

**AGREED BOARD ORDER NO. 15-04**

**LOUISVILLE METRO AIR POLLUTION CONTROL BOARD**

**Incident No. 06726**

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. d/b/a Medical Center Steam Plant (Company), and is effective on the date of its adoption by the Board.

**COMPANY:** Louisville Medical Center, Inc.  
d/b/a Medical Center Steam Plant  
235 Abraham Flexner Way  
Louisville, KY 40243

**REGULATIONS INVOLVED:**

District Regulation 2.16: Title V Operating Permits

**NOTICE OF VIOLATION LETTER:** No. 02608, dated June 9, 2015

**BACKGROUND AND DISCUSSION:**

Company operates natural gas and 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). During a routine inspection on January 26, 2015, the District discovered deficiencies in Company's monitoring and recordkeeping. Company failed to conduct and keep records of visible emission surveys during the lighting of boilers in Unit 2. Company also failed to conduct and keep records of visible emission surveys during monthly testing of the emergency generator.

The District previously informed Company of these deficiencies in 2013 during a routine inspection. Company demonstrated it had begun keeping the records at that time, but failed to continue to do so. Company additionally reported in its 2<sup>nd</sup> Semi-annual Title V Compliance Report that it had failed to conduct daily visible emission surveys for coal-fired systems and monthly visible emission surveys for natural gas-fired systems.

On June 30, 2015, Company submitted a monitoring and recordkeeping plan to demonstrate compliance with District construction and operating permits.

To fully address the violations of District Regulation 2.16 alleged above, the parties agree to this Order assessing against Company an administrative settlement of \$9,000. On August 19, 2015, a public hearing was held before the Board on this proposed Order. Based upon the information presented at the 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 pay \$9,000 to the Louisville Metro Air Pollution Control District by August 19, 2015.

2. 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.

3. 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.

4. This Order fully resolves the violations alleged in District Incident No. 06726, and as alleged above in this Order against Company.

5. 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.,  
d/b/a Medical Center Steam Plant

By: \_\_\_\_\_  
Robert W. Powell, M.D.  
Chairman

By: \_\_\_\_\_  
John H. Bartley  
General Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Louisville Metro Air Pollution Control District

By: \_\_\_\_\_  
Matt King, P.E.  
Compliance and Enforcement Manager

Date: \_\_\_\_\_

Approved as to form and legality:

By: \_\_\_\_\_  
Stacy Fritze Dott  
Assistant County Attorney