

**Minutes  
Regular Meeting  
of the  
Louisville Metro Air Pollution Control Board  
June 20, 2012**

The regular meeting of the Louisville Metro Air Pollution Control Board was called to order on June 20, 2012, at 10:09 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 Mr. Ron Thomas, Ms. Bonnie Biemer, and Mr. Bill Jacob. A quorum was present.

The following Louisville Metro Air Pollution Control District staff members were present: Lauren Anderson, Rachael Hamilton, Paul Aud, Thomas Nord, Matt King, Michelle King, Colette McConville, Steven Gravatte, Eric Burnette, Bradley Coomes, Dee Lynch, Stewart McCollam, Shannon Hosey, Kim Loechle, Rick Williams, Emily Tyler, Karen Thorne, Craig Butler, Nick Hart, and Monica Little. Also present were Assistant County Attorney Stacy Fritze Dott, and County Attorney staff member Tammy Brown.

The following guests were present: Kori Andrews, Smith Management Group; Paul Bowe, Marcus Paint; Brandan Burfict; LG&E/KU Energy; Dennis Conniff, GLI-ATTF; Brad Dillon, Bingham Greenebaum Doll LLP; Bill Fisher, DuPont; Barbara Hall, Ford-KTP; Erica Peterson, WFPL; Sarah Scheetz, LG&E and KU Energy LLC; Paige Mosser Theriac, TECI; and Sean Uhl, DuPont.

### **Introductions**

Ms. Anderson introduced Kelly Culver, a summer intern, who will help develop a “Grow More Mow Less” brochure for the Lawn Care for Cleaner Air Program in the Environmental Programs section.

### **Approval of Minutes**

The minutes of the public hearing and the regular Board meeting held on May 16, 2012, were approved as written.

### **New Business**

#### **1. Proposed Agreed Board Order with E.I. DuPont de Nemours & Company**

Mr. Aud recommended on behalf of the District that the Board adopt the Agreed Board Order with E.I. DuPont de Nemours, as proposed.

**Motion:** Mr. Ron Thomas moved to adopt the Agreed Board Order with E.I. DuPont de Nemours, as proposed.

The motion passed.

## **2. Proposed Agreed Board Order with Nuplex Resins, LLC**

Mr. Aud recommended on behalf of the District that the Board adopt the Agreed Board Order with Nuplex Resins, LLC, as proposed.

**Motion:** Mr. Ron Thomas moved to adopt the Agreed Board Order with Nuplex Resins, LLC, as proposed.

The motion passed.

### **Staff Reports**

#### **A. Director**

Ms. Anderson, Executive Director, reported that the District held a public hearing on June 12, 2012, to receive comments on proposed construction permits for Louisville Gas & Electric's Mill Creek Generating Station, which will be issued once approved and finalized.

Ms. Anderson also reported on two issues related to rulemaking. With respect to the first issue, the District had recently issued an advanced Notice of Proposed Rulemaking (NPR) regarding Stage II vapor recovery at gas stations. On May 9, 2012, EPA determined that onboard refueling vapor recovery (ORVR) was in widespread use on highway motor fleets. As a result, Stage II equipment at gas stations could be discontinued with a demonstration that it would not cause or contribute to a violation of the Clean Air Act. The public comment period for the District's NPR will end on June 25, 2012. To date, the District had received two comments. Dr. Powell requested, and Ms. Anderson agreed, that the District must provide a technical explanation of ORVR as part of any future rulemaking.

With respect to the second issue, EPA proposed in early June 2012 to approve Regulation 2.05 into the District's State Implementation Plan (SIP), including Version 9, which the District had submitted to EPA in 2009, and Version 10, which the District submitted in 2010 to address greenhouse gas emissions. EPA also proposed repealing the federal implementation plan for greenhouse gas permitting as part of its approval of Version 10.

Ms. Anderson reported about the District's investigations related to the mold lawsuit filed by several residents who live in Shively near liquor aging facilities. She attended a Metro Council District 3 neighborhood meeting on June 4, 2012, to present information about the District's investigation of mold complaints, which began in 2011.

Mr. Thomas Nord, Public Information Officer, presented information on the District's recent KAIRE program outreach activities to improve air quality through public awareness. The presentation included details about funding, advertising agency involvement, signage, media activity, Idle Free business and school partnerships, bus advertising, and the KAIRE website. The presentation also included a report on Clean Air activities in surrounding counties served by the KAIRE program.

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

Ms. Anderson said the community had not experienced a year-to-date PM<sub>2.5</sub> exceedance. She said the current PM<sub>2.5</sub> standard was 15.0 µg/m<sup>3</sup> and that EPA lowered the standard every five years and had recently proposed to change the standard between 12.0 and 13.0 µg/m<sup>3</sup>.

Ms. Anderson said there was an exceedance of the sulfur dioxide (SO<sub>2</sub>) standard at the Watson Lane Elementary monitoring station. She said SO<sub>2</sub> levels had decreased significantly at the Firearms Training and the New Albany monitors because of new controls at the Gallagher plant in Southern Indiana.

Ms. Anderson said the community had several ozone exceedances that began in June 2012.

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**

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

### **Next Meeting**

The next regular Board meeting is scheduled Wednesday, July 18, 2012, at 10:00 a.m.

### **Adjourn**

The meeting was adjourned at 10:56 a.m.

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Robert W. Powell, M.D.  
Chairman

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Rachael Hamilton  
Secretary-Treasurer