

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

FROM: Juanita Shanley, Administrative Secretary

SUBJECT: September 10, 2012

DATE: September 10, 2012

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Please find attached a copy of the **APPROVED MINUTES** from the September 10, 2012 Board Meeting. The next meeting of the WNCRAQA Board is scheduled for **Tuesday, November 13, 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, September 10, 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:

*Dean Kahl*

*Karl Koon*

*Loyd Kirk*

*Vonna Cloninger (via teleconference)*

Members Absent:

*Britt Lovin*

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

Media Present:

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

Dr. Kahl called the meeting of the Western North Carolina Regional Air Quality Agency Board of Directors to order on September 10, 2012, at approximately 4:02 p.m.

The order of business was as follows:

***I. PUBLIC COMMENT PROTOCOL ANNOUNCEMENT:***

Dr. Kahl started the meeting by reading the announcement about the public comment protocol.

***II. APPROVAL OF AGENDA:***

There were no changes to the Agenda and Mr. Koon made a motion for approval. Mr. Kirk seconded the motion and it was approved 4-0.

**III. CONSENT AGENDA:**

**Approval of minutes from the July 9, 2012 Board Meeting:** Mr. Koon made a motion to approve the minutes with one spelling change and Mr. Kirk seconded the motion. The motion passed 3-0.

**IV. UNFINISHED BUSINESS:**

- A. Update on Gas Can Swap Program:** Ms. Featherstone informed the Board that the Gas Can Swap Program went very well. We applied for and received 846 gas cans and swapped out all the cans on two Fridays at the landfill. The Agency was also reimbursed \$1.00 per can for handling and disposal of the old cans. Ms. Featherstone sent an email to see if we could get more cans for a spring giveaway.
- B. Update on the Civil Penalty Policy Changes:** Mr. Brigman informed the Board we were still working on the Civil Penalty Policy. Ms. Featherstone is going through the whole policy to make changes. We may have something for the next meeting.

**V. DIRECTOR'S REPORT:**

- A. Quarterly Report – 2<sup>nd</sup> Quarter 2012:** Mr. Brigman asked if the Board had any questions about the report. Dr. Kahl asked about the code orange days. Mr. Brigman explained that we had two days this year that had exceeded the standard, but overall were still in pretty good shape. Mr. Koon asked how old our penalties were and Mr. Brigman explained that some of these are judgments that will sit on our books until they are collected. Dr. Kahl asked about the sick building syndrome calls. All we can do is try to give the callers as much information as possible.
- B. Update on Cross State Air Pollution Rule:** Ms. Featherstone updated the Board. The Clean Air Act requires that EPA address pollution that is transported from one state to another. EPA is supposed to be addressing long range transport pollutants in one state that are causing violation in another state. The Clean Air Interstate Rule that was issued by EPA in 2005 was challenged and thrown out by the court because of some problems with how the ruling was written. However, it was left in effect until it could be rewritten so that pollution reductions would continue. The new rule EPA came out with recently, the Cross State Air Pollution Rule, was also thrown out by the court because of some procedural issues. The Clean Air Interstate Rule will be left in place until the Cross State Air Pollution Rule can be rewritten. Basically, there will be no changes for us; controls will continue to be added because of the original ruling.
- C. Update on City Permit Fee:** The Agency has been reviewing all County and City permit fees that could involve asbestos removal or demolitions. The Board voted that we could start collecting fees for these services last year. We started collecting from the county without any problems, but the City's legal department has had problems deciding how to work this out. Mr. Euler explained that a resolution has been drawn up to amend the Interlocal Agreement that would allow the City to collect fees for the Agency.

Mr. Brigman also updated the Board on several other items. EPA conducted a three-year audit of our monitoring sites, and the Agency was given a good report. However, they are unhappy with the Bent Creek ozone site location because of the overgrowth of the surrounding trees. We have found a possible new site that we think will work on property the county owns and has turned into a park. We will need to replace the building and bring it up to specifications.

The Land of Sky has obtained the Clean Cities designation US Department of Energy for the multi-city area. They will have a ceremony and signing of the stakeholders' memorandum of understanding in October.

We had a visit from the Sierra Club to talk about Progress Energy. They are looking at SO<sub>2</sub> emissions and how the Agency is going to handle these emissions. There is a new one hour SO<sub>2</sub> standard that may be very hard to comply with. EPA is working with the states and locals to figure out how to implement the standard, but nothing has been determined yet.

The Agency is working on opening burning with Roger Presley and the Solid Waste Department. He is handling the mobile home demolitions and inspections, which relieves Mike from those inspections. He has also worked to complete over 20 cleanups and is supplying dumpsters for the residents to clean up their site instead of paying someone to go out and clean them up, which saves the county that expense. This also offsets some of our open burning fines since they are cleaning up their areas instead of burning the material.

James Raiford has accepted a job in a consulting company and will be leaving us in approximately two weeks. He has done a very good job over the past ten years and will be missed.

**D. Facility Operating Permits (Renewals)**

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
D.H. Griffin Companies	Portable Concrete and Stone Crusher	Small	Various sites with local zoning authority approval	Remove requirements for engines that are exempt from the federal emissions standards

This permit renewal was pulled; D.H. Griffin is not renewing the permit for now.

**E. Facility Permit Modifications**

Facility Name	Type of Facility	Facility Classification	Location	Proposed Equipment
Colbond, Inc.	Non-woven / Geo-synthetic Fibers Manufacturing Facility	Prohibitory Small to Title V (change with this application)	1451 Sand Hill Road, Enka	Addition of a process line and ancillary equipment. A condition requiring a Title V permit application to be submitted within one year of operating the new equipment will be added. New federal requirements

				potentially affecting the existing boilers will be added. New Source Performance Standard Subpart Dc requirements will be updated.
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Ms. Featherstone explained that they were changing their permit from a small facility to a Title V facility. There were no questions regarding the permit modification, and Mr. Kirk made a motion to approve the permit. Ms. Cloninger seconded the motion, and it was approved 4-0.

**F. New Facility Permits**

Facility Name	Type of Facility	Facility Classification	Location	Proposed Equipment
Vertique, Inc.	Conveyor and Conveying Equipment Manufacturer	Synthetic Minor	115 Vista Boulevard, Arden	Two Paint Spray Booths and Solvent Distillation Unit

This was an existing facility, which, we just found out, needed a permit. There were no questions regarding this permit, and Mr. Kirk made a motion to approve the permit. Ms. Cloninger seconded the motion, and it was approved 4-0.

Ms. Cloninger had to leave the call for another meeting. Dr. Kahl went back and approved the Consent Agenda, which was skipped earlier in the meeting.

**VI. NEW BUSINESS:**

**A. Proposal of Regulatory Changes:** The Board voted on a temporary rule earlier this year, and this is the final rule on greenhouse gases. EPA has entered into a deferral for PSD purposes for three years for carbon dioxide emissions from bio-mass sources. We do not have any large bio-mass sources in this area, but it is important to have it in our rules. This is retroactive back to July 20, 2011. Mr. Koon moved to approve the recommended regulatory change with the effective date being retroactive to July 20, 2011. Mr. Kirk seconded the motion, and it was approved 3-0.

**B. Legal Council Report – Mr. Euler:** Mr. Euler had nothing else to report.

**VII. OTHER BUSINESS:**

**A. Advisory Committee Report – Dean Kahl:** Mr. Kahl explained that the Committee had not had a meeting since the last Board meeting, so there was nothing to report. The Agency is looking at things for the committee to work on.

**B. Calendar:** The next meeting for the Board will be Tuesday, November 13, 2012 at 4:00 p.m.

C. Announcements: None

**VIII. PUBLIC COMMENT:**

None

**XI. ADJOURNMENT:**

With no further business, Mr. Koon moved that the meeting be adjourned at approximately 4:55p.m., and Mr. Kirk seconded the motion. The motion passed 3-0.