

TO: Western North Carolina Regional Air Quality Agency Board of Directors
FROM: Juanita Shanley, Administrative Secretary
SUBJECT: March 12, 2012
DATE: March 12, 2012

Please find attached a copy of the **DRAFT MINUTES** from the March 12, 2012 Board Meeting. The next meeting of the WNCRAQA Board is scheduled for **Monday, May 14, 2012**, in the Agency Board Room at 49 Mt. Carmel Road, Asheville, NC.

The Western North Carolina Regional Air Quality Agency Board of Directors met on Monday, March 12, 2012, 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
Dean Kahl
Vonna Cloninger
Loyd Kirk*

Members Absent:

Karl Koon

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*

Media Present:

Others Present: *Curt Euler, Attorney; Mike Plemmons, CIBO*

Mr. Lovin called the meeting of the Western North Carolina Regional Air Quality Agency Board of Directors to order on March 12, 2012, 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 other changes to the Agenda and Ms. Cloninger made a motion for approval. Mr. Kirk seconded the motion and it was approved 4-0.

III. CONSENT AGENDA:

Approval of minutes from the January 9, 2012 Board Meeting: Mr. Kirk made a motion to approve the minutes with no changes and Dr. Kahl seconded the motion. The motion passed 4-0.

IV. DIRECTOR'S REPORT:

A. Quarterly Report – 4th Qtr 2011: Mr. Brigman asked if anyone had questions about the report. Mr. Lovin asked if the agency had heard what the weather was predicted to be for the summer and how it would affect our ozone levels. Mr. Lance replied he had not heard anything. There were no other questions.

B. FY2013 Budget Discussion: Each Board member received a copy of the proposed budget for FY13 for review. Mr. Lovin reminded them that the budget would go out for a 30 day public comment period, and then the Board would vote on the budget at the May meeting. Mr. Brigman informed the Board we had received some additional grant money and were planning to purchase monitoring equipment this year. We are waiting for the state to make a decision on the type of equipment they will purchase. The budget may adjust for a salary increase but this is done automatically by the county.

C. Facility Operating Permits (Renewals)

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
Morris Funeral Home	Crematory	Small	Merrimon Avenue, Asheville	The NC Air Toxics Condition in the Permit will be amended to include a limit to ensure compliance based on the latest emission factors.

There were no questions regarding the permit renewal and Mr. Kirk made a motion to approve the permit. Ms. Cloninger seconded the motion and it was approved 4-0.

D. Facility Permit Modifications

Facility Name	Type of Facility	Facility Classification	Location	Proposed Equipment
Flint Group	Fabricated Rubber Products Manufacturer	Title V	Glen Bridge Rd., Arden	Replacement of a spinning lathe with a knife coater
B.V. Hedrick Gravel & Sand – North Buncombe Quarry	Stone Crushing & Processing Facility	Small	100 Goldview Rd., Weaverville	Replacement of the primary crusher with a new unit with a higher rated capacity
U.S. Department of Veterans Affairs Medical Center	General Medical and Surgical Hospital	Synthetic Minor	Tunnel Road, Asheville	Replacement of an emergency generator

Mr. Lovin stated that since additional information was received just before the meeting they would vote on each facility separately to allow the Board members time to review each one.

The permit modification for Flint Group was discussed by Mr. Fahrer. Dr. Kahl asked about the increase in emissions numbers and Mr. Fahrer explained. There were no further questions and Ms. Cloninger made a motion to approve the permit. Mr. Kirk seconded the motion and it was approved 4-0.

Ms. Featherstone summarized the B.V. Hedrick permit modification. Approval of the modification by the agency is pending results of state modeling. There were no questions and Mr. Kirk made a motion to approve the permit subject to the modeling results. Dr. Kahl seconded the motion and it was approved 4-0. Dr. Kahl asked what would happen if the modeling did not pass the state review, and Mr. Brigman stated we would revisit the issue.

The Dept. of Veterans Affairs Medical Center has requested a permit modification to replace an emergency generator. Mr. Fahrer explained the modification. There were no questions and Ms. Cloninger made a motion to approve the permit. Dr. Kahl seconded the motion and it was approved 4-0.

Mr. Brigman reminded the Board that the Chair and Vice Chair appointments expire in July and will need to be reappointed at the May meeting.

VI. NEW BUSINESS:

- A. Proposal of Regulatory Changes:** Ms. Featherstone informed the Board of two regulatory changes. The first involved certain types of new facilities that can be required to be permitted for green house gas emissions if they are over certain thresholds. Buncombe County does not have any biomass combustion facilities that are affected by this regulation.

The second regulatory change affects the setbacks for land clearing open burning operations. The state has changed the setback from 1000 ft. to 500 ft. The setback for operations utilizing air curtain burners has been changed from 500 ft. to 300 ft. Mr. Lovin reminded the Board these rules are adopted by reference.

There were some discussion regarding the open burning rule and how it would affect this area. Ms. Cloninger voiced her disapproval of the rule and asked if the agency could keep the setbacks as they were. Mr. Brigman explained that these changes were made in Session Law (2011-394) and are already in effect statewide. No public participation is required under this process and the agency does not have the ability to deviate from this law. The state Division of Air Quality has adopted changes to their regulations to bring them in line with the state law and the agency staff is recommending the same changes in the agency code.

Mr. Lovin asked if there was a motion to approve the first regulatory change before further discussion on the second. Ms. Cloninger made a motion to approve and Mr. Kirk seconded the motion. The first regulatory change was approved 4-0.

After further discussion on the burning regulatory change, it was decided that the advisory committee would look at actions they can take to voice their disapproval of the change. Mr. Lovin made a motion to adopt the change to Chapter 4.1903 and 4.1904 as listed. The

motion failed for lack of a second. The advisory committee will discuss actions that can be taken and the Board will discuss adoption at the next meeting.

- B. Legal Council Report – Mr. Euler:** Mr. Euler had nothing to report. Still have nothing to report on the lawsuit. They are looking at Blue Ridge Concrete to see if the case is now moot since the facility has closed down.

VII. OTHER BUSINESS:

- A. Advisory Committee Report – Dean Kahl:** Dr. Kahl stated the committee would be meeting next week. The first item of business would be to vote on the awards. They will take up the discussion of the open burning and report back to the Board at the next meeting.

- B. Calendar:** The next meeting for the Board will be May 14, 2012 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 5:05 p.m. and Mr. Kirk seconded the motion. The motion passed 4-0.