



MEMORANDUM

TO: Asheville-Buncombe Air Quality Agency Board of Directors

FROM: Ashley Featherstone, Director

RE: Minutes for July 31, 2023

DATE: September 21, 2023

Enclosed, please find the Minutes for the Asheville-Buncombe Air Quality Agency Board meeting held on **Monday, July 31, 2023**. The next meeting of the AB Air Quality Board is scheduled for **Thursday, September 28, 2023 at 4:00 pm** in the meeting room located at the Buncombe County Permit Office at 30 Valley Street, Asheville, NC 28801.

This meeting will be live streamed on Engage Buncombe which can be accessed at <https://engage.buncombecounty.org/s8486>. The board meeting documents will also be available on the Engage Buncombe site. The meeting will be recorded and can be viewed later.

The Asheville-Buncombe Air Quality Agency Board of Directors met on Monday, July 31, 2023, in the meeting room at the Buncombe County Permit Office located at 30 Valley Street, Asheville, N.C.

The attendance of the Board members was as follows:

Members Present:

Joel Storrow

Karl Koon

Evan Couzo

Garry Whisnant

Ned Guttman

Members Absent:

Staff Present: *Ashley Featherstone, Director; Kevin Lance, Field Services Program Manager; James Raiford, Permitting Program Manager; Betsy Brown, Air Quality Coordinator; Alex Latta, Senior Air Quality Specialist*

Others Present: *Anjelica Tyler, Buncombe County Communications and Public Engagement (CAPE); Patti Beaver, CIBO; Andrew Gibbon and Patrick Shaw, Dynamite Roasting Company; Kerry Koon, resident; Sybil Tate, Assistant County Manager; Jay Haney, Advisory Committee member; Keith Bamberger, NCDAQ; Nick Jaeger, CAPE, Amy Broughton, County Attorney*

Mr. Storrow called the meeting of the Asheville-Buncombe Air Quality Agency Board of Directors to order on July 31, 2023, at 4:01 pm.

The order of business was as follows:

I. Public Comment Protocol Announcement

Mr. Storrow read the public comment protocol.

II. Adjustment and Approval of Agenda

Mr. Whisnant made the motion to amend the agenda by adding East Coast Drilling and Blasting under permit renewals. Mr. Koon seconded the motion.

All present – yes

The motion passed 5-0.

Mr. Whisnant made the motion to amend the agenda by adding a fire code update under the Directors Report. Mr. Koon seconded the motion.

All present – yes

The motion passed 5-0.

The introduction of the new board attorney was moved to later in the meeting as the attorney was delayed.

III. Special Presentation

A. Clean Air Excellence Award-Dynamite Roasting Company

Ms. Featherstone stated that the Agency has given this award since 2004 in special recognition to businesses and industries that have gone above and beyond the requirements to do voluntary and innovative measures that reduce air pollution. Typically, these are improvements in energy efficiency or fleet projects; they also save money.

Dynamite Roasting was nominated by our Clean Air Campaign partners. They have installed solar power systems on both their roasting facility and coffee shop. They have a 2022 sprinter van with a range of about 140 miles, the first electric delivery van purchased for use in Western North Carolina. They sell all organic and fair-trade products and have a recycling program which includes their coffee bags. With some EPA tools we have calculated emissions reductions. We estimate that Dynamite Roasting is offsetting 102,000 pounds of greenhouse gases or CO₂, 50 pounds of NO_x, and 10 pounds of SO₂ and PM on an annual basis.

On behalf of the Advisory Committee and the Agency Board, Dr. Couzo presented a plaque to Andy Gibbon and Patrick Shaw for their environmental leadership and their commitment to keeping our air clean.

IV. Consent Agenda:

B. Approval of minutes from May 11, 2023

Mr. Koon made the motion to approve the minutes. Dr. Guttman seconded the motion.

All present – yes

The motion passed 5-0.

V. Unfinished Business:

A. Engage Buncombe Website for Boards

Ms. Featherstone noted that we have been talking about Engage Buncombe at previous board meetings. Anjelica Tyler, with Communications and Public Engagement or CAPE, is live streaming the meeting. This is our first live stream meeting. All the board packet documents for the meeting are posted on Engage Buncombe. The video can also be watched later, after the meeting. We have started out with something basic but can add content as we go. The site is not meant to replace our website or SharePoint site; however, it will be where the public can find our board meeting information moving forward. Agendas and minutes from previous meetings can still be found on our website. There is a link to our Engage Buncombe site from our website.

VI. Introduction of New Staff Attorney-Amy Broughton

Ms. Amy Broughton was introduced to the Board and welcomed. She will provide legal support for the board moving forward.

VII. Director's Report:

A. EPA 105 and 103 Grants Update

Our 103 and 105 Grant funding awards were more than what EPA had told us they would be and not what was approved for our budget in May. The good news is that there is about an additional \$60,000 more in the 105 Grant and an additional \$24,000 in the 103 Grant. The approved budget projected a fund balance draw of over \$100,000. With this additional \$84,000, it should be much less. We do not plan to do a budget amendment for the increase in Revenues at this time, but we wanted to update the board. Generally, when we receive an increase, the EPA continues to fund us at that amount moving forward. We hope this will be the case, but it is uncertain.

B. Fire code update

The County Commissioners are voting on an updated fire code for the county tomorrow, Friday September 29th. The Advisory Committee reviewed these fire code changes. There were not a lot of changes proposed, but a lot of things were updated. Proposed changes include that the fire marshal will now be able to require that fires be attended; he will also be able to require that a fire be extinguished. This is significant for us at Air Quality and also the fire departments as those provisions have not been included in the code in the past. Extinguishment authority is not covered in air quality rules or the fire code rules. We typically request that people put the fire out when it is an illegal fire. The fire marshal will be able to designate the authority to the fire chief in that area and they would be able to require the fire be extinguished. Unattended fires have also been a contention for both the fire departments and Air Quality especially since we are no longer able to issue permits for land clearing. Our land clearing burn permits included the language that a fire must be attended. If a large area is being cleared and the fire is large, equipment might be necessary to put out a fire. If there is no one there to operate the equipment, a large fire may be difficult to put out. The state fire code had been updated several times so updating the local code was already something that the fire marshal was planning.

C. Monitoring Update

Kevin Lance reported that data completeness so far this year for PM 2.5 is 96.3%, and for ozone it is 95.5%. We continue to be impacted by Canadian wildfires. Since the last board meeting in May, we have had 22 yellow days primarily due to wildfires. We have not experienced an exceedance yet, but we have been as close as we could get on two days during the week of July 17th. The PM2.5 standard is 35 micrograms for 24 hours.

The new PM monitor, a Teledyne T640x, has been installed at the Board of Education. It is operating. The monitor can measure PM2.5 and PM10. We are not required to run the PM10 monitor yet, but our area is expected to reach half a million in population. When we reach that level, we will be required to run that monitor. We were fortunate to receive grant funds to

purchase the monitor. With additional grant funds we also hired a contractor to install it and get everything operational.

We do not monitor for pollen, but we know that someone locally does do that. Pollen is large enough that we would expect it to be filtered out and not reflected in our PM monitor readings.

Ms. Featherstone noted that when the area was being strongly affected by the wildfires, residents had a lot of questions. CAPE has helped with messages on our website and public announcements. They have put together a toolkit for us for Code Orange days and one for Code Red days also, since the Canadian wildfires are expected to burn all summer. County management reached out about supplying N95 masks. CAPE put together a meeting with Air Quality, the public health director, emergency services and Chris Austin from safety, and legal to discuss messaging and being prepared in general for these events. The EPA has some information and recommendations on their website concerning health and strategies to reduce exposure during smoke events. These were also discussed. The best thing to do if you smell smoke is to stay inside regardless of what area monitors might say, since the concentration might vary depending on location. A suggestion had been made about putting messaging on highway signs, but the DOT utilizes those for traffic and road related messaging, so that does not appear to be an option.

D. Facility Permit Renewals

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
City of Asheville, Water Resources Dept. – North Fork Water Treatment Plant	Water Treatment Facility	Small	3374 North Fork-Left Fork Road, Black Mountain	Update general conditions.
Cremation Services of WNC, LLC	Crematory	Small	856 Tunnel Road, Asheville	Update general conditions.
Southern Concrete Materials – Biltmore Plant	Ready-mix Concrete Facility	Small	35 Meadow Road, Asheville	Update general conditions.
Southern Concrete Materials – Weaverville Plant	Ready-mix Concrete Facility	Small	24 Ollie Weaver Road, Weaverville	Update general conditions.
East Coast Drilling & Blasting	Rock Crusher	Small	Various locations in Buncombe County	Update general conditions.

Ms. Featherstone said that East Coast Drilling and Blasting is a company that operates a portable rock crusher in Buncombe County. Several companies based outside of Buncombe County keep air quality permits with us so that they can operate here when they have a job locally. We had not heard from them and had removed them from the agenda. They had some staffing changes, and the renewal was overlooked. However, they did get in touch with us and let us know they wanted to renew. If we did not renew, they would have to reapply and submit a new application. Even though the company may not operate their crusher frequently in Buncombe County, they pay an annual permit fee and are required to notify us before they crush here. They are also required to report the total crushed material in the county each year. Because of the infrequency and the timing of the crushing, we do not have a recent inspection report for the company. When the crushing company notifies us of work in Buncombe County, the Agency should be able to arrange an inspection when they are operating here again. One issue with letting their permit lapse is that the companies often get the jobs on short notice.

Mr. Koon made the motion to renew the five permits- City of Asheville, Water Resources Dept. – North Fork Water Treatment Plant; Cremation Services of WNC, LLC.; Southern Concrete Materials – Biltmore Plant and Weaverville Plant; and East Coast Drilling & Blasting. Mr. Whisnant seconded the motion.

There was discussion around the crematory renewal. That site had an issue with the equipment during the inspection. That company has a second permitted location where the majority of the cremations performed by that company take place. The crematory in question will not operate until it has been repaired, and this would not preclude the renewal of the air quality permit. Otherwise, the facility would have to reapply for the permit. The permit is renewed every eight years. The Agency will follow up with the facility to ensure that the equipment is fixed prior to use. The facility wants to keep the permit active even though this site is not utilized often.

The vote to renew all permits was called after the discussion.

All present – yes

The motion passed 5-0.

VIII. New Business:

A. Update Investigative Fees

When we issue civil penalties, we do not keep the civil penalty fees; however, we are allowed to charge an investigative fee that we are allowed to keep to help cover our costs. This policy has not been updated since 2009. The salary portion being charged was \$39 per hour. Ms. Brown has put together an updated investigative fee policy which was provided in the board packet. Salary and benefits have increased, and our current salary and benefit average has been recalculated at \$69 per hour. Generally three hours are charged with a higher rate charged for a penalty when staff has been called out after hours. This is rare. The State Division of Air Quality

charges for mileage and this has been added to the policy. We do not want our investigative fees to be higher than the penalties. The current policy called for a rate adjustment each year, but that had not been implemented. Board members suggested making the rate adjustment each year effective July 1 when the salary and benefits for that Buncombe fiscal year take effect. It was also suggested that the mileage rate be the current federal rate at the time of the investigation as sometimes the rate changes during the year.

Dr. Guttman made the motion to accept the investigative fee policy proposed with the following changes: the federal mileage rate used would be the one in effect at the time of the inspection, the hourly rate would be adjusted each year as salary and benefits are increased on July 1, and one additional update to correct the name of the agency (previous name was listed). Mr. Koon seconded the motion.

All present – yes

The motion passed 5-0.

IX. Other Business:

A. Legal Counsel Report
Nothing to report.

B. Advisory Committee Report

1. April and June Minutes were included in the board packet.

Dr. Couzo said the Advisory Committee met in June. They discussed the Clean Air Excellence Awards. Ms. Featherstone gave the group the updated information from Dynamite Roasting. They heard more about the fire code ordinance update. Dr. Couzo gave an update on a couple of projects that he has- one of them was the PurpleAir sensor project. He has 15 of these which are low-cost PM 2.5 sensors. He had 15 of them set up on the roof of a UNCA building to calibrate and test. A student has not yet looked at the data but that is moving forward. They are planning to locate these sensors in various neighborhoods in Asheville.

He has another project where he is building sensors out of Raspberry Pi equipment and other low-cost particulate matter sensors. He met with Asheville City Schools. They are going to put one at each school campus. He has walked the campuses with someone from their health and safety department and picked out the monitoring locations. That project will start in the fall.

Dr. Couzo also has a UNCA student working with him and with Ms. Featherstone and Ms. Brown with the Agency. This is an Energy Star treasure hunt at the craft breweries around Asheville. The student has been going into some breweries and essentially doing an energy audit. She is currently still doing site visits and will compile the results this fall.

Ms. Featherstone gave the committee air agency updates and some promising leads on some grants coming from the US EPA, from the inflation Reduction Act.

The next meeting is in August. We are going to meet in person for the first time.

Two committee members are here today – Jay Haney and Keith Bamberger.

There was a brief discussion on how to get the word out about the Clean Air Excellence awards and increase participation.

C. Calendar

1. Next meeting is September 28.

D. Announcements

None

X. Public Comment

None.

XI. Adjournment

Mr. Koon made the motion to adjourn. Dr. Couzo seconded the motion.

All present – yes

The motion passed 5-0.

The meeting was adjourned at 4:57pm.