

**Minutes
Public Hearing
of the
Louisville Metro Air Pollution Control Board
June 20, 2012**

A public hearing of the Louisville Metro Air Pollution Control Board was called to order on June 20, 2012, at 10:00 a.m. in the Board Room of the Louisville Metro Air Pollution Control District, 850 Barret Avenue, Louisville, Kentucky, by the Chairman, Dr. Robert Powell.

General Statement, Rules and Purpose

The Chairman read the opening announcements, rules and purpose of the public hearing, which was to review two proposed Agreed Board Orders.

1. Proposed Agreed Board Order with E.I. DuPont de Nemours & Company

Mr. Paul Aud, Environmental Engineering Manager, asked the Board to consider a proposed Board Order with E.I. DuPont de Nemours & Company that alleged the company violated District regulations and required it to pay a penalty. The company agreed to the terms of the Order.

On June 30, 2012, the company discovered that a tank containing 35% hydrogen chloride had erupted at the juncture of the tank floor and sidewall. Company personnel were able to shut the process down within 10 minutes. The next day, the company reported the release to the District and submitted a follow-up report on July 27, 2012, which estimated that 734 lbs of HCl had evaporated within 70 minutes.

District regulations require a company to report upset conditions within two hours of the beginning and within two hours after the end. The company's follow-up report was due 15 days after the release but they failed to comply in a timely manner. The company submitted the report 12 days late and did not include a root cause analysis of the accident or indicate what steps they had taken to prevent or minimize similar events in the future.

The company did submit a complete follow-up report on January 27, 2012, of the root cause analysis, which included the steps they would take to prevent or minimize future occurrences. The report also included changes to equipment inspection protocols, modifications to plant operating procedures, and modification to the tank to prevent future ruptures. The company agreed to pay an administrative settlement of \$6,750. The District recommended that the Board adopt the Agreed Board Order as proposed.

2. Proposed Agreed Board Order with Nuplex Resins, LLC

Mr. Aud asked the Board to consider a proposed Board Order with Nuplex Resins, LLC that alleged the company violated District regulations and directed it to pay an administrative penalty and take corrective actions. The company agreed to the terms of the Order.

Nuplex Resins operates a resin manufacturing plant pursuant to a District Title V operating permit and District regulations. The District alleged that the company failed to control objectionable odors from its facility, and the company agreed to conduct an odor monitoring plan and to evaluate additional control measures.

In June 2011, the Board approved an Agreed Board Order that required Nuplex to hire an independent consultant to conduct a study of the sources of odors from the facility and to recommend actions they could take to reduce off property odors. Nuplex contracted with NPN Environmental Engineers who conducted the study and recommendations were submitted to the District on December 27, 2011. Nuplex did not advise the District which of the recommendations it would implement.

On April 14, 2011 and July 21, 2011, the District received complaints of a chemical odor in areas surrounding the Nuplex plant. The District found solvent odors being emitted from Nuplex that were believed to originate from storage tanks. In February 2012, the District requested that Nuplex propose a plan to implement the recommendations from the independent consultant.

In early 2012, Nuplex removed a reactor and thin tank from service at the plant and equipped all process and bulk storage tanks at the facility with nitrogen blankets in order to reduce odors from the facility. Also, NPN Environmental Engineering recommended and Nuplex proposed to conduct daily monitoring at nine sites around the perimeter of the facility and to evaluate odor control devices in several areas by July 31, 2012. Mr. Aud said a facility-wide odor control plan would be developed by December 31, 2012, and the independent consultant would conduct a follow-up investigation of the effectiveness of the measures by August 30, 2013.

The company agreed to pay an administrative penalty of \$3,000. The District recommended that the Board adopt the Agreed Board Order as proposed.

Discussion

Mr. Bill Jacob asked what Nuplex needed to improve regarding their outdoor unloading procedures. Steven Gravatte, Environmental Engineering Coordinator, said the company needed to improve their process to control odors when they conducted bulk unloading from trucks to storage tanks at an offsite location.

Adjournment

The public hearing adjourned at 10:08 a.m.

Robert W. Powell
Chairman

Rachael Hamilton
Secretary-Treasurer