

**Minutes  
Regular Meeting  
of the  
Louisville Metro Air Pollution Control Board  
April 18, 2012**

The regular meeting of the Louisville Metro Air Pollution Control Board was called to order on April 18, 2012, at 10:25 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. Other Board members present were Dr. Nadir Al-Shami, Mr. Bill Jacob, Ms. Bonnie Biemer, Mr. Steve Thomas and Ms. Kathy Matheny. A quorum was present.

The following Louisville Metro Air Pollution Control District staff members were present: Lauren Anderson, Rachael Hamilton, Thomas Nord, Terri Phelps, Cynthia Lee, Eva Addison, Steven Gravatte, Devin Cassell, Dustin Gohs, Diane Hazellief, Craig Butler, Nick Hart, Starlet Raj, Don Fountain, Colette McConville, Michelle King, Eric Burnette, and Monica Little. Also present were Assistant County Attorney Stacy Fritze Dott, and County Attorney staff member Tammy Brown.

The following guests were present: Emily Boone, FABA; Paul Bowe, Marcus Paint; Ralph Bowling, LG&E; Brad Dillon, Bingham Greenebaum Doll LLP; Bob Ehrler, LG&E; Richard Evans, Cane Run Neighborhood; Joan Lindop, Sierra Club; Kathy Little, Cane Run Neighborhood; Greg Long, Ford-LAP; Janet Overman, Sierra Club; Thomas Pearce, Sierra Club; Erica Peterson, WFPL; Gary Revlett, LG&E; Sarah Scheetz, LG&E and KU Energy LLC; Paige Mosser Theriac, TECI; and Steven Turner, LG&E.

**Approval of Minutes**

The minutes of the Policy Committee, Strategy Committee, and the regular Board meeting held on March 21, 2012, were approved as written.

**New Business**

**A. Proposed Agreed Board Order with Louisville Gas & Electric Company**

Ms. Phelps, District Enforcement Manager, assured the Board that District staff would continue to work on the LG&E matter. She said the District heard the complaints voiced by residents and were aware that problems continued.

Ms. Phelps said the District recommended adoption of the Agreed Board Order with Louisville Gas & Electric Company, as proposed.

**Motion:** Ms. Bonnie Biemer moved that the Board adopt the Agreed Board Order with Louisville Gas & Electric Company, as proposed. Ms. Biemer also stated that there was an understanding that more work needed to be done on the matter.

**Discussion**

Dr. Al-Shami asked several questions about the issues at LG&E. He asked what date the District started to take samples of the fly ash; who initially informed the District of the problems; did the District investigate the complaints; and, if the District had air monitoring equipment located near the plant? Ms. Phelps said the District began taking samples in October 2010. She said the District learned of the fly ash problem both from the residents and LG&E who reported the problem in an excess emissions report. She

said the District investigated the complaints in a timely manner. Ms. Phelps reported that the District did not have a fence-line monitor near the plant, but had a monitoring network. She said the company had installed passive monitors to collect samples of pollutants from the air, which they then had analyzed.

Mr. Jacob asked how the excess emissions event that occurred on April 16, 2012, would be addressed since it had not been reported to the District. Ms. Phelps said the incident would be investigated and that the District had received a video of the incident. Also, she said the company had other incidents that occurred in 2012 that would be investigated.

Ms. Matheny asked what agency was responsible for the permit and jurisdiction of the landfill. Ms. Anderson said the Division of Waste Management was responsible for the landfill.

Mr. Steve Thomas asked if the District was able to enforce the reporting requirement to notify the District of excess emissions events. Ms. Phelps said several of the violations this year were related to failure to report and the District would address the issue.

After discussion, the motion passed.

## **Committee Report**

### **A. Strategy Committee**

Ms. Bonnie Biemer reported that the Strategy Committee met March 21, 2012, and approved the release of three draft amendments to begin the 30-day public comment period: Regulation 5.02 *Adoption and Incorporation by Reference of National Emission Standards for Hazardous Air Pollutants* – Version 19, Draft #1; Regulation 5.14 *Hazardous Air Pollutants and Source Categories* – Version 8, Draft #1; and Regulation 7.02 *Adoption and Incorporation by Reference of Federal New Source Performance Standards* – Version 16, Draft #1. The 30 day public comment began on March 23, 2012.

## **Staff Reports**

### **A. Director**

Ms. Anderson reviewed data contained in the March 2012 air monitoring report. She stated there were no exceedances of the PM<sub>2.5</sub> standard. Based on three years of data, she said the Louisville area meets the current ozone standard of 75 ppb over an eight hour period. Ms. Anderson stated new ozone data might reveal non-compliance of the ozone standard. She said the District would likely take a proactive stance and begin discussing, with the Board the public's input, how to comply with the ozone standard.

Ms. Anderson said the installation of new equipment at the Gallagher generating station in Southern Indiana significantly decreased sulfur dioxide (SO<sub>2</sub>) emissions in the community.

### **B. Air Quality Data**

The air quality monitoring report was submitted for filing. A copy is attached to the original minutes.

### **C. Enforcement Status Report**

Ms. Anderson reported that the District had received numerous complaints about odors coming from Swift & Company plant located in Butchertown.

The enforcement status report was submitted for filing. A copy is attached to the original minutes.

**D. Excess Emissions Report**

The March 2012 Excess Emissions Report was submitted for filing. A copy is attached to the original minutes.

**E. Lawn Care for Cleaner Air Quarterly Report**

Ms. Anderson reported that a new logo was developed for the Lawn Care program – “Grow More, Mow Less” and that the program was being promoted at several events to encourage air friendly lawn maintenance.

The Lawn Care for Cleaner Air quarterly report was submitted for filing. A copy is attached to the original minutes.

**Next Meeting**

The next regular Board meeting is scheduled Wednesday, May 16, 2012, at 10:00 a.m.

**Adjourn**

The meeting was adjourned at 10:46 a.m.

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Robert W. Powell, M.D.  
Chairman

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Rachael Hamilton  
Secretary-Treasurer