

**Minutes
Regular Meeting
of the
Louisville Metro Air Pollution Control Board
August 20, 2014**

A regular meeting of the Louisville Metro Air Pollution Control Board was called to order on August 20, 2014, at 10:02 a.m. in the Board Room of the Louisville Metro Air Pollution Control District, 850 Barret Avenue, Louisville, Kentucky, by Mr. Ronald Thomas. Other Board members present were Ms. Bonnie Biemer, and Ms. Kathy Matheny. A quorum was not present.

The following Louisville Metro Air Pollution Control District staff members were present: Keith Talley Sr., Rachael Hamilton, Paul Aud, Thomas Nord, Michelle King, Matt King, Billy DeWitt, Terri Phelps, Karen Thorne, Shannon Hosey, Colette McConville, Rick Williams, Dee Lynch, Gordon Smith, Elise Venard, Starlet Raj, Craig Butler, Rick Williams, Emily Tyler, Josh Tennen, Bryan Paris, and Monica Little. Also present were Assistant County Attorney Stacy Fritze Dott, and staff member Tammy Brown.

The following guests were present: Jim Bruggers, Courier-Journal; Brandan Burfict, LG&E/KU Energy; Bhanu Calvert, DuPont; Mike DeBusschere, Kentuckiana Engineering, Inc.; Brad Dillon, Bingham Greenebaum Doll; Arnita Gadson, KY Environmental Quality Commission; Barbara Hall, Ford-KTP; Emily McKinney, Frost Brown Todd; Jon O'Neil, Marcus Paint Co.; and Paige Mosser Theriac, Theriac Environmental Consultants, Inc.

Approval of Minutes

The minutes of the regular Board meeting held on July 16, 2014, were approved as written.

Introductions

Mr. Talley, Director, introduced Bryan Paris who was recently hired as the Data Processing Coordinator in the air monitoring section. Mr. Talley also announced that the Records Coordinator, Regulatory Division Head, and Environmental Coordinator positions had been filled and the new hires would start in September 2014.

New Business

A. Air Quality Trust Fund

Ms. Hamilton, Assistant Director, reported on the balance of the Air Quality Trust Fund (AQTF) account. The AQTF was established to allow the Board to approve and fund non-recurring air quality research and development projects. There were no disbursements or deposits during FY14. Ms. Hamilton said the current balance was \$20,186.36, but the reported amount did not include interest. She said the Board would receive an updated account balance with interest at the September meeting.

Staff Reports

A. Director

Mr. Talley gave an update on the District's reorganization. He stated that an injunction was granted to the AFSCME union on May 14, 2014, because of concerns the union had with the District's reorganization plan. On August 4, 2014, a mediation hearing was held with District staff and AFSCME

union representatives to discuss the issues. As a result of the hearing, the District and the union agreed to a mutually acceptable compromise and resolution. Mr. Talley said he expected a proposed agreement would be signed soon. On August 13, 2014, the Commonwealth of KY Court of Appeals approved Metro Government's motion to dissolve the temporary injunction that had been granted to the union. Mr. Talley said the ruling supported the District's right to address the issues identified in the audits by the State and EPA and allows the District to move forward with the reorganization.

Mr. Talley reported that EPA informed the District that it had made an initial PM_{2.5} data determination that all PM_{2.5} federal reference method samples collected by the District between 2009 and 2012 should be considered invalid for regulatory purposes based on the technical system audits conducted by the KY Division of Air Quality, EPA Region 4 and the District's responses to the audits. He said EPA had moved data from the PM_{2.5} sites in question from a parameter code indicating useful regulatory data to a parameter code that identified the data as invalid. The change clarified that the data in question could not be compared to PM_{2.5} national ambient air quality standards until a final validity determination had been made. Also, the District received a 120-day letter from EPA on August 19, 2014, which proposed designating the Louisville Metro area as non-attainment. Mr. Talley said the District will resolve the non-attainment issue with involvement from stakeholders.

Mike Debusschere with Kentuckiana Engineering asked if the proposed non-attainment designation would affect the entire county, and what consequence it would have on the permitting process. District staff responded that it would affect the entire county and it would not affect the current permitting process.

Mr. Talley said the State and the District planned to sign a Memorandum of Understanding that would update how the two agencies would collaborate on air quality issues in Jefferson County.

B. Air Quality Data

Mr. Talley said there were exceedances of the PM_{2.5} standard on July 4th at the Southwick and Durrett Lane monitoring sites. He said the District requested an exception from EPA because the exceedances were attributed to fireworks.

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 July 2014 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, September 17, 2014, at 10:00 a.m.

Adjourn

The meeting was adjourned at 10:17 a.m.

Robert W. Powell, M.D.
Chairman

Rachael Hamilton
Secretary-Treasurer