

**Minutes  
Public Hearing  
of the  
Louisville Metro Air Pollution Control Board  
February 19, 2014**

A public hearing of the Louisville Metro Air Pollution Control Board was called to order on February 19, 2014, 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.

**General Statement, Rules and Purpose**

The Chairman read the opening announcements, rules, and purpose of the public hearing, which was to review an Agreed Board Order with BAE Systems Land and Armaments, L.P. (BAE).

**1. Agreed Board Order with BAE Systems Land and Armaments, L.P.**

Ms. Terri Phelps, Enforcement Manager, asked the Board to consider and adopt a proposed Agreed Board Order, which alleged that BAE had violated District Regulations 1.05, 2.03, and its District permit and required the company to pay a penalty. The company agreed to the terms of the Order.

BAE manufactures products for air, land and naval sources at its Louisville facility pursuant to a Title V operating permit. In March 2013, the company conducted a stack test on a blasting booth baghouse. In May 2013, the company reported to the District that the test revealed excess emissions of particulate matter (PM). The stack emissions rate of 9.53 lbs. per hour exceeded the permitted PM limit by almost 300 percent. The emissions also exceeded the STAR permit limit for hexavalent chromium.

The company reported that the excess emissions were the result of its operation of the blasting booth baghouse with reconditioned filters that were not guaranteed to achieve the 99.9% removal of emissions required by the permit. In April 2013, the blasting booth was removed from service and, after investigating the problem, the company replaced the filters with guaranteed filters. On May 8, 2013, the company retested emissions with guaranteed filters and demonstrated compliance with its permit limits. The company also demonstrated compliance by air dispersion modeling in November 2013, which showed that while the company's emissions had exceeded its STAR permit *de minimis* emission limit for hexavalent chromium, actual emissions did not exceed the STAR program's environmental acceptability goals.

The company agreed to a penalty of \$105,000 to resolve the case and agreed to use filters to achieve the 99.9% efficiency rate. Ms. Phelps said the District would recommend adoption of the Agreed Board Order, as proposed.

**Discussion**

Mr. Ron Thomas asked why the company used the wrong filters. Ms. Phelps stated the company may not have been aware of the performance results of the reconditioned filters.

Dr. Powell asked why there was delay in reporting the excess emissions to the District. Ms. Phelps said it is a general requirement to report stack test results within 60 days.

Ms. Biemer asked what effect the violation had on the surrounding neighborhood. Ms. Phelps said the exceedance of the particulate matter standard only occurred for 41 hours. From a health risk standpoint, the company was able to demonstrate that, after initially claiming *de minimis* emissions, actual emissions of hexavalent chromium did not exceed the STAR program's environmental acceptability goals.

### **Adjourn**

The public hearing adjourned at 10:09 a.m.

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Robert W. Powell, M.D.  
Chairman

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Rachael Hamilton  
Secretary-Treasurer