

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

FROM: Betsy Brown, Air Quality Supervisor

SUBJECT: September 26, 2017

DATE: November 3, 2017

Please find attached a copy of the **MINUTES** from the September 26, 2017 Board Meeting. The next meeting of the WNCRAQA Board is scheduled **Monday, November 13, 2017**, in the Buncombe County Planning and Development Board Room at 30 Valley Street, Asheville, N.C. 28801.

The Western North Carolina Regional Air Quality Agency Board of Directors met on Tuesday, September 26, 2017, at the Buncombe County Planning and Development Board Room, located at 30 Valley Street, Asheville, N.C.

The attendance of the Board members was as follows:

Members Present:

Britt Lovin

Karl Koon

Joel Storrow

Members Absent:

Dean Kahl

Vonna Cloninger

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

Others Present: *Mike Plemmons, CIBO*

Mr. Lovin called the meeting of the Western North Carolina Regional Air Quality Agency Board of Directors to order on September 26, 2017 at approximately 4:00 PM.

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. Adjustment and approval of agenda

Mr. Koon made a motion to approve the agenda. Mr. Storrow seconded. The motion passed, 3-0.

III. Consent Agenda:

A. Approval of minutes from July 10, 2017 with the following corrections.

Under IX, two corrections: the adjourn time changed from “3:54” to “4:54” PM and change “Mr. Karl” to “Mr. Koon.” There were also two corrections under the Director’s report B. DEP update: add space between “rulewas” to “rule was” and correct “adequantely” to “adequately.”

Mr. Storrow made a motion to approve the minutes with corrections. Mr. Koon seconded. Motion passed, 3-0.

IV. Director’s Report:

A. Agency Office Space Update

We have relocated our office again to 52 Coxe Avenue. We have the downstairs and our name is on the door. We are all in one space; it is a little tight. This is the old Mountain First bank building. Some Health and Human Services staff that are currently in the space are supposed to be relocating sometime after the first of next year. We might get

the whole space, but we will see. We will probably continue to use the current Valley Street location for Board meetings as there is not a large meeting room in the 52 Coxe Avenue building. There is assigned parking which is convenient to the building.

B. Duke Energy Progress Title V Petition Update

We have been talking to the state of NC about the response to the EPA Order regarding the Sierra Club petition on the Title V permit. This requires that we supplement the permit record or statement of basis with our rationale concerning the issues raised in the petition. Ashley Featherstone has worked on a portion of this response which included one additional issue that was not included in the state of NC's Order. The same conditions that were challenged for the Asheville Duke Energy Progress plant were also challenged for the state's permit for the Duke Roxboro Plant. Our response is supposed to be in to the EPA by September the 28th. The state is working on their response. The state's attorney and Attorney General have also reviewed the draft responses. Sierra Club has 30 days to respond to EPA once our response is submitted. EPA told us that our response needs to be consistent with NC, since we are under the same rules. The state's position is that under the Clean Air Act the EPA can require the Agency to make changes to the permit, but in this case, they are not requiring changes to the permit, just changes to the statement of basis. The State is questioning the process. The EPA does not want to go to court and have to take over the permit themselves. Hopefully we will know in the next couple of months if there will be a lawsuit. If there is a lawsuit filed, it would be filed against EPA.

C. Sewage Sludge Incinerator Delegation Request Update

Ashley Featherstone has been very instrumental in this process. We have one of four sewage sludge incinerators in the state. The EPA responded to our request and the state's request for delegation with a draft Memorandum of Agreement under which they will grant us delegation. We and the state have to review our respective MOAs and send comments back. Once we get the final agreement back, all parties will sign. We are not sure if Mr. Brigman or Mr. Lovin will sign. Once the final MOAs are signed both we and the state will have delegation of the rule. We went line by line with the state in the review of the draft MOA. We wanted to wait until the state submitted their response to make sure no additional changes were made after our review before we submitted our comments. They submitted today. We plan to send our response out within a couple of days. We are not sure of the time frame, but hopefully by the end of the year we will have that authority. We hope it may even be by the next meeting. This would mean MSD could send reports just to us, and not to both the EPA and us. MSD has to do continuous monitoring any time they are charging sludge to the incinerator. They may run the incinerator 24 hours a day, but only feed sludge to it a few hours per day. They have to submit reports semiannually or quarterly.

D. Recent Public Information Requests

Brendan Davey with NC DAQ sent us emails from an individual that said we had not responded to their inquiries for public information. This individual had inundated Buncombe County with many questions and requests of multiple departments to the extent that the situation was discussed by the county manager and county attorney. Per their instruction, his emails were being redirected to an email box that ended up being referred to as a "black hole" because after the county manager retired, no one was

checking that inbox. We are getting these emails now. This person seems to want to catch people in dialog, not necessarily submitting public information requests. He requests information that is not a public document. Ms. Featherstone, Mr. Lance and Mr. Raiford have had to respond to these requests. This person has also done this with the state and the EPA. He does not live in Asheville. His father owns property here. We just wanted to inform the board in case they hear about this problem where we were not responding to the requests during the period of time where we were not receiving them.

E. Facility Operating Permits (Renewals)

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
System Logistics Corporation dba Vertique	Conveyor and Conveying Equipment Manufacturer	Synthetic Minor	115 Vista Boulevard, Arden	None

Mr. Koon made a motion to approve the permit renewals. Mr. Storrow seconded. The motion passed, 3 -0.

F. Facility Permit Modifications

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
Arvato Entertainment, LLC	Media Replication Services Facility	Small	Monticello Road, Weaverville	Name and ownership change

Mr. Storrow made a motion to approve the permit modifications. Mr. Koon seconded. The motion passed, 3-0.

V. New Business:

A. Legal Counsel Report- no attorney present

VI. Other Business:

A. Advisory Committee Report – Dean Kahl not here

B. Calendar

Next regular scheduled meeting is November 13, 2017 at 4:00PM.

C. Announcements

None

VII. Public Comment

None

VIII. Adjournment

Mr. Koon made a motion to adjourn. Mr. Storrow seconded. The motion passed, 3-0. The meeting adjourned at 4:18PM.

N/Minutes/Minutes 2017/Minutes September 26, 2017