

**Minutes  
Regular Meeting  
of the  
Louisville Metro Air Pollution Control Board  
December 19, 2012**

A regular meeting of the Louisville Metro Air Pollution Control Board was called to order on December 19, 2012, 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. Other Board members present were Mr. Ronald Thomas, Mr. Steve Thomas, Mr. William Jacob, Ms. Bonnie Biemer, Ms. Kathy Matheny, and Dr. Neville Pinto. A quorum was present.

The following Louisville Metro Air Pollution Control District staff members were present: Lauren Anderson, Rachael Hamilton, Paul Aud, Thomas Nord, Terri Phelps, Cynthia Lee, Eva Addison, Matt King, Michelle King, Steven Gravatte, Shannon Hosey, Karen Thorne, Emily Tyler, Diana Prentice, Rick Williams, Dustin Gohs, Devin Cassell, Billy DeWitt, Craig Butler, Eric Burnette, 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: Greg Brotzge, LCP/KPC; Brandan Burfict, LG&E and KU Energy, LLC; Bhanu Calvert, DuPont; Don Ingold, Smart Emissions Reducer; Sarah Scheetz, LG&E and KU Energy, LLC; Paige Mosser Theriac, Theriac Environmental Consultants, Inc.; and Dan Weiss, Duke Energy.

**Approval of Minutes**

The minutes of the special Board meeting held on November 14, 2012, were approved as written.

**New Business**

**A. Election of Vice Chairman**

Dr. Powell announced that an election for a new Board Vice Chairman would be held to replace Dr. Nadir Al-Shami, whose term on the Board recently expired. Because state law requires that the Vice Chairman must be of a different political party than the Chairman, the Board members eligible for nomination were Bill Jacob, Dr. Neville Pinto and Steve Thomas. Mr. Steve Thomas expressed his willingness to serve as Vice Chairman. Mr. Jacob declined to be nominated because of other commitments, and Dr. Pinto declined because he only recently joined the Board.

**Nomination:** Mr. Ron Thomas nominated Mr. Steve Thomas to serve as the Board Vice Chairman.

Because there was only one nominee, a voice vote was taken. All approved the nomination and Mr. Steve Thomas was elected Vice Chairman.

**Staff Reports**

**A. Director**

Ms. Anderson thanked Mr. Steve Thomas for his willingness to serve as Board Vice Chairman. She announced that the District released a package of proposed regulations on December 10, 2012, for informal comment, including Regulation 1.02, Version 3 - *Definitions*; Regulation 2.02, Version 7 - *Air*

*Pollution Regulation Requirements and Exemptions; Regulation 2.03, Version 8 – Permits to Construct and Operate: Asbestos Demolition/Renovation Notices and Permit Requirements; Regulation 2.08 – Fees; Regulation 2.16 – Title V Operating Permits; Regulation 2.17 - Federally Enforceable District Origin Operating Permits; and Regulation 5.00, Version 2 – Definitions.* The informal comment period will end on January 24, 2013, and be followed by a formal comment period and a public hearing. The District hopes to bring the regulations to the Board for approval in April 2013.

Ms. Anderson explained the proposed revisions in each regulation and how the changes would help the District to streamline the construction and operating permit programs, and change how smaller emitting sources are regulated. The proposed changes also simplify the fee structure and take into account the amount of work conducted by the District. The changes to the fee structure also address a request from Mayor Fischer for all agencies to solve their systemic budget issues.

Ms. Anderson answered questions from the Board and said they would receive a package of the proposed regulations. She stated the proposed regulations could be revised during the informal or formal comment period, if the District decided a suggestion was appropriate.

Dr. Powell said the proposed changes to the regulations, especially the fee structure, were very important and asked the Board to review the entire package of materials.

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

Ms. Anderson said that during the year 2012, there were no exceedances of the annual standard of PM<sub>2.5</sub>. Unfortunately, she said there were numerous ozone exceedances during the year and several SO<sub>2</sub> violations occurred at the Watson Lane monitoring station.

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

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

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

#### **D. Excess Emission Event Report**

The November 2012 Excess Emission Event Report was submitted for filing. A copy is attached to the original minutes.

#### **Next Meeting**

The next regular Board meeting is scheduled Wednesday, January 16, 2013, at 10:00 a.m.

#### **Adjourn**

The meeting was adjourned at 10:40 a.m.

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Robert W. Powell, M.D.  
Chairman

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Rachael Hamilton  
Secretary-Treasurer