m.

Dr. Karen Cassidy
Chair

Jonathan L. Trout
Secretary-Treasurer