



MEMORANDUM

TO: Asheville-Buncombe Air Quality Agency Board of Directors

FROM: Ashley Featherstone, Director

RE: Minutes for January 12, 2023

DATE: March 2, 2023

Enclosed, please find the Minutes for the Asheville-Buncombe Air Quality Agency Board meeting held on **Thursday, January 12, 2023**. The next meeting of the AB Air Quality Board is scheduled for **Thursday, March 9, 2023 at 4:00 pm** in the meeting room located at the Buncombe County Permit Office at 30 Valley Street, Asheville, NC 28801.

The Asheville-Buncombe Air Quality Agency Board of Directors met on Monday, January 12, 2023, 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:

Joel Storrow (via Teams)
Karl Koon
Evan Couzo
Garry Whisnant
Ned Guttman

Members Absent:

Staff Present: *Ashley Featherstone, Director; Kevin Lance, Field Services Program Manager; James Raiford, Permitting Program Manager (via Teams); Mike Matthews, Senior Air Quality Specialist; Betsy Brown, Air Quality Coordinator; Alex Latta, Senior Air Quality Specialist*

Others Present: *McKenzie Koon, citizen; Michael Frue, County Attorney*

Mr. Koon called the meeting of the Asheville-Buncombe Air Quality Agency Board of Directors to order on January 12, 2023, at 4:00 pm.

The order of business was as follows:

I. Public Comment Protocol Announcement

Mr. Koon read the public comment protocol.

II. Adjustment and Approval of Agenda

Mr. Whisnant made the motion to approve the agenda. Dr. Couzo seconded the motion.

All present - yes

Mr. Storrow - yes

The motion passed 5-0.

III. Consent Agenda:

Approval of minutes from November 7, 2022

Mr. Whisnant made the motion to approve the minutes. Dr. Guttman seconded the motion.

All present - yes

Mr. Storrow - yes

The motion passed 5-0.

IV. Director's Report:

A. Meeting with City of Asheville November 8

Ms. Featherstone and Mr. Storrow gave an update to the City Manager, Deborah Campbell and some of her staff. The group included Tony McDowell, the Finance Officer and Ben Woody, one of the Assistant City Managers. It was a good meeting. We reported what was going on with the Agency and talked about ways to work together in the future, projects that align with their goals. They appeared particularly interested in some of the Environmental Justice Projects.

B. Annual Report to City of Asheville

The City of Asheville asks all their boards and commissions to which they appoint members submit an annual report each year. Last year was skipped due to COVID. The report was sent to the Board by email. The Board does not need to act on this, but Ms. Featherstone welcomes any input from Board members by Thursday, January 19. The report is due January 21. The City Council periodically asks for presentations but that has been sporadic over the last few years. This report is an opportunity to get information out to them about the agency. The report includes numbers including how many permits, NOVs, inspections, etc. that the Agency has completed. Mr. Koon encouraged new board members to review. We have a separate annual report that our agency does every year where we track certain parameters for the Environmental Management Commission. These reports are on the website.

C. Environmental Justice and Equity Meeting

We convened a meeting focused on Environmental Justice and Equity. This is of major interest to the County and to the EPA. We invited several County departments, Dr. Evan Couzo, and members of Land of Sky Metropolitan Planning Organization (MPO): Director Tristan Winkler and Transportation Planner Logan DiGiacomo. Each talked about what they are doing in this area. It was very informal. Mylon Patton represented Buncombe County. Mr. Winkler had the most experience as Transportation has been required to do an environmental justice analysis for projects by the federal government for many years.

D. NC Advanced Clean Truck Rule

North Carolina Gov. Roy Cooper signed an executive order for North Carolina to initiate an Advanced Clean Trucks (ACT) rule that will help to achieve widespread electrification of vehicles ranging from delivery vans to tractor trailers. It is one of the California rules and is focused on medium and heavy-duty vehicles. This rule does not include transit vehicles; that is a separate California rule. It applies to manufacturers and the vehicle dealers and includes outreach to environmental justice communities. These are communities that are disproportionately affected with emissions, near highways and things of that nature. There are three attachments in the Board packet with some basic information. The DEQ is offering a series of webinars and in-person meetings. Ms. Featherstone has attended one virtually, and Mylon Patton with the County's manager's office attended an in-person meeting in Charlotte. We do not have a lot of details as far as the actual rulemaking and whether or not we will be adopting it into our code. Our role is unclear at this point. North Carolina can have differences in their rules from the California rule when it comes to the record keeping, reporting and compliance type actions, but otherwise, NC is required to adopt it the same as the California rule.

There are a lot of questions. If NC adopts this into the rules the end of 2023, it would be effective in 2024. 2027 would be the first year that it would go into effect, allowing three years for the regulated community to comply. North Carolina is in a group of states collaborating on this issue. Medium and heavy-duty vehicles are large sources of fine particulate matter and nitrogen oxides that contribute to ozone. There are obvious co-benefits with greenhouse gases and other pollutants as well.

E. Other Mobile Source Updates-Clean Cities Awards and DERA Grant

Mr. Storrow and Ms. Featherstone attended a Land of Sky Clean Vehicles Coalition holiday awards luncheon in December. They gave out a couple of awards that Ms. Featherstone accepted on behalf of Buncombe County. One was a Leadership Award for the work from home policy where the County implemented the flexible workplace arrangement we have. There are over 500 employees that are teleworking. The reduction in greenhouse gases is estimated at about 2000 tons a year. Our agency gave the County a Clean Air Excellence Award this year for implementation of that policy with the resultant reduction in GHG. Land of Sky also wanted to recognize them for that. The Commissioners also approved a sustainable fleet policy. They are requiring any new vehicles be zero emission vehicles if possible. Whenever county departments submit requests for new vehicles, they have to look to see if there is an electric vehicle; if not, they must find the cleanest, most efficient vehicle available that meets their needs. The county was also recognized for implementing this policy.

The DERA grant is the Diesel Emissions Reduction Act that has bipartisan support in Congress. Every year the state of North Carolina has a grant for that funding. Ms. Featherstone sits on the committee that decides the recipients of those awards. We are hoping that Buncombe County will be able to submit a grant request at some point. The grant's purpose is to reduce NOx emissions and the focus is on medium and heavy-duty vehicles since they are high emitters of NOx and fine particles. Under the governor's executive orders, they have added electric vehicles has a priority in recent years. The purpose is to replace older heavy duty diesel vehicles with newer heavy duty diesel vehicles that meet the newer tier level emission standards or electric vehicles where there is an electric vehicle that will work for that replacement. The idea is to get the older vehicles off the road. They are required to be scrapped so that an emissions reduction occurs and can be documented. The town of Chapel Hill received funding to replace a diesel garbage truck with an electric garbage truck. There have been some supply chain issues for replacement these projects that include electric vehicles. Other possibilities for replacement of diesel with electric vehicles are school buses, garbage trucks and large yard or cargo equipment like tractor trailers.

F. Board Share Point Site

Mr. Raiford said that every Board meeting the board packet will be on the SharePoint site. It is an option to use instead of having to download attachments from the email. Eventually we may want to just do the updates through the SharePoint site, but for now we will do both; the board packet will be attached to the email and be available on the site. Mr. Raiford wanted to make sure all board members are able to access the site. If there is an issue, he encouraged members to reach out to him directly.

G. Monitoring Update

Mr. Lance provided the monitoring update. He said that we are only in the second week of January, so our data completeness is close to 100% right now.

In reference to the project of moving the monitors from the roof of the Board of Education to the ground, the pads are poured, and the security fences are in place. The electrician is hoping to get the electrical completed in the next couple of weeks. At some point we will be ready to set up the citizens shelter and to move the equipment to the ground.

We had mentioned previously that the EPA was considering changing the PM 2.5 standard. There are two standards set for PM 2.5. One is the annual standard, currently set at 12 micrograms per cubic meter. The other is a 24-hour standard set at 35. Last week the EPA announced that they are proposing to revise the annual standard and set it at a level between 9 and 10 micrograms per cubic meter. They do not plan to change the 24-hour standard. Currently our design value for the annual is at 5.9 micrograms per cubic meter and for the 24-hour standard, we are at about 15. We do not expect to have any issues meeting the new standards, but there may be some areas in the state, such as the Raleigh Triad area and Mecklenburg County, that may have challenges if the standard is set at 9.

At some point this year we will add a PM 10 monitor which is required when the population in an area reaches 500,000. We are not at that level yet, but plan to begin running the monitor proactively. The PM 10 standard was left the same and it is 150 micrograms per cubic meter. We do not anticipate any problems meeting that standard.

The EPA is doing an audit of our 103 Grant next month. This is a small grant and we do not expect any issues there.

H. Inflation Reduction Act (IRA) Funds Related to Air Quality and Climate-Public Comment Period Open

The Inflation Reduction Act includes a lot of funding, most as incentives and tax breaks for clean energy, renewable energy systems and similar projects. The second largest amount of funds is going to the EPA for a lot of different programs, many of which are air and climate related. Air agencies have two different national associations that will be submitting comments. We are members of both. Ms. Featherstone is on a work group. All of the air agencies are having regular meetings with updates with the EPA and allowed to provide feedback.

The EPA has opened six dockets related to air quality and we are watching these. One is the Greenhouse Gas Reduction Fund. That is a \$27 billion fund and something that the county and city are particularly interested in. A lot of it has to do with green banks and giving out funding for emissions reductions. The county has a subcommittee on Energy and Environment that we have talked about before and Ms. Featherstone has been participating in, and they are very actively involved in this one. There is no state Green Bank set up in North Carolina yet, but we expect that to occur.

The letter from our National Association to EPA was included in the packet because it outlines the issues that air agencies have with this. It will affect the air agencies, even though a lot of the money will not go directly to air agencies, a lot of the money is going to things like community monitoring. That will impact us because when the communities get monitoring data for their areas, they are going to come to us with results and expectations to address questions.

We appreciate the one-time funding for the monitors from the EPA. We would like to have some more funding for monitors that we need desperately, but we also need funding for our program and for staff positions to keep these programs going. We need more funds for our 105 grant program, so that we can take advantage of these opportunities and try to get some of this money into our communities for emissions reductions projects.

This dovetails nicely with the EPA Advance program that we joined last year. It is all about voluntary partnerships, reducing emissions proactively so that we can stay in compliance with the national ambient air quality standards. We see the EPA promoting that; join the Advance Program and they can help with technical assistance and collaborative partnerships with your communities for emissions reductions projects.

I. Pratt and Whitney Ribbon Cutting-November 16

In November, Ms. Featherstone was able to attend with other county departments involved in the permitting of the plant. These departments included Air Quality, Legal, Planning, and Permits & Inspections. Equipment has not yet been installed. They expect to start operation later in the year. An air quality construction permit was required for them to build. Often there are changes to equipment installed from what was originally planned and submitted. The changes at this plant include installing engines smaller than they planned and will not require a change to the permit issued last year. The permit may be modified with that information when it is opened.

J. Radon Awareness Month-January

The state gives away free radon test kits every year in January. Unfortunately, they are gone, but test kits are available to order from their website for a reduced rate of \$12.95. Radon is the second leading cause of lung cancer, and we want to promote radon awareness.

K. Air Quality Staff Training and Other Updates

Ms. Featherstone said staff has done a lot of work on training this past year. We hired Alex Latta in 2021 and planned a lot of cross training then. Some was delayed due to COVID. One of those trainings was the asbestos NESHAP training. Mike Matthews has that training and certification. Kevin Lance has also participated in some additional classes with Mr. Latta for the asbestos NESHAP program. Mr. Latta is actively working on his certification.

Mr. Matthews has also participated in disaster assessment training with the County Planning Department. The county has a large team. If there is a flood or natural disaster of some sort, this team is sent out to do these damage assessments. These are used to determine disaster declaration and funding for our area.

Betsy Brown is serving on the Buncombe County Equity and Inclusion workgroup and keeping the agency up to date on those efforts and representing us there.

Ms. Brown and Mr. Matthews worked for Election Services on election night, bringing in all the equipment and documentation.

James Raiford has been training staff on the Accela program which is what the county is using for all the county development code enforcement groups.

Mr. Lance is serving on the county's Code Enforcement Workgroup. He is representing us in efforts to deal with difficult cases in the county where the site has repeat violators, often with violations of rules enforced by different county

departments such as Environmental Health, Solid Waste, Air Quality, Planning and Permits and Inspections.

L. Facility Permit Renewals

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
Milkco, Inc.	Fluid Milk, Juice and Water Processing, Packaging & Distribution Facility	Synthetic Minor	Deaverview Road, Asheville	Update general conditions
Shakespeare Company, LLC	Synthetic Fiber Coating Facility	Synthetic Minor	Sand Hill Road, Enka	Update general conditions

At the bottom of one of the inspection forms, the inspector, the reviewer, and director, were all signed for by James Raiford due to the timing of the permit and staff illness. Concern was expressed by a board member that this could be an issue if there were controversy. Ms. Featherstone said that the signatures were not required by the rules, but it did not look good. Mr. Frue did not think that Mr. Raiford signing for Ms. Featherstone in this circumstance was problematic if she asked him to do so.

Dr. Guttman made a motion to approve the permit renewals. Mr. Whisnant seconded the motion.

All present - yes

Mr. Storrow - yes

The motion passed 5-0.

M. Facility Permit Modification

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
Duke Energy Progress, Inc.	Electric Generating Utility	Title V	Duke Energy Lane, Arden	Correct a typographical error. Footnote in emission source table noting that control device may operate on as needed basis to meet system wide NOx limits was inadvertently removed during the last modification. Facility has requested that footnote be restored to the permit.

Mr. Whisnant made the motion to approve the permit amendment. Dr. Guttman seconded the motion.

All present - yes

Mr. Storrow - yes

The motion passed 5-0.

N. New Facilities

Facility Name	Type of Facility	Facility Classification	Location	Proposed Equipment
Carolina Ready Mix and Builder's Supply, LLC	Ready mix concrete facility	Small	Smokey Park Highway, Candler	One Ready-Mix Concrete Facility with 2 cement silos and one fly ash silo, a batcher, and truck load out with fabric filter or dust collector controls on all sources

The site is next to a mobile home park. The location is on the grounds of the Vulcan quarry. Existing concrete batch plants (CBP) are usually located near quarries since aggregate is one ingredient. The agency rarely gets complaints about CBP. When they do, they are generally dust complaints. The site is close to the quarry and water trucks are available to control fugitive emissions. There is also an asphalt plant at this location. We have not received complaints from the mobile home park on the existing two facilities, the quarry and the asphalt plant.

The company expects to be up and running in May. Dr. Couzo said it might be interesting to utilize DAQ's eBAM and run the monitor near the mobile home park a couple of weeks before the CBP is up and running, and then again after it is operational for comparison. Concern was expressed about the possible lack of public input. Mr. Raiford pointed out that concrete batch plants are one of the types of facilities in Buncombe County zoning that require a special use permit. They did go through that process, and we (and others) were notified about the CBP at that time as well. Planning has a board which is also a public meeting.

We follow the NC Division of Air Quality's guidelines concerning permit reviews and public engagement. There is a section of our rules that talks about public notice. If you are in an area with no zoning, the facility has to put up a sign letting the community know what is planned for that location.

Mr. Whisnant made a motion to approve the permit. Mr. Storrow seconded the motion.

All present - yes

Mr. Storrow - yes

The motion passed 5-0.

V. New Business:

- A. None

VI. Other Business:

- A. Legal Counsel Report

Nothing

- B. Advisory Committee Report

- 1. October 24, 2022 Minutes

Dr. Couzo is still waiting to hear from the EPA about his grant application.

They did receive money from UNCA with which they will purchase 15 or 16 purple air monitors. They plan to test them over the summer to confirm that they are all reading close to the same concentrations. They will work with the

City of Asheville to deploy them. He will get students to do deploy and locate the sensors with input from Mr. Lance and Mr. Raiford.

The Agency may have a student to work on an energy conservation project for smaller breweries, ones that do not have the resources to do this for themselves. There may be another opportunity to host a student from a National Science Foundation (NSF) grant that helps with research experience for undergraduates. This summer may be too short of notice for the agency to come up with a project for another student intern. The grant covers two years so there is a possibility of a project for next summer also.

2. December 5, 2022

We talked about how, or if, the committee should partner with some nonprofits in the county, like Habitat, Green Built or Blue Horizons, to help especially lower income residents take advantage of the tax credits from the Inflation Reduction Act. This could involve swapping out their furnaces, water heaters or even their stoves to electrify their homes and replace the fossil fuel infrastructure. There is interest, but we do not have any concrete plans.

C. Calendar

1. Next meeting is March 9, 2023 in the same room.

D. Announcements

None

VII. Public Comment

None

VIII. Adjournment

Dr. Guttman made the motion to adjourn the meeting. Mr. Whisnant seconded the motion.

All present - yes

Mr. Storrow - yes

The motion passed 5-0.

Mr. Storrow thanked Mr. Koon for running the meeting since he could not be present in person. He appreciated that he had the flexibility to participate remotely.

The meeting was adjourned at 4:58 pm