

**Minutes
Regular Meeting
of the
Louisville Metro Air Pollution Control Board
May 16, 2012**

The regular meeting of the Louisville Metro Air Pollution Control Board was called to order on May 16, 2012, at 10:07 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. Ron Thomas, 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, Steven Gravatte, Devin Cassell, Dustin Gohs, Shannon Hosey, Kim Loechle, Ryan Engelbrecht, Rick Williams, Karen Thorne, Matt King, Starlet Raj, Craig Butler, Nick Hart, Colette McConville, and Monica Little. Also present were Assistant County Attorney Stacy Fritze Dott, and County Attorney staff member Tammy Brown.

The following guests were present: Paul Bowe, Marcus Paint; Greg Brotzge, Louisville Chemistry Partnership; Brandan Burfict; LG&E/KU Energy; Bhana Calvert, DuPont; Dennis Conniff, Frost Brown Todd and GLI-ATTF; Brad Dillon, Bingham Greenebaum Doll LLP; Clarence Ellery; Barbara Hall, Ford-KTP; Corinne Greenberg; ICS-KY; Rosa Macklin; Erica Peterson, WFPL; Rebecca Sabraoui, Caldwell Tanks, Inc.; Sarah Scheetz, LG&E and KU Energy LLC; and Paige Mosser Theriac, TECI.

Approval of Minutes

One correction to the regular Board meeting minutes was noted at page 2, second paragraph, second sentence wherein the word "said" was omitted immediately following "Ms. Phelps.... The minutes of the public hearing and the regular Board meeting held on April 18, 2012, were approved with this one correction to the regular Board meeting minutes.

Introductions

Ms. Anderson introduced two new District staff members - Ryan Engelbrecht, Compliance Officer; and Kim Loechle, Engineer I.

Public Recognitions

Ms. Anderson announced that Emily Tyler, a District Engineer, was reclassified to an Engineer II. Also, she reported that District had placed new signage in the first floor lobby.

New Business

1. Draft amendments to Regulation 1.15 *Version of Federal Regulations Adopted and Incorporated by Reference* - Version 16, Draft #1

Ms. Hamilton said the District recommended that the Board adopt the amendments to Regulation 1.15, as proposed.

Motion: Ms. Biemer moved to adopt the proposed amendments to Regulation 1.15 *Version of Federal Regulations Adopted and Incorporated by Reference* - Version 15, Draft #1.

The motion passed.

2. Draft amendments to Regulation 5.02 *Adoption and Incorporation by Reference of National Emission Standards for Hazardous Air Pollutants – Version 19, Draft #1*

Ms. Hamilton said the District recommended that the Board adopt the amendments to Regulation 5.02, as proposed.

Motion: Mr. Ronald Thomas moved to adopt the proposed amendments to Regulation 5.02 *Adoption and Incorporation by Reference of National Emission Standards for Hazardous Air Pollutants - Version 19, Draft #1.*

The motion passed.

3. Draft amendments to Regulation 5.14 *Hazardous Air Pollutants and Source Categories – Version 8, Draft #1*

Ms. Hamilton said the District recommended that the Board adopt the amendments to Regulation 5.14, as proposed.

Motion: Mr. Steve Thomas moved to adopt the proposed amendments to Regulation 5.14 *Hazardous Air Pollutants and Source Categories – Version 8, Draft #1*

The motion passed.

4. Draft amendments to Regulation 7.02 *Adoption and Incorporation by Reference of Federal New Source Performance Standards – Version 16, Draft #1*

Ms. Hamilton said the District recommended that the Board adopt the amendments to Regulation 7.02, as proposed.

Motion: Mr. Steve Thomas moved to adopt the proposed amendments to Regulation 7.02 *Adoption and Incorporation by Reference of Federal New Source Performance Standards – Version 16, Draft #1.*

The motion passed.

Staff Reports

A. Director

Ms. Anderson reported that the District was very involved with several local, state and national issues. She gave an update on the proposed changes at LG&E's Mill Creek and Cane Run generating stations necessary to comply with the Cross-State Air Pollution Rule, Federal Mercury and Air Toxics Rule, SO₂ and the upcoming PM_{2.5} standard and announced that a public hearing would be held on Tuesday, June 12, 2012, regarding LG&E's request for a construction permit for the Mill Creek generating station. Dr. Powell asked if the proposed construction changes at the LG&E Mill Creek generating station would reduce SO₂ emissions in Jefferson County. Ms. Anderson said the proposed changes would reduce SO₂ emissions along with other pollutants.

Ms. Anderson said EPA announced that it no longer required Stage II Vapor Recovery controls at gas stations because of improvements on new automobiles which have on-board refueling vapor recovery (ORVR) control systems. Ms. Anderson said EPA's decision to discontinue the Stage II Vapor Recovery program did not affect District regulations. She said ORVR is a component of the District's state

implementation plan for compliance with the ozone standard. Ms. Anderson said the District would continue to enforce the Stage II regulations until several issues were addressed.

Ms. Anderson reported that Metro Government's new fiscal year would begin on July 1, 2012, and the District had begun budget preparation. She said the District had experienced a deficit for the current fiscal year, primarily due to lower revenue from non-Title V permit fees and other revenue sources. Ms. Anderson said the District would review and propose changes to the fee regulations, permit structure, and the permitting process. She said the District would present the proposed changes to the Board in 2-3 months.

Ms. Anderson distributed the District's organization chart and reviewed the functions in each department.

B. Air Quality Data

Ms. Anderson said the Watson Lane monitor, which was in close proximity to the LG&E Mill Creek generating station, violated the new SO₂ standard of 75 ppb over one hour. The Firearms Training and the New Albany monitors had not experienced any exceedances for the past year and a half, a record she attributed to improvements at the Gallagher generating station.

Ms. Anderson reported that the community was on the borderline of exceeding the ozone attainment standard. As a result, the District will be proactive in taking steps to reduce ozone, including implementing measures contained in EPA's Ozone Advance Program.

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

C. Enforcement Status Report

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

D. Excess Emissions Report

Dr. Powell suggested that the Excess Emissions report be renamed to better reflect the information contained in the report.

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

Next Meeting

A public hearing on two construction permits for LG&E's Mill Creek generating station is scheduled Tuesday, June 12, 2012, from 4:00-6:00 p.m. at Memorial Auditorium.

The next regular Board meeting is scheduled Wednesday, June 20, 2012, at 10:00 a.m.

Adjourn

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

Robert W. Powell, M.D.
Chairman

Rachael Hamilton
Secretary-Treasurer