

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

FROM: Ashley Featherstone, Engineering Supervisor

SUBJECT: January 11, 2010

DATE: February 24, 2010

Please find attached a copy of the **DRAFT MINUTES** from the January 11, 2010 Board Meeting. The next meeting of the WNCRAQA Board is scheduled for **Monday, March 8, 2010** in the Agency Board Room at 49 Mt. Carmel Road, Asheville, NC.

CC: Mr. Jim Siemens, Board Attorney

The Western North Carolina Regional Air Quality Agency Board of Directors met on Monday, January 11, 2010, 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:

Britt Lovin
Loyd Kirk
Vonna Cloninger
Karl Koon
Dean Kahl

Members Absent:

Staff Present: *David Brigman, Director; Ashley Featherstone, Engineering Supervisor; Mike Matthews, Engineer; Kevin Lance, Enforcement and Monitoring Supervisor; James Raiford, Engineer; Arnie Lingle, Inspector; Vic Fahrer, Engineer.*

Media Present:

Others Present: *Cecil Bothwell, City Council, Attorney; Steve Hodgens, Asheville Pet Crematory; Jim Weber and Berkley Cooke, Shorewood Packaging Corporation*

Mr. Lovin called the meeting of the Western North Carolina Regional Air Quality Agency Board of Directors to order on January 11, 2010, at approximately 4:00 p.m.

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. APPROVAL OF AGENDA:

Mr. Lovin stated that the Agency had an award to present and he wanted to adjust the Agenda and move Item VI. B. before Agenda Item IV. Ms. Featherstone stated that she had a Low Carbon IT Award to give to Shorewood Packaging but they had not arrived yet and would like to put this off until they arrived. There were no additional changes to the Agenda.

III. CONSENT AGENDA:

Approval of minutes from the November 16, 2009 Board Meeting: No changes were made to the minutes from the November 16, 2009 Board meeting. Ms. Cloninger made a motion to approve the minutes and Mr. Koon seconded the motion. The motion passed 5-0.

IV. UNFINISHED BUSINESS:

Automobiles: Mr. Brigman informed the Board members that the Escape Hybrid has been sold to Buncombe County Government. The Agency is still planning to sell the 2 Priuses.

V. DIRECTOR'S REPORT:

Ms. Featherstone gave a report on EPA's proposed PSD and Title V Green House Gas (GHG) Tailoring Rule. EPA is planning to finalize regulations that will apply to light duty vehicles later this spring. When this happens, GHGs will be regulated pollutants under the Clean Air Act. The proposed rule will "tailor" the permit programs to limit which facilities will be required to obtain Title V and NSR permits. This rule is expected to be finalized later this spring.

David gave an update on the new ozone standard proposal issued by EPA this week. EPA has proposed a range of 0.060 to 0.070 ppm, the actual level of the standard has not been finalized. Our area may comply with the higher range, but probably not the lower range of the standard. The final standard will be issued in August. EPA will consider 2008 to 2010 data when making attainment designations.

Mr. Brigman informed the board that the Agency and the new tenant, the Public Health Regional Surveillance Team (PHRST) have entered into an arrangement where the agency will purchase a copy machine and PHRST will lease a portion of that machine. A tax credit was available and is being utilized.

A. Facility Operating Permits (Renewals)

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
Dave Steel Company, Inc.	Structural Steel Fabrication Facility	Small	76 Roberts St., Asheville	Addition of new area source GACT requirements
Milkco, Inc.	Fluid Milk, Juice and Water Processing, Packaging & Distribution Facility	Small	220 Deaverview Rd., Asheville	Insignificant activity list will be updated.
Shakespeare Conductive Fibers, LLC	Synthetic Fiber Coating Facility	Small	1451 Sand Hill Rd., Enka	Insignificant activity list will be updated.

Volvo Construction Equipment NA, Inc.	Construction Equipment Mfg. Facility	Small	2169 Hendersonville Rd., Arden	Insignificant activity list will be updated. Addition of new area source GACT requirements.
Buncombe County Landfill	Municipal Solid Waste Landfill	Title V	Panther Branch Rd., Alexander	MACT Requirements updated, equipment from construction permit will be rolled into operating permit.

Mr. Kirk indicated that he had a question about the Volvo permit. Mr. Lovin asked that that permit be addressed separately. With no questions regarding the other operating permits, Mr. Kirk made a motion to approve the permits. Mr. Koon seconded the motion and it was approved 5-0. Mr. Kirk inquired about the status of the Volvo permit since the facility is planning to shut down. Mr. Brigman explained that the permit was due to expire and the Agency was planning to renew it for a limited period of time until the plant closes. With no other questions, Mr. Kirk made a motion to approve the permit. Ms. Cloninger seconded the motion and it was approved 5-0.

B. Facility Permit Modifications

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
B.V. Hedrick Gravel & Stone – Grove Stone Quarry	Stone Crushing & Processing Facility	Small	Old U.S. 70, Swannanoa	Addition of three conveyors

There were no questions regarding the permit modification, and Ms. Cloninger made a motion to approve the permit. Mr. Kirk seconded the motion and it was approved 5-0.

C. New Facilities

Facility Name	Type of Facility	Facility Classification	Location	Proposed Equipment
Asheville Pet Crematory, Inc.	Pet Crematory	Small	Summer Haven Road, Swannanoa	One pet crematory incinerator

Mr. Brigman informed the Board that the Agency had received a complaint about a pet incinerator. On investigation, it was determined that a new incinerator had been built recently and no permit had been obtained. The owner indicated that he had spoke with someone with the state agency and was informed that a permit was not required, since DAQ no longer requires permits for pet incinerators. The owner has submitted an application for a permit and complied with all requirements, including zoning. Mr. Kirk made a motion to approve the permit for the new facility, and Mr. Koon seconded the motion. It was approved 5-0.

VI. NEW BUSINESS:

A. Proposal of Regulatory Changes: There were several regulatory changes. One item in

particular that had to do with public participation and Title V procedures was discussed. The staff recommended that the board not adopt that change at this time due to EPA concerns. A second item having to do with a change to the DAQ fugitive dust rule was also not recommended for adoption. Current agency rules are viewed as being more restrictive than the two DAQ rules at issue. Ms. Cloninger made a motion to adopt the proposed changes with the exceptions recommended by staff, and Mr. Kirk seconded the motion. It was approved 5-0.

B. Standing Ovation Awards and Low Carbon IT Campaign. Ms. Featherstone reported that the agency would not be giving out any Standing Ovation awards this year. A Certificate of Recognition from EPA is being presented to Shorewood Packaging Corporation for pledging to implement the Low Carbon IT Campaign at their facility. Mr. Brigman presented the framed certificate to Berkley Cooke, General Manager of Shorewood Packaging Corporation in Weaverville. Jim Weber, Environmental, Health, and Safety Manager was present. Shorewood Packaging is the first facility to join the Agency's local campaign, which is more comprehensive than the previous ENERGY STAR Million Monitor Drive Campaign. The Agency is now a Low Carbon IT Ally and will continue to promote the program.

C. Legal Council Report – Mr. Siemens: An update on the Pitrolo lawsuit was provided. Mediation occurred and was unsuccessful. Brief should be filed by the middle of the year. Appeal will address the one claim that withstood summary judgment, and the Thornburg ruling to throw out the jury's verdict.

Ms. Fisher had a hearing with Mr. Lovin recently.

Warren Wilson case needs to be resolved. A settlement offer was made and should be finalized.

VII. OTHER BUSINESS:

A. Advisory Committee Report – Dean Kahl: The Advisory committee met on December 8, 2009. Dr. Kahl stated they are continuing to work on the wood stove and cleaner burning techniques campaign and the fire truck retrofit program. They also are evaluating the effectiveness of the idle sign placement efforts at Buncombe County Schools. Handouts for the children to take home to parents and/or a phone campaign were suggested by Ms. Cloninger. The committee has also looked at billboards as a form of public outreach on different topics, and found that they are cost prohibitive. Attendance is an issue and the Agency is advertising for new members on the City and County TV stations. The next meeting will be February 16, 2010.

B. Calendar: The next meeting for the Board will be March 8, 2010 at 4:00 p.m. Mr. Lovin informed the Board to look over the calendar for next year and let him know of any conflicts.

C. Announcements: Cecil Bothwell introduced himself, he will now be the Agency's City Council Liaison.

VIII. PUBLIC COMMENT:

None

IX. ADJOURNMENT:

With no further business, Ms. Cloninger moved that the meeting be adjourned at approximately 5:10 p.m., and Mr. Koon seconded the motion. The motion passed 5-0.