

TO: Western North Carolina Regional Air Quality Agency Board of Directors

FROM: Juanita Shanley, Administrative Secretary

SUBJECT: March 15, 2010 Board Meeting

DATE: April 29, 2010

Please find attached a copy of the **APPROVED MINUTES** from the March 15, 2010 Board Meeting. The next meeting of the WNCRAQA Board is scheduled for **Monday, May 10, 2010** in the Agency Board Room at 49 Mt. Carmel Road, Asheville, NC.

CC: Mr. Jim Siemens, Board Attorney

The Western North Carolina Regional Air Quality Agency Board of Directors met on Monday, March 15, 2010, at the boardroom of the Western North Carolina Regional Air Quality Agency, located at 49 Mt. Carmel Road, Asheville, NC.

The attendance of the Board members was as follows:

Members Present:

Britt Lovin

Vonna Cloninger

Dean Kahl

Members Absent:

Loyd Kirk

Karl Koon

Staff Present: *David Brigman, Director; Juanita Shanley, Administrative Secretary; Mike Matthews, Engineer; James Raiford, Engineer; Arnie Lingle, Inspector; Vic Fahrer, Engineer.*

Media Present:

Others Present: *Katherine Fisher, Attorney; Mike Plemmons, CIBO; Cecil Bothwell, Asheville City Council*

Mr. Lovin called the meeting of the Western North Carolina Regional Air Quality Agency Board of Directors to order on March 15, 2010, at approximately 4:00 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:

There were no changes to the Agenda and Ms. Cloninger made a motion for approval. Dr. Kahl seconded the motion and it was approved 3-0.

III. CONSENT AGENDA:

Approval of minutes from the January 11, 2010 Board Meeting: Dr. Kahl made a motion to approve the minutes with no changes and Ms. Cloninger seconded the motion. The motion passed 3-0.

IV. DIRECTOR'S REPORT:

- A. FY2011 Budget Discussion:** Mr. Brigman informed the Board that the budget needed to be approved at the next meeting, after the public comment period. He informed the board that the EPA may reevaluate how the money allocated to state and local agencies is split among the regions. The Agency could get as much as \$100,000 more in funds if the changes go through. The Agency also received a \$40,000 offset from the county in Indirect Costs this year and should receive the same next year. We have not looked at increasing Title V fees for this year.

Ms. Cloninger asked about burning fees being so low. Mr. Brigman explained that there had been very little building in the last two years and, therefore, very little burning. Dr. Kahl asked about how long the Agency could continue drawing down the fund balance to balance the budget. Mr. Brigman said with the increase in grant money from EPA and hopefully a little more revenue from other sources, we could balance the budget without drawing down the fund balance over the next couple of years.

Mr. Brigman informed the Board about the Ozone Kickoff on March 29th. Also, the public service announcement on more fuel efficient woodstoves is running on the county TV channel.

Blue Ridge Concrete has applied for a permit, which has created a lot of controversy. The permit will go out for a 30-day public comment period first, and then we will have a public hearing in May in the North Buncombe area. We will need a Hearing Officer for the public hearing to oversee the meeting.

Finally, the Board will need to elect a Chair & Vice-Chair at the next Board meeting in May since the new term starts with the July meeting.

- B. Quarterly Report for 4th Qtr. 2009:** Mr. Brigman stated that the Quarterly Report for 4th quarter 2009 had been completed and handed out for the Boards review. Dr. Kahl asked if the PM2.5 data question had been resolved and Mr. Brigman replied that the EPA stated that the data were within an acceptable range.

C. Facility Operating Permits (Renewals):

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
Baldor Electric Company	Mechanical Power Transmission Equipment Mfg. Facility	Small	Reems Creek Road, Weaverville	Non-permitted emissions source list will be updated.
Owen Manufacturing Company	Textile Manufacturing Facility	Small	Warren Wilson College Road, Swannanoa	Non-permitted emissions source list will be updated.

There were no questions regarding the operating permits and Ms. Cloninger made a motion to approve the permits. Dr. Kahl seconded the motion and it was approved 3-0.

D. Facility Permit Modifications:

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
Charter Communications - Asheville	Cable TV, Internet, and Telephone Services Provider	Small	Hendersonville Road, Asheville	One Diesel Emergency Generator
City of Asheville Water Resources Department	Drinking Water Pumping Station	Small	Riceville Road, Asheville	One Diesel Emergency Generator
H & R Recycling, LLC	Portable Concrete, Stone, Construction Debris, and Recycled Asphalt Pavement Crusher	Small	Three APAC Atlantic sites in Buncombe Co. and various other sites with local zoning authority approval	Crusher, Screen, Conveyor Belts, Generator

There were no questions regarding the permit modification and Dr. Kahl made a motion to approve the permits. Ms. Cloninger seconded the motion and it was approved 3-0.

Mr. Brigman informed the Board that the permits for Charter Communications and the City of Asheville Water Department are only for emergency generators.

V. NEW BUSINESS:

A. Legal Council Report – Mr. Siemens: Ms. Katie Fisher, who was filling in for Mr. Siemens, informed the Board the Cody appeal should be finished by the May meeting. She had also done research for Mr. Brigman as to whether a private citizen can appeal a permit the Agency has issued. The answer is no, but it is reviewable in Superior Court. Most of the outstanding violations have been cleared up in the last couple of months and either filed in Small Claims Court or dismissed because we could not locate the violator.

VI. OTHER BUSINESS:

A. Advisory Committee Report – Dr. Kahl: The Advisory Committee met on February 16th. They discussed the public service announcement on the woodstove change-out program. They hope to get bids this month for the fire truck diesel oxidation catalyst (DOC) retrofits. They have run into a lot of different variables with the different kinds of trucks. The Committee is having a problem with attendance and is trying to get a few new members. They have also given the city schools anti-idling signs to put up. The next meeting will be in April and they will work on the fire truck retrofits and look at getting magnets to promote the anti-idling program.

B. Calendar: The next Board meeting will be May 10, 2010 at 4:00 p.m. The Board will need to vote on a Chair and Vice-Chair and on the budget at the next meeting.

C. Announcements: Mr. Lovin presented the 2010 Annual Report to Asheville City Council and stated that the Agency has also been invited to give a live update to the Council. Mr. Fahrer informed the Board of the passing of Mr. Camby, the former director.

VII. PUBLIC COMMENT:

Mr. Bothwell informed the Agency he had received an email from a citizen complaining about a contractor cutting concrete downtown that was creating a lot of dust. The dust had aggravated her breathing and she wanted to know if there were regulations to cover this. Mr. Brigman informed him that we did have a dust ordinance and if they would contact us, we could investigate the problem.

VIII. ADJOURNMENT:

With no further business, Ms. Cloninger moved that the meeting be adjourned at approximately 5:05 p.m. and Dr. Kahl seconded the motion. The motion passed 3-0.