

**Minutes  
Public Hearing  
of the  
Louisville Metro Air Pollution Control Board**

**July 20, 2016**

A public hearing of the Louisville Metro Air Pollution Control Board was called to order on July 20, 2016, at 10:00 at 701 W. Ormsby Ave., Louisville, Kentucky, in the Edison Room, 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 an Agreed Board Order with the University of Louisville:

**1. Agreed Board Order with University of Louisville**

The Chairman announced that Dr. Neville Pinto recused himself from all discussion and voting regarding the proposed Board Order since he is employed by the University.

On July 30, 2015, the Louisville Metro Air Pollution Control District issued an asbestos permit to the University of Louisville for work to be performed in the Natural Sciences Building. The project's scope of work was described by the University as "new floors, ceilings, and furnishings." This "scope of work" is part of the notification required by the Asbestos NESHAP and allows the District to evaluate if the required asbestos survey is thorough and that all areas to be disturbed have been inspected for the presence of asbestos containing material.

In August the District received a request to revise the permit to allow for abatement of glue dots and pipe insulation uncovered during wall demolition. The District reviewed the notification and determined that (1) the initial notification that the University made to the District was deficient because demolition of walls had not been included in the initial scope of work and (2) the initial survey performed by the University was deficient because it did not include a survey of materials in and behind the walls. This allowed workers who were not certified by the State Division of Air Quality to disturb asbestos containing material.

The District instructed the University to stop all activities with the project. Following an inspection by the District, the University completed a thorough survey of the project in accordance with the new scope of work and the project was released.

The District assessed a penalty of \$5,425. The University agreed to the terms of the Order. The District recommended that the Board adopt the Order as proposed.

**Statements**

Board Member Bonnie Biemer asked about the impact on the public. Matt King stated that, other than the workers who uncovered the asbestos, no public was exposed. The University reported the discovery to the District immediately. After a new inspection by a contractor, the District amended the permit. Matt King confirmed that the contractor was certified in response to a question from Board Member Bill Jacob.

Ms. Rachael Hamilton stated that a public comment was received on the matter. The comment, which was submitted by members of the University's faculty, recommended that the civil penalty should be used to fund certain University projects. The District considered the comment and determined that it did not meet the guidelines for a Supplemental Environmental Project.

**Adjourn**

The public hearing adjourned at 10:09 a.m.

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Robert W. Powell  
Chairman

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Rachael Hamilton  
Secretary-Treasurer