

TO: Western North Carolina Regional Air Quality Agency Board of Directors
FROM: Juanita Shanley, Administrative Secretary
SUBJECT: September 13, 2010
DATE: October 22, 2010

Please find attached a copy of the **APPROVED MINUTES** from the September 13, 2010 Board Meeting. The next meeting of the WNCRAQA Board is scheduled for **Monday, November 8, 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, September 13, 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
Loyd Kirk
Karl Koon
Dean Kahl
Vonna Cloninger

Members Absent:

Staff Present: *David Brigman, Director; Juanita Shanley, Administrative Secretary; Ashley Featherstone, Engineering Supervisor; Mike Matthews, Engineer; Vic Fahrner, Engineer; Kevin Lance, Enforcement and Monitoring Supervisor; Arnie Lingle, Inspector.*

Others Present: *Katherine Fisher, Attorney; Mike Plemmons, CIBO*

Mr. Lovin called the meeting of the Western North Carolina Regional Air Quality Agency Board of Directors to order on September 13, 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:

Mr. Lovin added *New NOV* under *VI. New Business, Item C*. There were no other changes to the Agenda and Mr. Koon made a motion for approval. Mr. Kirk seconded the motion and it was approved 5-0.

III. CONSENT AGENDA:

Approval of minutes from the July 12, 2010 Board Meeting: Ms. Cloninger made a motion to approve the minutes with no changes and Mr. Koon seconded the motion. The motion passed 5-0.

IV. UNFINISHED BUSINESS:

A. Paul Cody Final Decision: Mr. Lovin reviewed the final Decision for the Board members. Ms. Cloninger had questions about the violation and the amount of the fine, stating that the wording of the Decision left some questions as to the exact cost of the violation. There was some discussion about the violation and Mr. Lovin discussed the amounts and explained the length of time taken in finalizing the Decision. Ms. Cloninger made a motion to uphold the fine for \$5,084.00 and Mr. Kirk seconded the motion. It was approved 4-0.

V. DIRECTOR'S REPORT:

A. Quarterly Report – 2nd Qtr. 2010: Mr. Brigman asked if there were any questions on the quarterly report, and Mr. Lovin ask about the code Orange Ozone days for this year versus last year. Mr. Brigman explained that with the new Ozone Standard we will have more high ozone days and will probably be in non-attainment above 4,000 feet. However, EPA has not issued its final ruling so we will not know where the standard will be until then. There were no further questions about the quarterly report.

B. Fee Increases: Mr. Brigman began by explaining that our 105 Grant funds are determined by several factors, such as population, monitors run, non-attainment, etc. Because our area is in attainment, we do not receive as much funding non-attainment areas. EPA has allocated more funding for this year, but it may be a one-time allocation, so we are looking at spending it on one-time expenses, such as monitors. Title V funds are down over \$150,000 because of the Clean Smokestacks Act and the loss of several sources. The Title V program is supposed to pay for itself, but currently, does not even cover all of the staff time, so the Agency is looking at ways of increasing fees, in particular, for the larger sources, which require the most work. There were a few questions about the budget and Mr. Brigman answered these. He stated that we were just letting the Board members know that we would have to take action in the next few months. If the greenhouse gas regulations go into effect, the associated fees may offset our losses.

C. Facility Operating Permits (Renewals)

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
Anders-Rice Funeral Home	Crematory	Small	1428 Patton Avenue, Asheville	None
Eaton Electrical	Electrical Distribution Equipment Manufacturer	Small	221 Heywood Road, Arden	Insignificant activity list will be updated.
Ohio Electric Motors, Inc.	Electric Motor Manufacturing Facility	Small	30 Paint Fork Road, Barnardsville	Insignificant activity list will be updated. New area source GACT requirements

				will be added if necessary.
Peco, Inc.	Outdoor Power Equipment Manufacturing Facility	Small	100 Airport Road, Arden	Insignificant activity list will be updated.
Perfection Gear, Inc.	Power Transmission Manufacturing Facility	Small	9 North Bear Creek Road, Asheville	Insignificant activity list will be updated.
Smokey Mountain Lumber, Inc.	Wood Products Finishing Facility	Small	19 Lower Grassy Branch Road, Asheville	None

There were no questions regarding the operating permits and Mr. Kirk made a motion to approve the permits. Dr. Kahl seconded the motion and it was approved 5-0.

D. Facility Permit Modifications

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
Carolina Ready Mix and Builders Supply, Inc.	Ready-mix Concrete Facility	Small	Old U.S. Highway 70, Swannanoa	Addition of a supplementary silo for cement/fly ash/or slag
Carolina Colortones	Wood & Cement Siding Finishing Facility	Small	Industrial Drive, Arden	Addition of a paint spray booth
Pechiney Plastic Packaging, Inc.	Manufacturer of Flexible Packaging Products	Title V	Sweeten Creek Road, Arden	Name and ownership change

Mr. Lovin pulled Carolina Colortones to vote on separately. This facility would like to add a paint spray booth and just received zoning approval this afternoon. The staff has reviewed the permit modification and is recommending the permit, but has not had time to print out the information. Mr. Koon made a motion that the Board approve the permit on the recommendation of the staff and Ms. Cloninger seconded the motion. It was approved 5-0. There were no questions regarding the other permit modification and Mr. Koon made a motion to approve these. Mr. Kirk seconded the motion and it was approved 5-0.

VI. NEW BUSINESS:

A. Proposal of Regulatory Changes: Ms. Featherstone stated that most of the regulations were standard changes from the state that we normally adopt. One exception was the fugitive dust rule, where we wish to keep part of our old rule that makes ours more stringent than the state in dealing with dust problems, but we wish to add some of the provisions the state has recently adopted. There is also a new idling rule that applies to big heavy-duty vehicles, such as diesel trucks, that limit the amount of time they can idle. Mr. Koon made a motion to adopt the regulatory changes and Ms. Cloninger seconded the motion. It was approved 5-0.

- B. Legal Council Report – Ms. Fisher:** Ms. Fisher stated that Blue Ridge Concrete had filed for Judicial Review, and Mr. Siemens is reviewing the file for response. Ms. Cloninger wanted to know if the plant had finished building and Mr. Brigman informed her they had finished building, but were not running yet. Mr. Lovin asked about a timeframe for an answer on the hearing, and Ms. Fisher stated it would probably be early next year.
- C. Notice Of Violation:** Mr. Lovin informed the Board of another Appeal Hearing that was held in July for Mr. Lunsford. Information should be available at the November Board meeting.

VII. OTHER BUSINESS:

A. Advisory Committee Report – Dean Kahl: The Advisory Committee met on July 29th and August 24th to work on publicity for the retrofit program. The committee worked on two press releases. Dr. Kahl informed the Board that since this is the first retrofit program for fire trucks, it may become a case study. He also stated that Greg Davis is interested in being on the committee and would like to nominate him as a member. Mr. Kirk made a motion that Greg Davis be appointed to the Advisory Committee and Mr. Koon seconded the motion. It was approved 5-0. A time has not been set for the next meeting since school has started and Dr. Kahl's schedule has changed. Dr. Kahl thanked Ashley Featherstone and Mac Salley for all their work on the retrofit project.

B. Calendar: The next meeting for the Board will be November 8, 2010 at 4:00 p.m.

C. Announcements: None

VIII. PUBLIC COMMENT:

None

IX. ADJOURNMENT:

With no further business, Ms. Cloninger moved that the meeting be adjourned at approximately 5:13 p.m. and Mr. Koon seconded the motion. The motion passed 5-0.