

MEMORANDUM

TO: Asheville-Buncombe Air Quality Agency Board of Directors

FROM: Ashley Featherstone, Director

RE: Minutes for July 12, 2022

DATE: September 2, 2022

Enclosed, please find the Minutes for the **Tuesday, July 12, 2022** Asheville Buncombe Air Quality Agency (AB Air Quality) board meeting. The next meeting of the AB Air Quality Board is scheduled for **Monday September 12, 2022 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 Tuesday, July 12, 2022, 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:

*Karl Koon
Vonna Cloninger
Joel Storrow
Evan Couzo
Garry Whisnant*

Members Absent:

None

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

Others Present: *None*

Mr. Storrow called the meeting of the Asheville-Buncombe Air Quality Agency Board of Directors to order on July 12, 2022, at 4:04 pm.

The order of business was as follows:

I. Public Comment Protocol Announcement

Mr. Storrow started the meeting by reading the announcement about the public comment protocol. It was noted that the Board would take public comment at the end of the meeting.

II. Adjustment and approval of agenda

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

Voting was conducted by roll call.

Dr. Couzo-yes
Mr. Koon-yes
Mr. Storrow-yes
Ms. Cloninger-yes
Mr. Whisnant-yes
The motion passed 5-0.

III. Consent Agenda:

A. Approval of minutes from March 8, 2022

Ms. Cloninger made the motion to approve the minutes from March 8th. Mr. Koon seconded the motion.

Voting was conducted by roll call.

Dr. Couzo-yes
Mr. Koon-yes
Mr. Storrow-yes
Ms. Cloninger-yes
Mr. Whisnant-yes

The motion passed 5-0.

B. Approval of special meeting (retreat) minutes from May 24, 2022

Ms. Cloninger made the motion to approve the minutes from the retreat on May 24th. Mr. Koon seconded the motion.

Voting was conducted by roll call.

Dr. Couzo-yes
Mr. Koon-yes
Ms. Cloninger-yes
Mr. Whisnant-yes
Mr. Storrow-yes
The motion passed 5-0.

C. Approval of minutes from May 24, 2022

Ms. Cloninger made the motion to approve the minutes from May 24th. Mr. Koon seconded the motion.

Voting was conducted by roll call.

Dr. Couzo-yes
Mr. Koon-yes
Ms. Cloninger-yes
Mr. Whisnant-yes
Mr. Storrow-yes
The motion passed 5-0.

D. Approval of special meeting minutes (budget amendment) from June 30, 2022

Ms. Cloninger made the motion to approve the minutes from the special meeting on June 30th. Mr. Koon seconded the motion.

Voting was conducted by roll call.

Dr. Couzo-yes
Mr. Koon-yes
Ms. Cloninger-yes
Mr. Whisnant-yes
Mr. Storrow-yes
The motion passed 5-0.

IV. Director's Report:

A. Board Vacancies Update

Mr. Storrow's and Ms. Cloninger's terms are expiring in July. The City has reappointed Mr. Storrow. Ms. Cloninger has served three 6-year terms for 18 years on the Board. The County policy is to limit appointments to two terms. The County has taken applications and they expect to have it on the July 19th agenda.

B. Board SharePoint Site

In the past staff provided each member of the Board with a loose-leaf binder book. These contained copies of all our regulations and policies such as the Civil Penalty Policy and Appeals Policy. These were not used often. Staff started emailing the board packets and stopped updating board books. Our Rules are online, but our policies are not online.

Staff would like to put all the documents and board related information, including everything that used to be in the board books on a SharePoint site that could be accessed by each Board member and staff. The Board packets could be uploaded there. Staff would continue to email the Board packets. Board members could simply go to the webpage to find documents. The site would be organized so that there would be folders for different documents. The SharePoint would be used instead of a Teams site where members could chat, that could be viewed as a Board meeting without proper notice. The drawback to this is that Buncombe County IT would make the files read only. Board members could not necessarily download files.

Our understanding is that the cost is included in our indirect. There would be no additional costs to the Agency and no burden on staff. James Raiford showed an example, the Buncombe County Budget portal. This is a feature of Microsoft Office which is how we interact with Microsoft. The specific site address is easy to navigate. Staff can check with IT about the possibility of downloading files. Most would be read only, but some files may be set up for collaborative work. An example might be the agenda, so the Board Chair could make changes. After older files are loaded onto the site, Board members would have access to older Board minutes. Mr. Raiford thinks that he will have something to share with the Board at the September meeting.

C. COVID-19 Update

There are no updates under Covid-19, but it has been left on the agenda in case something happens that needs to be shared with the Board.

D. Monitoring Update

Kevin Lance said that we are over halfway through the ozone season. Year to date completeness for ozone is 94%, and for PM 2.5 completeness is at 95.8%. The Agency should be getting the funds from the American Rescue Plan during the next couple months. We will order equipment at that time. We hope the quotes will still be good.

Ryan Brown from the EPA came up the end of June and looked at our new proposed site at the Board of Education. He thought it was a good location and gave us his blessing.

Dr. Couzo's personal air sensors were set up to run in conjunction with our equipment for about two and a half weeks. We collected that data and are interested to see how that data compares to our regulatory monitor.

Ms. Featherstone noted that the State said we had not had any Code Orange days, but there have been a few higher level days scattered here and there in the state. They think this is partly due to the heat.

E. Clean Air Excellence Awards (CAE)

We had a couple of applications to consider. Dr. Couzo will give that update in the Advisory Committee report. If the Board goes along with the committee's recommendations, we will plan a reception to present the CAE awards before the Board meeting in September. If Mr. Lovin attends, we could present his plaque at that time.

F. Update to Agency On Call/After Hours Policy

The Agency's On Call/After Hours policy has been updated. It was last updated in 2008. The Board has not formally approved or voted on this policy in the past. We

are on call for Air Quality issues after hours and at night. When Ms. Featherstone started with the Agency about twenty years ago, staff all took turns, and someone went out after hours on every call, but then we had some safety issues. We also had more staff then.

In 2008 we revised the policy to say that we only went out after hours if there is a real threat to someone's health and safety, for instance, someone ripping out asbestos. We do have a nuisance provision in our open burning rule that says if someone has a documented medical condition that is being exacerbated by burning, we can ask to have the fire put out. That is rare. We work closely with most of the fire departments and want to have a good relationship with them. If they are on the scene and specifically ask us to come, we will send someone so long as the fire department or law enforcement are present on scene.

The county has been updating the personnel policies. County after hours policy has always had a distinction between the on call and emergency callback procedures. Typically, we would go out if it was an emergency; otherwise, we would send someone the next business day. Mr. Lance and Mr. Matthews take home agency vehicles and respond to these calls when necessary.

The County is making a distinction between these procedures in the supplemental pay policy. It would cost several thousand dollars a year to pay someone to be on call since that is defined as waiting to be engaged, as opposed to emergency call back. We typically go out on a call after hours once every two months or so. Then it is the fire department that calls us. Mr. Matthews and Mr. Lance can usually handle calls on the phone. They ask fire department personnel to take pictures and send us their report. We can issue a violation and a penalty with that information. The fire department is usually amendable to this. This approach can help the Agency curb expenditures.

We have drafted a change where instead of the EOC having two people to call, we will give them everybody's name in case someone needs to respond to a call under emergency call back procedures. The EOC will communicate with the fire departments. We will let the fire department know that we need certain information including pictures and their report. If it is an emergency, we will send somebody out so long as someone is on the scene from the sheriff's office or the fire department for safety reasons.

The interim fire marshal, Kevin Tipton, is aware of our staffing issues as they are also short staffed, and most stations understand. We have been invited to a fire chief's meeting to discuss rules and roles, and any concerns moving forward. We might need to have a memorandum of agreement.

G. Low-Cost Air Quality Sensor Policy

Low cost air quality sensors just came out in recent years. Some measure particulate matter; others measure ozone. The Purple Air is a popular one, because it is a couple hundred dollars. They are good for hot spot areas but are not as accurate as the monitors that the Agency runs. They can be great when there are fires to acquire more local data, or where there is a question about a particular site or building. Mr. Raiford displayed the EPA AirNow Fire and Smoke map which incorporates air agency monitors as well as Purple Air monitors such as the one at UNCA. Also shown was a map of an area where there were active fires Near Yosemite National Park in California. This map showed multiple sensors in the area from personal monitors as well as agency run monitors. This gives people closer to the fires more accurate data for their area so they know they might need to take

extra precautions for poor air quality. Ms. Featherstone noted that the “nose” was one of the best air quality monitors. If you smell or see smoke, there are elevated levels of PM; one might want to stay indoors or wear a mask outdoors.

There are potential issues for the Agency. If there are high levels registering on low-cost sensors in our communities, residents might want us to place a monitor in their neighborhoods. A monitoring site is about \$80,000 to set up.

Air Agencies have come out with official policies in response to the low-cost sensors and Citizen Science. James Raiford put together a draft policy similar to Mecklenburg County’s policy. Basically, the policy states that the Agency acknowledges that these sensors are out there and there are a lot of good uses for them, but they are not as accurate as our air quality monitors. The information can be good and valuable. During the forest fires in 2016 the EPA and state brought in additional monitors to help obtain more accurate local information. With more personal monitors in the area, we would be better equipped to track the air quality for public health purposes, if we have a similar situation in the future. People need to be careful where they place them and understand that the readings will not be as accurate as more expensive regulatory monitors which have rigorous quality control. When the Advisory Committee meets in August, perhaps they can review it. There has been a lot of discussion in the Advisory Committee meetings about the low-cost sensors and related projects. At a future meeting the Agency will ask the Board to vote to approve a policy.

Dr. Couzo said the Purple Air sensors that only measures PM2.5 cost about \$295. These do not measure ozone or any other pollutant.

Mr. Raiford noted that there are two types of Purple Air monitors. One uses wi-fi and those are the ones whose data may be seen on the EPA AirNow and Purple Air sites. It is the operator’s choice whether to share the data online.

EPA did not want people going to the Purple Air site to get air quality data, so the EPA worked with Purple Air to include that data on EPA AirNow. There is a bias with the Purple Air sensors and the EPA applies a correction factor to the data they post.

Dr. Couzo noted that the Purple Air monitors are crude compared to the Agency monitors. They use laser technology to count particles. Humidity or water vapor can impact the optical sensors. There might be different biases in the southeast as opposed to the southwest.

From an environment justice perspective, there is discussion about putting these monitors in formerly redlined areas to track inequities that may be there.

If someone from the public calls the office, we would try to offer some guidance. So far, the Agency has not had many calls of that nature. We will have that policy for them to read. When we have the sensor shelter, we will make an announcement of the availability of collocating personal monitors there for comparison or research. The EPA offered us a shelter when we move the PM 2.5 monitors to the ground at the Board of Education. This is essentially a metal box on legs. We would have to get approval from the Board of Education to place the sensor shelter at their site and put it inside the fence that is around the monitors. There would be limitations to the number of sensors that could use the space as there would be limited space and power available. We might require applications or a registration

process for the opportunity to collocate. There would be a process on how this would work, and the sensor policy would go along with that.

Staff is looking forward to comparing the data from Dr. Couzo’s sensor with our monitoring equipment.

H. Facility Permit Renewals

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
Tennoca Construction Company	Portable Concrete, Stone, and Recycled Asphalt Pavement Crusher	Small	Various sites with local zoning authority approval	Update general conditions and add NSPS specific conditions

Some permitted portable crushers do not operate in Buncombe County often but keep their permit open so that they do not have to go through the permitting process again. They are required to give us 10 days’ notice before they operate at a site in the county, and this would allow us to inspect the crushing operation. Staff has not had the opportunity to inspect Tennoca, so we do not have an inspection report to provide the Board for review. A memo was enclosed in the board packet.

Mr. Koon made the motion to renew the permit for Tennoca. Ms. Cloninger seconded the motion.

Voting was conducted by roll call.

- Dr. Couzo-yes
- Mr. Koon-yes
- Ms. Cloninger-yes
- Mr. Whisnant-yes
- Mr. Storrow-yes
- The motion passed 5-0.

I. Facility Permit Modification

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
Duke Energy Progress, Inc.	Electric Generating Utility	Title V	46 Duke Energy Lane, Arden	Reclassifying from major source of HAPs to an area source HAPs. Update emission factor in permit for plantwide applicability limit to reflect recent testing. Correct a typographical error.

Whenever a Title V source makes a significant modification like this, we review and send to the EPA for review, and go to public notice. There were no comments on the permit modification. In response to Board members questions, some additional information was sent out to Board members in an email. There is a rule for combustion turbines that has had limited requirements if they just burn natural gas. The rule was stayed for 20 years. It is no longer stayed and new requirements are kicking in. As many facilities have moved from coal to gas they are able to stay under the major source thresholds for facility wide emissions and avoid the new requirements. The facility has done testing to establish better emission factors for formaldehyde to show that they can stay under those levels. They will not have to

do formaldehyde testing each year by changing this classification. Other facilities in NC have done the same thing. Facilities are figuring that they can get better information for their site and avoid the testing which is burdensome. Administrative rules allow the Agency to update the general conditions during this time just as we have when permits are open for the requested ownership and name changes.

The other rule the facility will be avoiding with the reclassification is the boiler MACT. Since they are just burning gas and only burning fuel oil under natural gas curtailment, they would have to do tune-ups on the boilers. Mr. Raiford noted there should no longer be times of natural gas curtailment with the new pipeline. The only time the facility burns oil is for testing purposes. Some of the permit review language is dated regarding the use of oil. The facility can still use fuel oil as a backup fuel source. If they burn fuel oil at time when there is no natural gas curtailment, they will have to notify us. They would be subject to rules that apply to area source boilers if they burn oil other than during curtailment. They would have to do boiler tune-ups every year. They may do them anyway because it is good practice.

The facility is charged an extra complex source fee and the level of that complex source fee could change since they are no longer subject to these two rules. With new emission factors, the emissions estimates could be less which could also reduce the fee. Their fee is expected to be around \$40,000 per year.

There is a lot less formaldehyde in fuel oil than there was 20 years ago so the concern for formaldehyde emissions is not as great as it was then. For some facilities, formaldehyde was the one pollutant keeping them subject to this rule.

It was asked, what the is purpose of the Board voting on these permits? Does the Board have the power to deny a permit if it meets all the regulations? The state delegates permit issuance to the Director. We are the only agency in North Carolina that does not do that. Our process of board approval of permits allows for more public participation. A Title V permit goes to public notice; however, our meetings give the public the ability to know that we plan to renew a permit for a small source permit such as a portable crusher or pet crematory. Often the controversy surrounding a permit is a zoning issue. If the board turned down a permit that met air quality requirements, we would most likely be sued by the facility. They could appeal to the Buncombe County Superior Court. Title V facilities have a separate appeals policy though the EPA.

The subject has come up before in Board meetings. Staff is very specific in the permit review forms to note that a facility meets the standards. The Board has questioned staff before on staff's recommendations.

There is a situation in North Carolina concerning public notice for synthetic minor sources which are subject to federal rules. The EPA is concerned that the State does not go to public notice for synthetic minor sources. The EPA approached the three local agencies and asked what their public participation procedures were. We pointed out that our permits were approved by our Board, we send out an agenda to our mailing list and we have a public meeting. It does not meet the rules we will need to meet EPA requirements, but it is a public participation procedure. We have been doing this for over 40 years.

The Board does have the option to delegate permit issuance to the Agency Director, but consensus is that it is good to have the Board oversight. This is also part of the benefit of having a local air quality program.

Ms. Cloninger made the motion to approve the Duke permit modifications. Mr. Koon seconded the motion.

Voting was conducted by roll call.

Dr. Couzo-yes

Mr. Koon-yes

Ms. Cloninger-yes

Mr. Whisnant-yes

Mr. Storrow-yes

The motion passed 5-0.

V. New Business:

None

VI. Other Business:

A. Legal Counsel Report

Mr. Frue was not present.

Mr. Koon said he needed to leave for another meeting and noted that Mr. Frue was not present. He requested that C. Calendar be discussed next before the Advisory Committee Report, next on the agenda, to pick a better time for the next Board meeting.

B. Calendar

1. The Board proposed changing meetings back to Mondays as the county Attorney, Mr. Frue, cannot attend on Tuesdays and it is difficult for Mr. Koon who has other commitments on Tuesdays and Wednesdays.

Mr. Whisnant made the motion to change meetings back to Mondays every other month at 4pm. Dr. Couzo seconded the motion.

Ms. Featherstone noted that since the meeting was in person, a formal roll call was not required.

The Board voted 5-0 and the motion passed.

2. Next meeting is rescheduled from Tuesday, September 13 to Monday, September 12, 2022, 4 pm.

The November meeting was previously scheduled for November 7, 2022, due to Election Day. There does not appear to be a conflict and this meeting time will remain.

Mr. Koon left the meeting.

C. Advisory Committee Report

1. June 15, 2022 Meeting

Dr. Couzo reported that the Advisory Committee reviewed the applications for the Clean Air Excellence Awards.

The committee voted unanimously to approve the award for Strategy and Innovation of Buncombe County. The emissions reductions were the result of their telework policy.

The VA also submitted an application. It was not very detailed. LED lights, solar panels, and a new HVAC system were installed. Staff followed up several times with the VA and received more information. Follow up email votes from Advisory Committee members were in favor of giving them the award. There are three staff who are non-voting and seven non-staff committee members. The VA did show an emissions reduction from 2020 to 2021, although the actual work was done prior. They have purchased several hybrid vehicles and have 15 as part of their fleet. They agreed to join the Clean Cities Coalition. They have electric vehicles that they use on campus. The facility has received a Green Health healthcare award for hospitals which required a lot of information and appeared robust. Their work included a geothermal heating system. They have had a lot of good projects which have contributed to reductions.

The committee is nominating both Buncombe County Strategy and Innovation and the VA for the award.

The fire department has expressed interest in idle reduction technology which sounds promising. More information is needed to determine feasibility. The Solid Waste department has expressed interest in VW settlement money for electric heavy-duty equipment. However, it is proving difficult to find electric vehicles to replace heavy duty diesels. They have been made but are not that easily attainable. Ms. Featherstone plans to follow-up with them.

There is \$5 billion from the EPA available for electric school buses. The funds are more easily available and are paid at a higher rate to lower income communities, which Buncombe is not. Cherokee has an electric school bus which they love. They are also in the mountains so they are a good indicator of how electric school buses would fare in mountainous terrain. With the electric school bus funding, Buncombe County Schools would be reimbursed for the cost above that of a diesel bus. They are only supplying \$13,000 per bus for the charging station for counties like ours, and \$20,000 for priority counties. Installing these charging stations is around \$50,000. If areas could partner up or apply for multiple buses, they could use the combined funds for each bus to fund a central charging station that several could use.

Commissioner Terri Wells offered to take this information to a school board member and the assistant superintendent for us, to see if we could set up a meeting. We are still looking at this, but not getting a lot of interest. North Carolina may also be putting together their own grant proposal at some point. If they receive part of those funds, we hope that their program will be more attractive than the EPA grant.

Some citizen science projects that the committee might be able to help with were discussed. One is looking at ambient pollution levels with low-cost sensors located in different neighborhoods, particularly looking at economic and racial disparities. Dr. Couzo has several grant applications out. His EPA grant is still under review. If the money comes in, he will be able to get those sensors out and do some interesting projects.

The Board votes on new members of the advisory committee. Mr. Jay Haney applied to join the committee. He is a meteorologist and a part time resident of Black Mountain. There was discussion about Mr. Haney only living in the area part time. With virtual meetings, meeting attendance should not be an issue. The committee recommended that the Board appoint Mr. Haney to the committee.

Ms. Cloninger made the motion to invite Mr. Haney to serve on the committee. Mr. Whisnant seconded the motion. The motion passed 4-0.

Ms. Cloninger made the motion to accept the Clean Air Excellence Award recommendations of the committee. Mr. Whisnant seconded the motion. The vote to give the award to Strategy and Innovation of Buncombe County and to the VA Hospital was 4-0 in favor.

D. Announcements

No announcements

VII. Public Comment

No public comment

VIII. Adjournment

Ms. Cloninger made a motion to adjourn. Mr. Whisnant seconded the motion. The motion passed 4-0. The meeting adjourned at 5:17pm.