

TO: Western North Carolina Regional Air Quality Agency Board of Directors  
FROM: Betsy Brown, Air Quality Supervisor  
SUBJECT: June 26, 2018  
DATE: September 6, 2018

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Please find attached a copy of the **MINUTES** from the **June 26, 2018** Board Meeting. The next meeting of the WNCRAQA Board is scheduled **Monday, September 17, 2018**, in the meeting room at the Buncombe County Permit Office at 30 Valley Street, Asheville, N.C. 28801.

The Western North Carolina Regional Air Quality Agency Board of Directors met on Tuesday, June 26, 2018, in the meeting room at the Buncombe County Permit Office located at 30 Valley Street, Asheville, N.C.

The attendance of the Board members was as follows:

**Members Present:**

*Britt Lovin*  
*Vonna Cloninger*  
*Karl Koon*  
*Joel Storrow*

**Members Absent:**

*Dean Kahl*

**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 June 26, 2018 at 4:02 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**

Ms. Cloninger motioned to approve. Mr. Koon seconded. The motion passed 4-0

**III. Public Hearing**

**A. WNCRAQA Budget for Buncombe County FY 2019**

The Agency had one question and comment from a citizen, Mr. Ed King. This question and comment were addressed by staff.

No one from the public or press attended. (Note: Mr. Plemmons regularly attends Board meetings as CIBO's representative.) Mr. Storrow motioned to approve the proposed WNCRAQA Budget for FY 2019. Ms. Cloninger seconded. The motion passed 4-0.

**IV. Consent Agenda:**

**A. Approval of minutes from May 14, 2018**

Mr. Koon motioned to approve. Mr. Storrow seconded. The motion passed 4-0

**V. Unfinished Business:**

**A. FY19 Budget Approval**

Ms. Cloninger motioned to approve. Mr. Koon seconded. The motion passed 4-0

**VI. Director's Report:**

**A. Ambient Monitoring Audit Report-** We got the report back from the EPA. The report was very positive. The Board commends Kevin Lance and James Raiford for their work.

**B. Agency Status Update-** Since last meeting, the county manager (Mandy Stone) retired and there is a meeting with the recently approved new interim county manager (George Wood) tomorrow. Mr. Lovin and Mr. Brigman discussed items to be addressed. They have talking points. This is a follow-up to the meeting Mr. Lovin had with Ms. Stone. The feeling is much more positive than a month ago. Mr. Brigman has had discussions with several county commissioners and the

Agency's situation with the county manager's office is not unique. There are other entities within the county with similar verbal agreement issues.

**C. Clean Air Compliance Awards-** In the addition to the Board packet, the Board was sent a list of facilities that complied with their permits over the last calendar year. The Agency sends out a certificate to the facilities to recognize their efforts to be in compliance with all aspects of their permit.

**D. Facility Permit Renewals**

A memo to cover the change of Board meeting date was sent in the additions to the Board packet. Staff requested that the issue date for the permits be the date the regular Board meeting was scheduled in July to keep our invoices and permit dates consistent. The issue date would be July 9, 2018. The facilities are still covered by their current permit until July 31st. Except for Title V, permits are approved for eight years. Mr. Lovin asked for clarification that the Board would review and approve on June 26, 2018, and the issue date would be July 9, 2018.

| <b>Facility Name</b>                               | <b>Type of Facility</b>               | <b>Facility Classification</b> | <b>Location</b>                                    | <b>Changes from Existing Permit</b>  |
|--|---------------------------------------|--------------------------------|--|--|
| A Simple Cremation                                 | Crematory                             | Small                          | Sand Hill Road, Candler                            | None   |
| Carolina Ready Mix & Builders Supply, Inc          | Ready-mix Concrete Facility           | Small                          | Old U.S. Highway 70, Swannanoa                     | Update facility name and responsible official  |
| D.H. Griffin Wrecking Co, Inc.                     | Portable Concrete and Stone Crusher   | Small                          | Various sites with local zoning authority approval | None   |
| Eaton Corporation – Avery Creek Facility           | Electrical Distribution Facility      | Small                          | Vista Boulevard, Arden                             | None   |
| Mission Hospital, Inc                              | General Medical and Surgical Hospital | Synthetic Minor                | Biltmore Avenue, Asheville                         | Modify Appendix A to remove equipment no longer on site and add new, update synthetic minor condition and descriptions |
| U.S. Department of Veterans Affairs Medical Center | General Medical and Surgical Hospital | Synthetic Minor                | Tunnel Road, Asheville                             | None   |
| Western Animal Disease Diagnostic Laboratory       | Veterinary Testing Laboratory         | Small                          | Airport Road, Arden                                | None   |

Mr. Storrow motioned to approve and issue July 9, 2018. Ms. Cloninger seconded. The motion passed 4-0

**VII. New Business:**

**A. Update on Regulatory Changes**

Ashley Featherstone – EPA has come out with a different way for us to adopt new rules. In the past when we have adopted state rules by reference, the proposed change would go out in the Board packet; and the Agency would have the Board consider the changes at each meeting. Every so often the approved changes would be submitted to the state for approval. Then they

would become part of the State Implementation Plan or SIP. The state would submit the rules to the EPA. The EPA's position on this process has changed and they have indicated that local programs like ours should have our own 30 day public notice for all rule updates. This would mean that every time we propose updating our rules, we would first have to go to 30 day public notice; that is, before each time the Board voted changes to our code. We cannot do what we did in the past. We may do as Mecklenburg County does, which is to wait until near end of year, do all the changes at one time, and go to public notice once. We argued with the EPA about these changes, to no avail. One concern is that the rules would already have been adopted as state rule; that is, the rules would have already gone through a 30 day public notice with the state and through the rule process in Raleigh before our comment period occurs. Some rules are mandated. The public might not have the opportunity to have any real ability to comment or participate if they do not submit comments when rule changes are first adopted in Raleigh. We have made numerous submittals to the EPA over the years, and the EPA has not reviewed or approved them. The EPA asked locals to withdraw submittals so the EPA could clear their backlog. We are getting ready to send a large packet to the state with our updated code. This has been a lot of administrative work. We hope to be able to go to public notice sometime within the next couple of months with the updated version of our code. The problem is that NC is in the process of readopting their entire air quality code; therefore, we will need to do that also. This was mandated by the General Assembly. As soon as we get through the current process, we will have to readopt every single rule. The majority of rules were mandated by the federal government. The state only identified a few rules that they could repeal as part of the readoption process. In many of the rules, there are just minor administrative changes, such as updating the names of agencies. The process is monumental. Staff can bring a change to the board earlier if urgent or particularly important. We can do the same way we have been doing it, except now we have to go to public notice first. When the state makes changes, there is wording that states that the updated rule is in effect state wide, until such time as a local program adopts it into their code. When a rule becomes more stringent, the Agency can go ahead and implement the rule and include it in a permit if it applies to a facility. If the state rule is more stringent, we have to adopt it. If the state rule update results in a rule that is less stringent, we do to have to adopt it. The Board can choose to keep the more stringent rule that is already part of our code.

**B. Legal Counsel Report**

No attorney present.

**VIII. Other Business:**

**A. Advisory Committee Report – Dean Kahl**

The committee has not met. Dr. Kahl not present

**B. Calendar**

**Next regular scheduled meeting is September 10, 2018**

**C. Announcements**

**IX. Public Comment**

**X. Adjournment**

Ms. Cloninger motioned to adjourn. Mr. Storrow seconded. The motion passed 4-0. Adjournment was at 4:23 pm.