

AGREED BOARD ORDER NO. 11-08

LOUISVILLE METRO AIR POLLUTION CONTROL BOARD

Incident No. 05901

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 Louisville Medical Center, Inc. (Company), a Kentucky non-profit corporation, and is effective on the date of its adoption by the Board.

COMPANY: Louisville Medical Center, Inc.
235 Abraham Flexner Way
Louisville, KY 40202

REGULATION INVOLVED:

District Regulation 2.16: Title V Operating Permits

NOTICE OF VIOLATION LETTER: No. 02277, dated May 5, 2011

BACKGROUND AND DISCUSSION:

Company operates coal-fired steam systems and is subject to the requirements of Louisville Metro Air Pollution Control District (District) Title V Permit No. 89-97-TV (R1). Company performed stack testing at the request of the District and reported non-compliance with the particulate matter standard for two boilers.

During October 2010, Company performed a particulate matter (PM) stack test for Boiler #3 that showed an average PM emission of 0.348 lb PM/MMBtu for three one-hour tests, which is 5.83% above the standard of 0.288 lb PM/MMBtu.

At the same time, Company tested Boiler #6, which vents to the same tall masonry stack as Boilers #4 and #5. The combined PM emissions measured 0.2105 lb PM/MMBtu for three one-hour tests, which is 29.1% over the standard for Boiler #6 of 0.163. While Boiler # 6 can demonstrate compliance with the PM standard when operating alone, it cannot demonstrate compliance when Boiler #4 and/or #5 are also in operation. The physical arrangement of the flue gas duct system makes it impossible for Boiler # 6 to vent separately from the other two boilers.

Company has proposed the following Compliance Plan that will result in compliance with the PM standard:

1. Company will remove the coal stoker in Boiler #3 and install a low NOx gas burner before December 31, 2012. Company will not operate Boiler #3 until it has installed a low NOx gas burner.
2. Company will permanently modify the flue gas duct system so that the baghouse connected to Boiler #6 will serve only Boiler #6. This conversion will be completed by September 30, 2011. Company will not operate Boiler #6 while Boiler # 4 and #5 are in operation, until it has completed the flue gas duct system modification.

On July 20, 2011, a public hearing was held before the Board on this proposed Order. Based upon the information presented at that 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. Company shall remove the coal stoker in Boiler #3 and install a low NOx gas burner before December 31, 2012. Company shall not operate Boiler #3 until it has installed a low NOx gas burner.
2. Company shall not burn coal in Boiler #2, unless the company demonstrates it complies with the PM standard by performing a stack test.
3. Company shall permanently modify the flue gas duct system so that the baghouse is connected directly to Boiler #6, and will serve only Boiler #6, by September 30, 2011. Company shall not operate Boiler #6 while Boiler # 4 and #5 are in operation, until it has completed the flue gas duct system modification.
4. Company shall submit permit applications to modify the processes and equipment as described in Paragraphs 1 – 3 above and shall perform stack tests, as required by the construction permits, after the modifications are completed.
5. 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.
6. 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.
7. This Order fully resolves the violations alleged in District Incident No. 05901, and as alleged above in this Order.
8. 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

Louisville Medical Center, Inc.

By: _____
Robert W. Powell, M.D.
Chairman

By: _____
Edward Dusch
General Manager

Date: _____

Date: _____

Louisville Metro Air Pollution Control District

By: _____
Paul Aud
Air Pollution Control Officer

Date: _____

Approved as to form and legality:

By: _____
Stacy Fritze Dott
Assistant County Attorney