

**Minutes**  
**Strategy Committee Meeting**  
**of the**  
**Louisville Metro Air Pollution Control Board**  
**August 19, 2015**

A meeting of the Strategy Committee of the Louisville Metro Air Pollution Control Board was called to order on August 19, 2015, at 9:45 a.m. in the second floor Conference Room of the Louisville Metro Air Pollution Control District (District), 850 Barret Avenue, Louisville, Kentucky, by the Committee Chair, Ms. Bonnie Biemer. Board Chair, Dr. Robert Powell attended. Committee members Mr. Carl Hilton and Dr. Neville Pinto also attended. A quorum was present.

The following District staff members were present: Rachael Hamilton and Stacey Barbro. Also attending was Assistant County Attorney Stacy Fritze Dott.

Guest Emily McKinney attended representing Frost Brown Todd.

**1. Draft amendment to Regulation 5.02 *Adoption and Incorporation by Reference of National Emission Standards for Hazardous Air Pollutants***

Ms. Barbro said the purpose of the proposed action was to amend Regulation 5.02 to adopt and incorporate by reference the most up-to-date National Emission Standards for Hazardous Air Pollutants (NESHAP) that have been promulgated by the Environmental Protection Agency (EPA) through July 1, 2015.

The District recommended that Regulation 5.02 be released for a formal 30-day public comment period.

**Motion:** Dr. Neville Pinto moved that the draft amendments to Regulation 5.02 be released for the formal 30-day public comment period as recommended by the District and the motion was seconded.

The motion passed unanimously.

**2. Draft amendment to Regulation 7.02 *Adoption and Incorporation by Reference of Federal New Source Performance Standards***

Ms. Barbro said the purpose of the proposed action was to amend Regulation 7.02 to adopt and incorporate by reference the most up-to-date New Source Performance Standards (NSPS) that have been promulgated by the Environmental Protection Agency (EPA) through July 1, 2015.

The District recommended that Regulation 7.02 be released for a formal 30-day public comment period.

**Motion:** Dr. Neville Pinto moved that the draft amendments to Regulation 7.02 be released for the formal 30-day public comment period as recommended by the District and the motion was seconded.

The motion passed unanimously.

**3. Draft amendment to Regulation 6.45 *Standards of Performance for Existing Solid Waste Landfills***

Ms. Barbro said that the purpose of the proposed action is to repeal Regulation 6.45 because it is superseded by the federal new source performance standard (NSPS) 40 CFR Part 60 Subpart WWW Standards of Performance for Municipal Solid Waste Landfills. Regulation 6.45 was adopted on February

2, 1994, to implement control measures to reduce Volatile Organic Compounds (VOC) and bring Jefferson County into compliance with the National Ambient Air Quality Standard (NAAQS) for ozone. It specifically applied to a single source in Jefferson County, which is generally referred to as the “Outer Loop Landfill.” The regulation was approved into the State Implementation Plan (SIP) on October 23, 2001. On March 12, 1996 the EPA promulgated 40 CFR Part 60 Subpart Cc Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills. Subpart Cc contains emission guidelines and compliance times for the control of landfill gas in accordance with section 111(d) of the CAA. Also, on March 12, 1996, the EPA promulgated 40 CFR Part 60 Subpart WWW. The federal standard applied to each municipal solid waste landfill that commenced construction, reconstruction or modification on or after May 30, 1991. In September of 1996, Outer Loop Landfill received a permit to expand the landfill, which resulted in an increase in disposal capacity. Based on the date of the modification and the size of the landfill, Outer Loop Landfill became subject to 40 CFR Part 60 Subpart WWW. At that time the federal standard superseded District Regulation 6.45. The District incorporated Subpart WWW by reference into Regulation 7.02 on March 19, 1997. No increase in emissions will result from repealing Regulation 6.45 since the collection and control of landfill gas continues under 40 CFR Part 60 Subpart WWW to the same extent required under Regulation 6.45. Ms. Barbro said if repealed by the Board, the amendments to Regulation 6.45 would be submitted to EPA as a revision to the State Implementation Plan.

The District recommended that Regulation 6.45 be released for a formal 30-day public comment period.

**Motion:** Dr. Neville Pinto moved that the draft amendments to Regulation 6.45 be released for the formal 30-day public comment period as recommended by the District and the motion was seconded.

The motion passed unanimously.

### **Adjournment**

The meeting adjourned at 10:00 a.m.

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Bonnie Biemer  
Chair

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Rachael Hamilton  
Secretary-Treasurer