

MEMORANDUM

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

FROM: Ashley Featherstone, Interim Director

RE: Minutes for November 12, 2019

DATE: January 3, 2020

Enclosed, please find the Minutes from the Tuesday, November 12, 2019 Board Meeting. The next meeting of the WNCRAQA Board is scheduled for Monday, January 13, 2020 at 4:00pm in the meeting room located at the Buncombe County Permit Office at 30 Valley Street, Asheville, NC 28801.

The Western North Carolina Regional Air Quality Agency Board of Directors met on Tuesday, November 12, 2019, 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
Karl Koon
Dean Kahl
Vonna Cloninger
Joel Storrow*

Members Absent:

Staff Present: *Ashley Featherstone, Interim Director; Kevin Lance, Field Services Program Manager; Mike Matthews, Senior AQ Specialist; James Raiford, Senior AQ Specialist*

Others Present: *David Brigman, retired Director; Curt Euler, Attorney; Michael Frue, Attorney; Sybil Tate, Assistant County Manager; Patty Beaver, CIBO; Vic and Sharon Fahrer*

Mr. Lovin called the meeting of the Western North Carolina Regional Air Quality Agency Board of Directors to order on November 12, 2019 at 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 moved to approve the agenda. Ms. Cloninger seconded the motion. The motion passed 5-0.

III. Special Presentation

A. Recognition of David Brigman for 29 years of service to Air Quality and the County

Mr. Lovin spoke of Mr. Brigman's service with the Agency and particularly of his time as Director of the Agency. Mr. Lovin noted that Mr. Brigman always put Agency staff and the Agency itself first. Mr. Lovin presented Mr. Brigman with a plaque thanking him for his years of service to Air Quality and Buncombe County. Individual Board members also expressed their appreciation for all Mr. Brigman had done for the Agency.

IV. Consent Agenda:

A. Approval of minutes from Special Meeting October 15, 2019

Mr. Koon moved to approve the minutes from the Special Meeting. Ms. Cloninger seconded the motion. The motion passed 5-0.

B. Approval of minutes from September 9, 2019

Ms. Cloninger moved to approve the minutes from the Special Meeting. Dr. Kahl seconded the motion. The motion passed 5-0.

V. Interim Director's Report:

A. Duke Energy Progress Permit Update

Ms. Featherstone stated that she had spoken with the Board several times this year about the permit modification for Duke Energy Progress (DEP) requesting a PAL, plantwide applicability limits. The original request included several pollutants and we had some concerns. We went back to the company and explained that we would have to subtract out the emissions from the coal-fired units because of the way the rules were written. These rules were a little vague, but there are certain requirements that those units have to be shut down and as such, the emissions have to be subtracted out of the baseline emissions when the PALs are determined. DEP submitted a revised application in October. They would like get the permit by the January Board meeting if possible. This modification allows them to run certain equipment more, particularly Units 3 and 4. It will be difficult to get this permit drafted by January, so it is possible that the Agency will ask the Board to have a special meeting in February. The coal fired units are required to shut down by January 31, 2020 based on the Coal Ash Management Act. This is what we are expecting. The coal units are running now. So are Units 5 and 7. This is a shakedown period for the new equipment. After the coal units are shut down, there are lower PAL limits than the initial ones while the coal units are still operational. Duke wants to run Units 3 and 4 more. These were constructed in the 1990s. They run on natural gas and fuel oil backup. Now Duke has more access to natural gas. During the shake down period Duke expects they may need to run Units 3 and 4 more, but after the new units are up and running, Units 3 and 4 may not need to run as often. If the facility is unable to produce enough electricity, they would need to bring in electricity from elsewhere. Ms. Featherstone has seen the new plant and stated it looks great and the old plant is winding down.

B. Monitoring Update

Kevin Lance said that ozone season ended November 1, 2019. The monitors will need to be certified and put back up and running in February. The time to prepare for ozone season has been shortened a month. Although you would think January would be a slow time for monitoring, it is actually a busy time. The SO₂ monitoring for the Duke plant should have ended in January 2020, but the State has extended it until the end of June 2020. It is part of the State's monitoring network.

Dr. Kahl asked about personal monitors like Purple Air. These have gotten very popular with citizens. People can buy their own personal monitor; some are cheap. They are not as accurate as the monitors that we run and can be misleading. They do not have to go thru QA/QC yet they are compared to the readings from our monitors. They are not comparable. Even though their results may be questionable, we do need to address the issue. We applied to the EPA for a grant to run personal units in a protective housing near our monitors for comparison purposes. We have not heard back from them. These monitors may be helpful to a person with health issues that need more localized data. These have created a huge problem for air quality agencies in how to respond and utilize the data. Some of these personal monitors are better than others. If we got the grant, the EPA would allow citizens to run the personal monitors, and we would run our own as we do now. It would not require a great deal of our time. Our data is available to the public. The unit would be located with our monitors. This comparison would be helpful if a citizen called saying the air quality was bad and our monitors indicated that air quality was fine.

The new air quality forecasting is coming out and will be issued per county. This should be more representative than in the past where it listed western valley and ridgetops. Now it will be county specific. Ozone can be very localized. During the

fires of 2016, we found that what was happening in Buncombe might be very different than what was happening in Haywood County.

C. Fiscal Year 2021 Budget Meetings with Buncombe County

Mr. Lovin acknowledged Ms. Sybil Tate, an Assistant County Manager, who attended the Board meeting. Mr. Lovin and Mr. Brigman have spoken with Ms. Tate about the Agency. Ms. Tate has also spoken with Ms. Featherstone. Ms. Tate said that she did plan to come to the January Board meeting to discuss an item that Mr. Lovin and Mr. Brigman had brought to her. It has not fallen off her radar. Later in the meeting, Ms. Featherstone went back to the 2021 budget subject. She noted that she and Ms. Brown attended a preliminary kick off meeting about the 2021 budget process. The County also had some workshops to show some worksheet tools. The County is trying to tighten the County budgets to be closer to actual expenditures. The County Manager said in previous years they have had to ask to pull funds from reserves, but then departments would come in under and the County would not have had to request those funds. The County has some new procedures for capital equipment that includes planning for those expenditures two years ahead. In addition, IT projects need to be requested one year in advance. Ms. Featherstone and Ms. Brown have meetings set up with Budget to discuss our budget.

D. Facility Permit Renewals

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
BorgWarner Turbo Systems	Automotive Components Manufacturing Facility	Title V	Brevard Road, Asheville	Updated NC Air Toxics condition, general conditions, and insignificant activity list
Low & Bonar, Inc.	Non-woven / Geosynthetic Fibers Manufacturing Facility	Title V	Sand Hill Road, Enka	Incorporated 502(b)(10) changes including addition of a geosynthetic line, replacement of a control device, and rerouting emissions from one source to a different control device. Removed VOC work practice condition since no longer applicable. Updated general conditions and insignificant activity list.

Mr. Lovin stated that these two facilities were up for renewal. They are both Title V facilities and the permits are being updated with their renewals.

Mr. Koon moved to approve both permits. Ms. Cloninger seconded the motion. Dr. Kahl noted that he appreciated the permit reviews and the work that went into the permits by Agency staff. Motion passed 5-0.

VI. New Business:

A. Legal Counsel Report

Mr. Euler said that he had nothing to report.

B. Recruitment Process for Permanent Air Quality Director Position

Mr. Lovin sent out the County's recruitment process information. Mr. Lovin said he would also share with the Board the notes he used when Mr. Brigman was hired. The Board will need to look at the job description and see if anything needs to be changed. Ms. Featherstone noted that the job descriptions had been updated, she thought, in 2013. Mr. Euler said the County should have a copy of the job description for the Air Quality Director. He did not know if it had been updated from the last job studies done in 2016-2017. The County Human Resources (HR) department would get that to the Board for their review.

Mr. Lovin mentioned that Mr. Brigman's contract had been updated within the last three years. Mr. Euler said the job description and the contract needed to be kept separate. The job specifications could be incorporated into the contract if the Board so desires.

Once the job is posted, the Board has to decide how to go about selecting, because Mr. Euler thinks the Agency will get a lot of applicants due to the way the County advertises positions. How will the Board go about narrowing down the applications? Will the Board want HR to go through them first on the Board's behalf? The Board will need to decide how to standardize the process, including what questions to ask each applicant they interview. HR can help narrow the number of applicants for interviews and suggest questions to ask.

Ms. Tate said that she had issued a memo for the Soil and Water Board which outlines the process (for hiring a new Director). It walks through each step of the process. This includes a timeline of how long each step would take. It is about a two month process. She said if the AQ Board liked, she and Mr. Euler could come up with something similar for AQ.

Mr. Euler said HR should already have a job description for the AQ Director's position and he would try to get that to the Board as soon as it is available. Mr. Lovin said he did not see that the Board would be able to do much until after the holidays. With a strong Interim in place, the Board is afforded the luxury of time. Mr. Storrow asked about getting the new Director in place before the new budget year, which Mr. Lovin felt was possible. That would be July 1, 2020. Phone interviews would not start until January. We could start to advertise the position, but the Board's participation would not start until January 2020.

Mr. Lovin asked about having a special meeting as work sessions. Mr. Euler said that would be possible; these meetings could be held without public comment. Rather than limit the number of Board members interviewing (to keep from requiring that it be a public meeting), the Board could hold a special meeting and go into closed session to interview potential applicants. Mr. Lovin said that when the Board hired the last Director, they conducted interviews with two Board members to narrow the applicant field to 3 to 5. The entire Board interviewed the final applicants in closed session. Mr. Euler said that after the Board looked at the guidance from HR, the Board could decide how involved they wanted to be in the process.

C. Duties of Interim Director

Mr. Lovin said that HR upgraded the pay for Ms. Featherstone who was appointed in that capacity effective November 1, 2019. Mr. Euler said he did not believe that the Board needed to take any more action; they have appointed her.

VII. Other Business:

A. Advisory Committee Status

Dr. Kahl said nothing has happened yet. At last meeting, they decided that Dr. Kahl should meet with Ms. Featherstone and Ms. Brown to discuss the process to recruit new members to the Committee. Members would need to be reminded that they are not on the Board but would serve in an advisory capacity only. It has been a year or two since the committee has met. Several members have moved away. Ms. Featherstone found the advertisement seeking interested people that has been used previously. We were about to move forward with it when Mr. Brigman announced his retirement. She discussed this with Mr. Brigman and they decided that it might be best to put this on hold during this transition period since the Agency was down to five people. It will require staff time to get this committee up and running again. The Agency was hoping to look at our fees next year, in the spring or summer time frame. It would be good to engage with the regulated community. Things do slow down for the Agency in January, in the winter, and we may be able to work with Dr. Kahl and get an ad out then. Mr. Lovin suggested meeting before the January meeting.

B. Calendar

1. 2020 WNCRAQA Board Meeting Schedule

Mr. Lovin asked the Board to look over the proposed schedule and let everyone know if they saw an issue. In 2020 the dates for the Board meetings do not conflict with holidays (the second Monday of January, March, May, July, September, and November).

2. Next regular scheduled meeting is January 13, 2020

C. Announcements

None

VIII. Public Comment

None

IX. Executive Session

None

X. Adjournment

Ms. Cloninger moved to adjourn. Mr. Koon seconded the motion. The motion passed 5-0.
The meeting was adjourned at 4:48 pm.