

TO: Western North Carolina Regional Air Quality Agency Board of Directors
FROM: Betsy Brown, Air Quality Supervisor
SUBJECT: November 9, 2015
DATE: December 29, 2015

Please find attached a copy of the **MINUTES** from the November 9, 2015 Board Meeting. The next meeting of the WNCRAQA Board is scheduled **Monday, January 11, 2016**, in the Agency Board Room at 125 South Lexington Ave Suite 101, Asheville, N.C. 28801.

The Western North Carolina Regional Air Quality Agency Board of Directors met on Monday, November 9, 2015, at the boardroom of the Western North Carolina Regional Air Quality Agency, located at 125 South Lexington Ave Suite 101, Asheville, N.C.

The attendance of the Board members was as follows:

Members Present:

Britt Lovin

Karl Koon

Vonna Cloninger, by telephone

Members Absent:

Dean Kahl

Lloyd Kirk

Staff Present: *David Brigman, Director; Ashley Featherstone, Air Quality Permitting Program Manager; Kevin Lance, AQ Field Services Program Manager; Betsy Brown, AQ Supervisor; Mike Matthews, Senior AQ Specialist; James Raiford, Senior AQ Specialist*

Media Present: *none*

Others Present: *Michael Frue, Attorney; Alice Tromba, Sierra Club; Mike Plemmons, CIBO*

Mr. Lovin called the meeting of the Western North Carolina Regional Air Quality Agency Board of Directors to order on November 9, 2015 at approximately 4:04 p.m.

The order of business was as follows:

I. PUBLIC COMMENT PROTOCOL ANNOUNCEMENT:

Mr. Lovin started the meeting by reading the announcement about the public comment protocol.

II. APPROVAL OF AGENDA:

Mr. Koon made a motion for approval. Ms. Cloninger seconded the motion. It was approved 3-0.

III. CONSENT AGENDA:

A. Approval of minutes from the September 8, 2015 Board Meeting:

There were no changes to the minutes and Mr. Koon made a motion for approval. Ms. Cloninger seconded the motion and it was approved 3-0.

IV. DIRECTOR'S REPORT:

Director's Report:

- A. Monitoring Update:** Kevin Lance just completed a major EPA audit. We fared better than some other agencies. Mr. Lance and Mr. Raiford have been doing a great job. The exit interview only took 15 minutes twice, and that was only because they forgot to include management.

- B. New Ozone Standard:** The new ozone standard is 70 ppm. A lower value could have resulted in quite a few areas being in non-compliance. We are well within that standard for the current three year average, which is 63 ppm. This standard should be in place five or more years. The EPA will make a final determination of areas of attainment in 2017. The data used will likely be from 2014-2016. North Carolina is expecting all areas to be attainment. If the values from 2012 were included, Charlotte might have an issue. Ozone season will be extended by one month in 2017. It will begin in March instead of April.
- C. Regulatory Reform Act of 2015 (HB765):** Farmers in NC are now allowed to burn agricultural plastic instead of sending it to the landfill or to be recycled. Wood heaters are now exempt from opacity rules, we have no regulatory authority. The heavy duty diesel truck idling rules have been repealed. All monitors not required by EPA may be removed. Our monitors will probably be allowed to remain in place. These changes are all coming from the NC General Assembly and have been signed by the Governor.
- D. Discussion of Agency Building and Office Space:** We have moved in to our new space downtown. We have five parking spaces in the garage underneath the building. There have been some parking issues but the Agency is making do. There may be some issues at board meetings. Our former building is fully occupied. Soil and Water and the County Extension Service now have their offices in that building. We still have a storage building on the property.
- E. Duke Energy Progress Permit Renewal Update:** We are very close to having our response to the consolidated comments. We expect to have the document finished this week and expect to spend some time to review. Then we will submit the document and comments to the EPA. They will have 45 days to review and comment on the draft permit and comments. Mr. Lovin asked if the board could have a copy of the comments. Ms. Featherstone said that typically we would post the document on the internet site. She was not sure if we would post it before the EPA reviewed it or not. Numbers of comments- approximately 500 emails, 100 or so written comments, and 40 to 50 public comments from the hearing. The comments were compiled into approximately nine Sierra Club comments, and seven comments from citizens. We will group together and acknowledge additional comments that were submitted but were unrelated to the permit renewal process.
- F. Rule Updates and Procedures** EPA has asked us to use a slightly different procedure to adopt rules. Typically we adopt throughout the year, bringing changes to the Board as they are made on the state level. The state adopts a code then the local program adopts it as a local code which is our LIP (Local Implementation Plan). The state SIP is basically their code. We have to be at least as stringent as the state. The State reviews our LIP and sends it on to EPA for approval. Periodically the EPA will approve a batch or packet of submittals of state rules and rule changes. EPA has a large backlog of submitted packets. They asked us to withdraw previous submittals so EPA can remove them from the backlog. Then, we would submit a whole new set of rules. Now they want us to go thru a separate 30 day comment period whenever we send a large packet of rules to the state. Soon we will be submitting a package to the state, consolidating the updates to the rules. In the future we will continue to have rules updates voted on at the meetings, but just submit once a year with public comment. Within the next several weeks, we will be placing this notice on our website. We adopt rules by reference which have already been to public notice, but the EPA wants to have an additional public notice period. We would not be in this situation if the EPA did not have such a large backlog. The Agency has

submitted rule changes this way for 20 or more years; this change is in response to the request by the EPA. We are concerned that it may be frustrating to people for the rules to go for public comment a second time, when in reality, the rules would already be in effect. The rules would have already gone to public notice before they were adopted by the state.

G. Fee and Revenue Update We are looking at the power plant and the operational swings. Our fees are based on tonnage. The fees are fluctuating by 30k to 60k from year to year. This is difficult to plan for staff required to handle the permit requirements. We know Duke is planning to replace the coal fired plant with a natural gas plant. However, the time requirements have been significant. We need to work through a solution. We hope to have more information in January.

H. Facility Operating Permits (Renewals)

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
Asheville Mortuary Services, LLC	Crematory	Small	89-B Thompson Street, Asheville	None

F. Facility Permit Modifications

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
Mission Hospital	General Medical and Surgical Hospital	Synthetic Minor	Biltmore Avenue, Asheville	Mission is proposing to add two boilers and three emergency generators. The synthetic minor limit affecting maximum fuel oil usage will be revised. A NC Air Toxics analysis will be included in the permit.

There were no questions regarding the renewals and Mr. Koon made a motion to approve these permits. Ms. Cloninger seconded the motion and it was approved 3-0.

Mr. Koon made a motion to approve the modification at Mission Hospital. Ms. Cloninger seconded the motion and it was approved 3-0.

V. NEW BUSINESS:

A. Three regulatory changes were presented.

1. Greenhouse gases – finalization of the amendment, we cannot require a facility to be a TV facility just based on the Greenhouse gas emissions;
2. This change updates the rules for PM 2.5 standard that was issued three years ago.
3. NC repealed the requirement to file the A4/A6 form to include any pollution prevention efforts that the facility had undertaken.

Mr. Koon 1st moved to accept these rule changes. Ms. Cloninger seconded. Changes pass: 3-0.

B. Legal Counsel Report: None

VI. OTHER BUSINESS:

A. Advisory Committee Report: There is nothing new to report.

B. Calendar:

1. No changes requested to the proposed calendar for 2016. The next meeting of the Board will be Monday, January 11, 2016 at 4 PM.

C. Announcements: None

VII. PUBLIC COMMENT:

Alice Tromba is a student at UNCA and an intern with the Sierra Club. They wanted to express that they are still very concerned about the air quality in western North Carolina. Even with the upcoming closure of the coal fired power plant, they are concerned about the emissions putting our citizens at risk.

VIII. ADJOURNMENT:

Mr. Lovin expressed his appreciation to David Brigman and the staff for their part in the move, settling in at the new offices, and hopes that this will be a beneficial move for the Agency, both physically and financially. Mr. Brigman gave specific thanks to Mike Matthews for the time and effort he spent in the move and helping to settle the new space.

Mr. Koon made a motion to adjourn. Adjournment took place at 4:39 p.m.