

**Minutes  
Regular Meeting  
of the  
Louisville Metro Air Pollution Control Board  
February 20, 2013**

A regular meeting of the Louisville Metro Air Pollution Control Board was called to order on February 20, 2013, at 10:06 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, Ms. Bonnie Biemer and Ms. Kathy Matheny. A quorum was present.

The following Louisville Metro Air Pollution Control District staff members were present: Lauren Anderson, Keith Talley, Rachael Hamilton, Paul Aud, Thomas Nord, Terri Phelps, Cynthia Lee, Eva Addison, Matt King, Steven Gravatte, Shannon Hosey, Nick Hart, Karen Thorne, Emily Tyler, Devin Cassell, Dustin Gohs, Hannah Byland, Billy DeWitt, Craig Butler, Eric Burnette, Colette McConville, Jaime Chesher, Edward Geary and Monica Little. Also present were Assistant County Attorney Stacy Fritze Dott and County Attorney staff member Tammy Brown.

The following guests were present: Jim Bottom, EMA; Brandan Burfict, LG&E and KU Energy, LLC; Dennis Conniff, GLI Air Toxics Task Force; Brad Dillon, Bingham Greenebaum Doll; Barbara Hall, Ford KTP; Greg Long, Ford LAP; Gail Miller, Fetter Printing Company; Erica Peterson, WFPL; Peter Raymond, Momentive Specialty Chemicals Inc.; Paige Moser Theriac, Theriac Environmental Consultants, Inc.; and Barbara Woerner, resident.

**Introductions**

Ms. Anderson, Executive Director, announced that the Compliance section was fully staffed and introduced two new Compliance Officers - Ms. Jaime Chesher and Mr. Edward Geary. Ms. Anderson also announced that Ms. Sam Yung had begun an internship in the District's Environmental Programs section.

**Approval of Minutes**

The minutes of the regular Board meeting held on January 16, 2013, were approved as written.

**New Business**

**1. Proposed Agreed Board Order with Momentive Specialty Chemicals Inc.**

Ms. Phelps recommended on behalf of the District that the Board adopt the Board Order with Momentive Specialty Chemicals Inc., as proposed.

**Motion:** Mr. Thomas moved to adopt the Agreed Board Order with Momentive Specialty Chemicals Inc., as proposed.

The motion passed.

## **Committee Report**

### **1. Policy Committee**

Mr. Thomas, Chair of the Policy Committee, reported that the committee met at 9:00 a.m. on February 20, 2013, to review draft amendments to the following regulations: Regulation 1.02 *Definitions* – Version 13, Draft #1, Regulation 2.02 *Air Pollution Regulation Requirements and Exemptions* – Version 7, Draft #1, Regulation 2.03 *Authorization to Construct or Operate; Demolition/Renovation Notices and Permit Requirements* – Version 8, Draft #1, Regulation 2.08 *Fees* – Version 26, Draft #1, Regulation 2.16 *Title V Operating Permits* – Version 7, Draft #1, and Regulation 2.17 *Federally Enforceable District Origin Operating Permits* – Version 4, Draft #1. Mr. Thomas said a quorum was present. The committee approved the release of the regulations for a formal 30-day public comment period.

Ms. Anderson stated that the formal 30-day public comment period for the regulations would begin on February 22, 2013, and end on March 25, 2013. She said the District planned to present the regulations for approval at the April Board meeting.

Ms. Matheny asked if the fee regulation would be included in the public comment period. Ms. Anderson confirmed that Regulation 2.08 *Fees* is included. She encouraged the Board to review the entire packet of regulations before they were presented for approval at the April Board meeting.

Dr. Powell announced that the Board's Strategy Committee would meet at 11:00 a.m. on February 20, 2013.

## **Staff Reports**

### **A. Director**

Ms. Anderson announced that EPA had recently approved the District's request to designate Jefferson County as partial nonattainment for the 2010 SO<sub>2</sub> NAAQS. The boundary established for Jefferson County essentially encompasses Louisville Gas & Electric's Millcreek Generating Station. Ms. Anderson said that Cynthia Lee, Manager of Environmental Programs, and her staff worked very hard on the nonattainment boundary and designation request.

Ms. Anderson introduced Mr. Russ Barnett, Director of the University of Louisville's Kentucky Institute for the Environment and Sustainable Development (KIESD), who presented information on air toxics monitoring that KIESD conducts at six monitoring sites to track volatile organic chemicals that may pose health risks in Jefferson County. When KIESD began the monitoring program in 2001, 89 chemicals of concern were analyzed in the West End. These chemicals included 1,3 butadiene, acrylonitrile, ethyl acrylate, benzene, chloroform, vinyl chloride and chloroprene because of the high concentration in the ambient air. Continued sampling by KIESD has confirmed that the concentration of those chemicals have decreased significantly, but recent monitoring has shown that high concentrations of other chemicals, such as acrolein, which was detected in 2011 at the Ralph Avenue monitoring site, are present.

Mr. Barnett said the air toxics program received federal, state and University funding but the allocations had decreased significantly over the years. He indicated that KIESD's air toxics monitoring program needed additional funding in order to successfully continue its monitoring studies. Ms.

Anderson suggested that, if the community was interested in providing funding, the District might recommend donations to the Air Quality Trust Fund, which is managed by the Board, as a means of providing those funds to KIESD's monitoring program. Ms. Anderson said that she may discuss that possibility with the Board at a later Board meeting.

**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**

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

**D. Excess Emission Event Report**

The January 2013 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, March 20, 2013, 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