

**AGREED BOARD ORDER NO. 23-04**

**LOUISVILLE METRO AIR POLLUTION CONTROL BOARD**

**Case Nos. ENF-APCD-22-00017 & ENF-APCD-22-00042**

This Order is issued by the Louisville Metro Air Pollution Control Board (Board) pursuant to Kentucky Revised Statutes Chapter 77 (Air Pollution Control). This Agreement is made by and between the Board and Hillerich & Bradsby Co. (Company), a Kentucky corporation, and is effective on the date of its adoption by the Board.

**COMPANY:** Hillerich & Bradsby Co.  
800 West Main Street  
Louisville, KY 40202

**REGULATIONS INVOLVED:**

District Regulation 2.17: *Federally Enforceable District Origin Operating Permit*

**NOTICE OF VIOLATION LETTER:**

Case No. ENF-APCD-22-00017, dated May 12, 2022  
Case No. ENF-APCD-22-00042, dated February 20, 2023

**BACKGROUND AND DISCUSSION:**

At all relevant times, Company operates a manufacturing facility in Louisville's downtown business corridor, where it produces sporting equipment pursuant to Federally Enforceable District Origin Operating Permit (FEDOOP), which was issued by the Louisville Metro Air Pollution Control District (District) in 2017. Company's FEDOOP permit limits multiple pollutants, including opacity, particulate matter, and hazardous air pollutants, and requires monitoring, recording, and reporting to demonstrate that air pollution equipment is being operated properly. Company must comply with the requirements established therein to remain in compliance with District regulations, including requirements for renewing the FEDOOP permit and for submitting annual compliance certifications and annual compliance reports.

The District alleges that Company failed to renew its District issued FEDOOP permit prior to its expiration and failed to submit its Annual FEDOOP Compliance Report and Annual Compliance Certification (ACC) both for the 2021 reporting period, as described in Notice of Violation Case No. ENF-APCD-22-00017.

Company was required in Notice of Violation Case No. ENF-APCD-22-00017 to submit the Annual Compliance Report and the ACC to the District. On June 10, 2022, Company timely submitted the required Annual Compliance Report and ACC. Upon review of Company's Annual

Compliance Reports and ACCs for the 2019, 2020, and 2021 reporting periods, the District determined that there have been substantial deviations from Company's FEDOOP permit.

The District alleges that Company incorrectly reported rolling totals for HAPs, PM/PM10, and VOCs, exceeded VOC limits, and failed to report emissions, as well as, failed to report all instances of noncompliance in its annual reports, all as described in Notice of Violation Case No. ENF-APCD-22-00042.

To fully address the violations of District Regulation 2.17, and as alleged above, the parties agree to this Order assessing against Company an administrative settlement of \$11,625. A public hearing was held before the Board on this proposed Order. Based upon the information presented at the hearing, the Board determines that the proposed resolution and requirements contained in this Order are reasonable under the circumstances.

NOW, THEREFORE BE IT ORDERED THAT:

1. No later than 30 days after this Order is fully executed, Company shall pay \$11,625 to the Louisville Metro Air Pollution Control District.

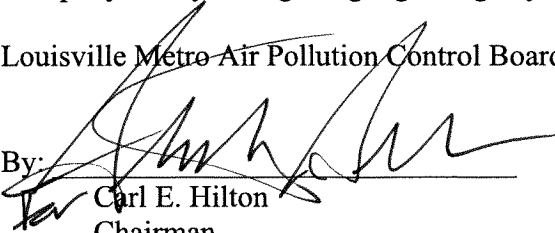
2. Company has reviewed this Order and consents to all its requirements and terms. Company agrees to pay the cost of publishing legal notice of the public hearing.

3. In the event that it is necessary for the District to seek a court order to enforce this Order, Company agrees to pay filing fees and costs of such action.

4. This Order fully resolves the violations alleged against Company in Case Nos. ENF-APCD-22-00017 and ENF-APCD-22-00042 and alleged above in this Order against Company.

5. Neither this Order nor the actions taken hereunder shall constitute an admission by Company of any wrongdoing regarding any of the matters referenced in this Order.

Louisville Metro Air Pollution Control Board

By:   
Carl E. Hilton  
Chairman

Date: 8/16/23

Hillerich & Bradsby Co.

By:   
Bobby Hillerich  
Vice President

Date: 7/10/2023