

**Minutes
Public Hearing
of the
Louisville Metro Air Pollution Control Board
August 21, 2013**

A public hearing of the Louisville Metro Air Pollution Control Board was called to order on August 21, 2013, 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 Agreed Board Orders with Louisville Medical Center Steam Plant, and Advance Ready-Mix Concrete, Inc.

1. Agreed Board Order with Louisville Medical Center Steam Plant, Amendment 3

Mr. Paul Aud, Environmental Engineering Manager, asked the Board to consider and adopt Amendment No. 3 to the NOx RACT plan for the Louisville Medical Center Steam Plant. He said the company agreed to the terms of the order.

The Louisville Medical Center Steam Plant operates six boilers that provide heat to buildings associated with the downtown hospital medical complex, subject to a Title V operating permit issued by the District and a NOx RACT plan which was originally approved by the Board in 1999. The NOx RACT plan was amended in 2001 to address comments from EPA and again in 2008 when Boiler #1 was converted from coal to natural gas. Amendment No. 3 is necessary since Boiler #3 had recently been permitted to convert from coal to natural gas. As a result, Amendment No. 3 eliminates a 10% capacity factor for coal that is no longer necessary.

The District received administrative comments from the Kentucky Division of Air Quality (DAQ) and revised the NOx RACT plan accordingly.

Statements

Mr. Tom Weber, with the Louisville Medical Center Steam Plant, stated the company agreed that the language should be updated to reflect the boiler changes from coal to natural gas.

2. Agreed Board Order with Advance Ready-Mix Concrete, Inc.

Ms. Terri Phelps, Enforcement Manager, asked the Board to consider and adopt a proposed Agreed Board Order alleging that Advance Ready-Mix Concrete, Inc. had violated its operating permit and District regulations, and requiring the company to pay an administrative penalty.

Beginning in the summer of 2012, the District started receiving complaints of excessive dust at the company's two concrete mixing stations located next to one another near downtown Louisville. The District investigated the complaints and observed airborne excess dust emissions on several occasions with trucks tracking out dirt which created dust clouds, plant operators failing to operate equipment, and failure to use reasonable precautions to prevent dust from becoming airborne.

District compliance officers made regular visits to the plant and communicated with the plant manager the need for better dust control processes and emissions monitoring. The plant manager generally argued that better dust control was impossible with the very old equipment. On August 7, 2012, the District responded to a complaint of excess dust from the flyash silo as it was being filled. The company explained that the baghouse had ruptured and a large amount of flyash was released into the air. The District requested that the company submit the required reports and the report indicated that the company had emitted approximately 500 lbs. of flyash into the air in violation of its permitted limit of 22.17 lbs. per hour. The company stated that it would shut down the silo until the baghouse was repaired. Despite the company's commitment, the District observed that the company continued to operate the plant occasionally without dust controls that worked which caused excess emissions.

In September 2012, the District conducted an inspection of the plant and reviewed records of the past five years and discovered many failures to properly monitor emissions and to keep required records and submit reports to the District. Since that time, the company repaired the equipment, submitted plans to return to compliance and demonstrated compliant monitoring, recordkeeping and reporting. The plant operators will need to continue to operate the plant using best pollution control practices because of its downtown location.

Ms. Phelps said the company agreed to pay an administrative settlement of \$24,625 and the District would recommend that the Board adopt the Agreed Board Order as proposed.

Adjourn

The public hearing adjourned at 10:07 a.m.

Robert W. Powell, M.D.
Chairman

Rachael Hamilton
Secretary-Treasurer