

# **MEMORANDUM**

TO: Asheville-Buncombe Air Quality Agency Board of Directors

FROM: Ashley Featherstone, Director

RE: Agenda for November 8, 2023

DATE: November 2, 2023

Enclosed, please find the Agenda for the Asheville-Buncombe Air Quality Agency Board meeting to be held on <u>Wednesday November 8, 2023 at 4:00pm</u> 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 <a href="https://engage.buncombecounty.org/s8486">https://engage.buncombecounty.org/s8486</a>. The board meeting documents will also be available on the Engage Buncombe site. The meeting will be recorded and can be viewed later.

# ASHEVILLE-BUNCOMBE AIR QUALITY AGENCY BOARD OF DIRECTORS TENTATIVE AGENDA NOVEMBER 8, 2023 BOARD MEETING

#### 1. Public Comment Protocol Announcement

# 2. Adjustment and Approval of Agenda

#### 3. Consent Agenda:

A. Approval of minutes from September 28, 2023

#### 4. Special Presentation

A. Ava Ingle, UNCA McCullough Fellowship, Asheville-Buncombe Sustainable Microbrewery Initiative

#### 5. Unfinished Business:

A. Nondiscrimination policy

# 6. Director's Report:

- A. FY 23 End of Year Budget Update
- B. ITGC Request Submitted to County
- C. EPA State Review Framework Audit
- D. Monitoring Update
- E. Facility Permit Renewals

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
Asheville Mortuary Services, LLC	Crematory	Small	702 Riverside Drive, Asheville	Update general conditions.

#### 7. New Business:

None

#### 8. Other Business:

- A. Legal Counsel Report
- B. Advisory Committee Report
  - 1. October 19, 2023 Minutes
  - 2. Community Science Shelter Update
- C. Calendar
  - 1. 2024 Board Meeting Schedule
  - 2. Next meeting TBD
- D. Announcements

#### 9. Public Comment

#### 10. Adjournment



# **MEMORANDUM**

TO: Asheville-Buncombe Air Quality Agency Board of Directors

FROM: Ashley Featherstone, Director

RE: Minutes for September 28, 2023

DATE: November 1, 2023

Enclosed, please find the Minutes for the Asheville-Buncombe Air Quality Agency Board held on **Thursday, September 28, 2023**. The next meeting is scheduled for **Wednesday, November 8, 2023, at 4:00 pm** in the meeting room located at the Buncombe County Permit Office at 30 Valley Street, Asheville, NC 28801. A **3:00 pm Board retreat** is scheduled prior to the regular Board meeting.

This meeting will be live streamed on Engage Buncombe which can be accessed at <a href="https://engage.buncombecounty.org/s8486">https://engage.buncombecounty.org/s8486</a>. 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 Thursday, September 28, 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:** 

**Members Absent:** 

Joel Storrow

None

Karl Koon

Evan Couzo

**Garry Whisnant** 

**Ned Guttman** 

<u>Staff Present:</u> 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 (via Zoom)

<u>Others Present:</u> Johanna Cano, Buncombe County Communications and Public Engagement (CAPE); Patti Beaver, CIBO; Jay Haney, Advisory Committee member; Amy Broughton, County Attorney

Mr. Storrow called the meeting of the Asheville-Buncombe Air Quality Agency Board of Directors to order on September 28, 2023, at 4:03 pm.

The order of business was as follows:

#### 1. Public Comment Protocol Announcement

Mr. Storrow read the public comment protocol.

# 2. Adjustment and Approval of Agenda

Mr. Koon made a motion to add consideration of a board retreat under New Business and add State Budget Air Permit Related Law to the Director's Report. Mr. Whisnant seconded the motion.

All present – yes

The motion passed 5-0.

#### 3. Consent Agenda:

A. Approval of minutes from July 31, 2023

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

All present – yes

The motion passed 5-0.

#### 4. Unfinished Business:

None

# 5. Director's Report:

A. State Budget Air Related Law

A new law related to air quality permits was included in the budget that was just passed by the state legislature. This new law includes a provision which allows a facility to add a new piece of equipment which is an emission source, but not operate it, once they have turned in an application considered complete administratively. It takes effect Monday, October 2, 2023. A facility would be able to construct an air pollutant source before the agency has completed their review. Currently the facility has to wait for the agency to conduct their review and issue the permit before they are allowed to construct. The EPA responded that it is contrary to the Clean Air Act. If a source has already been constructed there would be a lot of pressure on the agency to issue a permit. If someone chose to do that here, we would caution that they are building the source at their own risk. This provision does not apply to a PSD (Prevention of Significant Deterioration) major source permit application. The Agency will have to handle any such requests on a case-by-case basis. Our local rules do allow us to grant a limited and temporary permission to construct a source of air pollution, at the facility's own risk.

# B. Nondiscrimination policy

The Agency is drafting a non-discrimination policy. This is related to 40 CFR Parts 5 and 7 and Title VI of the Civil Rights Act of 1964. There is an EPA grant requirement for agencies that apply for EPA funds to have such a policy. We are editing EPA proposed wording for our Agency policy and plan to bring it back to the board for approval at our next meeting. We would post this in our office and on our website. We have reached out to the County about whether or not they have a policy or guidelines. Since we are the grant applicant, it would be prudent to have our own policy. If a discrimination complaint is related to a human resource issue the complaint would go through the County since they handle our human resources per the interlocal agreement. If the complaint is air permit related, it would be routed through the Air Quality Director.

#### C. Monitoring Update

Data completeness year to date for PM2.5 is 96.9%. For ozone data completeness is 96.6%. Ozone season ends at the end of October, and to date, there have been no exceedances for ozone or code orange forecasts for ozone.

Friday September 22, 2023, Mr. Lance met with Dr. Couzo, a couple of UNCA students, Ms. Featherstone, and Mr. Joseph Hough, the Assistant Superintendent of Buncombe County Schools, at the Buncombe County Board of Education. This is the location of the Air Quality particulate matter monitoring site and where Air Quality has located the new citizen sensor shelter. Mr. Hough had some concerns about public access to the site on school property which were addressed.

The EPA requested that the Agency submit a needs assessment for possible additional Inflation Reduction Act grant funds. Basically, this is a wish list just for ambient monitoring services. The NC Division of Air Quality submitted a list which added up to six million dollars. Our submittal was \$234,000. That amount included the cost of an electric truck utilized for monitoring, a backup monitor for PM, and funding an additional position. The previous recent additional grant opportunities were very specific, whereas this one was open-ended, and the EPA was very unclear about what they might fund. If we receive the funds to support the position, it would only be for a limited amount of time, one year. That position would have to post as a grant funded limited position. Theoretically, another staff member might retire, and the new hire could apply for the vacated permanent position. It has been helpful receiving the funds to purchase monitoring equipment, but the Agency needs more staff. The funds have to be spent by 2031. There is concern that a change in Congress could undo these plans, so there is a push to get the funds out and spent within a few years (before the current law allows).

If there is a government shutdown, it does affect our interactions with the EPA. They might not be able to analyze some of our monitoring data from the last NPAP audit and we might have to have another audit. These audits are annual for both ozone and PM2.5.

# D. Facility Permit Renewals

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
Anders-Rice Funeral Home	Crematory	Small	1428 Patton Avenue, Asheville	Update general conditions.
Eaton Electrical	Electrical Distribution Equipment Manufacturer	Small	221 Heywood Road, Arden	Update general conditions, remove VOC work practice requirements that no longer apply to our area.
Ohio Electric Motors, Inc.	Electric Motor Manufacturing Facility	Small	30 Paint Fork Road, Barnardsville	Update general conditions, remove VOC work practice requirements that no longer apply to our area.
Perfection Gear, Inc.	Power Transmission Manufacturing Facility	Small	9 North Bear Creek Road, Asheville	Update general conditions remove VOC work practice requirements that no longer apply to our area.

Smokey Mountain Lumber, Inc.	Wood Products Finishing Facility	Small	19 Lower Grassy Branch Road, Asheville	Update general conditions. Add fugitive dust condition to permit.
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The renewals are all small source facilities. These facilities are renewed every eight years. Board members asked some questions about crematory temperature logs. Mr. Raiford explained that staff can look at the charts and determine if there was a problem with the units in the past and link the results with a complaint or known excessive emission episode.

Mr. Koon made the motion to approve the permit renewals. Dr. Guttman seconded the motion.

All present – yes The motion passed 5-0.

#### E. New Facilities

Facility Name	Type of Facility	Facility Classification	Location	Proposed Equipment
Premier Custom Crushing, LLC	Portable Concrete, Stone, and Recycled Asphalt Pavement Crusher	Small	Various sites with local zoning authority approval	Crusher, screen, conveyor belts, generator

This portable crushing facility applied for an expedited permit earlier in the month which we granted. This is for the actual permit for the facility.

Dr. Guttman made the motion to approve the permit for Premier Custom Crushing, LLC. Mr. Koon seconded the motion.

All present – yes

The motion passed 5-0.

# F. Facility Permit Modifications

Facility Name	Type of Facility	Facility Classification	Location	Proposed Equipment
APAC – Atlantic,	Asphalt	Synthetic	Goldview	Replace equipment and
Inc., Weaverville	Manufacturing	Minor	Road,	raise production limit
Facility	Facility	IVIIIIOI	Weaverville	raise production innit

The APAC facility near the Hedrick quarry in Weaverville is requesting a modification to their permit which allows for replacement of their equipment with new equipment and increases their production limit. They were required to conduct NC Air Toxics modeling again because of changes to stack

parameters and to account for their increased production limit. A permit modification was not required for the like-for-like equipment replacement; however, the modification was required to increase their production limit.

Mr. Koon made the motion to approve the permit modification for APAC – Weaverville. Mr. Whisnant seconded the motion.

All present – yes

The motion passed 5-0.

#### 6. New Business:

A Board retreat was suggested to discuss the upcoming budget and some additional expenses such as digitizing our files.

Mr. Koon made the motion to have a budget retreat to meet one hour, at 3 pm, before the November board meeting. Mr. Whisnant seconded the motion. All present – yes

The motion passed 5-0.

#### 7. Other Business:

# A. Legal Counsel Report

Ms. Broughton has talked with Ms. Featherstone about how to collect fines on outstanding open burning citations. We are looking at options ranging from going to court all the way to filing possible nuisance lawsuits. The violators are residents of Buncombe County so we want to handle it as reasonably as we can. Ms. Featherstone has been clear that there are some longtime repeat violators that need to be addressed. Some are at homeless encampments where there are violations to several Buncombe County department rules in addition to Air Quality rule violations. Some of the locations are not safe for an inspector to investigate without the escort of a sheriff's deputy. Setting this up can delay inspection a couple of hours. The issuance of continued violations does not seem to be effective at stopping the problem; we issue citations, and they keep burning illegally. We have about 10 violators with outstanding penalties who have not responded to the Agency. We can charge greater fines than the Fire Marshal can, and we work with that office as much as we can.

Ms. Broughton hopes to have more information at the next meeting.

## B. Advisory Committee Report

# 1. August 17, 2023 Minutes

Dr. Couzo said that this was the first time this advisory committee met in person. The committee discussed the low-cost sensor usage policy and the access policy. If a citizen wants access to the shelter, they will need to fill out a volunteer form and meet personally with the Assistant School Superintendent. It is typical for the agency to request a copy of the raw data that has been collected at a shelter on their property. Once the agency has possession of the data it can be requested in a public records request. There was discussion concerning publication of a

study by those utilizing the shelter and how to protect that sensor data until publication. Also, the agency would ask that it be informed prior to publication of a study utilizing that data. More revisions need to be made based on the discussion. Once there is a draft policy, it will be presented to the board to see if it recommends further changes.

The committee talked about the Agency's role in communicating to the public that there is a risk and mitigating that risk during an event with high pollution levels such as those caused by Canadian wildfire and smoke issues this summer. There was a discussion about different masks and respirators. Keith Banberger said that on the state level, the DAQ tells residents to ask their doctor any specific questions about their health and whether or not they should wear masks due to elevated pollution levels.

Dr. Couzo gave an update on the UNCA projects using low-cost sensors. They have 15 Purple Airs that they want to place in public housing communities by the end of the year- the end of fall semester. He is still trying to get in touch with the Housing Authority of Asheville.

In another study the Raspberry Pi sensors built by Dr. Couzo and his students, formerly collocated with the Agency's regulatory monitors to determine how they will perform, are to be individually sited at Asheville City Schools. That is expected to happen in about a month.

We plan to work with the Communication Team to get the word out to the residents, especially teachers and students, about the citizen sensor shelter. It is a weatherproof box with power and is situated next to the regulatory monitors. Not everyone may gain access to the site. It is on school property and Nesbitt STEM High School is located there. The applicant will need to explain their study or purpose for access to the site in their application. Dr. Couzo went through the process so that he has access to the shelter site.

#### C. Calendar

Next meeting November 9.
 The Board will meet for the retreat at 3 pm before the regular meeting at 4 pm.

#### 2. Board schedule 2024

Dr. Couzo will know his schedule soon. He anticipates class on Mondays and Wednesdays. Ms. Broughton is not as tied to the Commissioners meetings as Mr. Frue is, so Tuesdays are generally a day and time she can meet. Tuesdays or Thursdays may be best. The Board will discuss the 2024 Board meeting schedule in November.

#### D. Announcements

Dr. Guttman thanked Dr. Couzo for sharing his air pollution sensor expertise with some of the state climatologist managers with respect to some questions from state climatology offices around the country.

Ms. Featherstone said it is National Drive Electric week. There have been functions all week. Tomorrow, September 29<sup>th</sup>, is the Electric Equipment Expo at the Asheville Outlets. On Saturday, there is Blue Ridge Parkway EV drive. On Sunday the EV Car Show is at the Asheville Outlets. There will be posts on our Facebook page and that of the Clean Vehicles Coalition.

Today is National Drink Beer Day.

# 8. Public Comment

None.

# 9. Adjournment

Mr. Koon made the motion to adjourn. Dr. Couzo seconded the motion. All present – yes
The motion passed 5-0.

# ASHEVILLE CONGRATULATIONS TO THE 2023 McCullough Fellows

The McCullough Fellows program at UNC Asheville launched in the summer of 2015. Through this competitive program, undergraduates complete an applied research project in collaboration with a faculty advisor and local partner organization. Each fellowship includes funding for students, materials support, and a faculty and community partner stipend. The projects address land use and conservation, urban planning, sustainable agriculture, resilience and environmental sustainability.



#### **FELIPE AHUMADA**

The Economic Benefits and Value of Volunteer Management of Outdoor Recreation in Western North Carolina

COMMUNITY PARTNER: Carolina Mountain Club FACULTY ADVISOR: Jonathan Brown, Economics



#### **HOPE DONNELLAN**

 $Street ext{-}by ext{-}street ext{:} Mapping Urban Heat Islands in Asheville, NC$ 

COMMUNITY PARTNER: GreenWorks

FACULTY ADVISOR: Jackie Langille, Environmental Studies



#### **AVA INGLE**

Asheville-Buncombe Sustainable Microbrewery Initiative
COMMUNITY PARTNER: Asheville-Buncombe County Air Quality Agency
FACULTY ADVISOR: Evan Couzo, Atmospheric Science



#### **JULIETTE MALOWANY**

Photographing the Effects of Tourism in Roan Highlands COMMUNITY PARTNER: US Forest Service FACULTY ADVISOR: Carrie Tomberlin, Art



#### **JULIA THOMAS**

Assessing soil arthropod and nematode biodiversity in Eastern Hemlocks following pesticide treatment

COMMUNITY PARTNER: Hemlock Restoration Initiative FACULTY ADVISOR: Camila Filgueiras, Biology



#### **ASHLEY TWEED**

Assessing bog turtle populations using camera traps and artificial intelligence

COMMUNITY PARTNER: Amphibian and Reptile Conservancy FACULTY ADVISOR: Jeff Wilcox, Environmental Studies



# **Title VI Nondiscrimination Policy Statement**

It is the policy of the Asheville-Buncombe Air Quality Agency (AB Air Quality) that: No person shall, on the ground **of race, color, national origin, sex, age or disability** be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Rehabilitation Act of 1973, and all other related nondiscrimination laws and requirements.

#### What is Title VI?

Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d) provides that, "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." The 1987 Civil Rights Restoration Act (P.L. 100-259) expanded the definition of "programs and activities" to include all programs and activities of federal aid recipients, sub-recipients and contractors, whether such programs and activities are federally assisted or not.

Related nondiscrimination authorities include, but are not limited to: Section 504 of the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975 as amended; Title IX of the Education Amendments of 1972; Section 508 of the Rehabilitation Act of 1973.

As a recipient of federal funding, AB Air Quality is required to comply with the rules, laws and regulations of Title VI. Title VI also applies to recipients of federal financial assistance that passes through AB Air Quality in the form of grants, contracts or subcontracts.

Title VI requires that AB Air Quality take the following actions to ensure the Agency's compliance with federal law:

- Ensuring that all contractors, sub-contractors, and sub-recipients awarded AB Air Quality funded contracts and grants adhere to Title VI and all applicable laws, regulations and rules.
- Provision of free language assistance to limited English proficient (LEP) persons; and
- Inclusion of statement of assurances of Title VI compliance in all procurement and grant contracts.

AB Air Quality is committed to ensuring all management staff, contractors and service beneficiaries are aware of the provisions of and responsibilities associated with Title VI of the Civil Rights Act of 1964.

# **How to File a Discrimination Complaint**

You may file a signed, written complaint with the Asheville-Buncombe Air Quality Agency Director within one hundred eighty (180) calendar days of the alleged discriminatory act. It should provide:

 Your name, address and telephone number. Your complaint must be signed. If you are filing on behalf of another person, include your name, address, telephone number and your relation to that person (e.g., friend, attorney, parent, etc.).



- The name and address of the company, agency, institution, or department you believe discriminated against you.
- Describe what happened, when, where you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination. Include the names of individuals whom you allege discriminated against you and individuals who were witnesses to any incident.
- Include the names of any persons that may be contacted for additional information about your allegations.

Ashley Featherstone, Director, Title VI Coordinator Asheville-Buncombe Air Quality Agency 30 Valley Street Asheville, NC 28801 828-250-6778

ashley.featherstone@buncombecounty.org

	2021 Budgeted	2021 Actual	2022 Budgeted	2022 Actual	2023 Budgeted	To Date 2023 Actual	2024 Budgeted
Revenues	\$898,178	\$943,873	\$799,275	\$924,593	\$1,090,272	\$1,050,726	\$1,116,668
Expenses	\$1,018,216	\$824,228	\$951,344	\$925,285	\$1,090,272	\$1,042,689	\$1,116,668
<b>Budgeted Fund Balance Draw</b>	\$120,038		\$152,069		\$109,272		\$116,703
Actual Fund Balance Draw		-\$119,645		\$692		-\$8,037	

	2021	2022	2023	
~Fund Balance	\$716,382	\$719,071	\$715,689	

(negative numbers to fund balance draw reflects money going back into the fund balance) Note: totals may be subject to liabilities not accounted for here

Revenues (ledger account)	BCFY 2021 Budget	<b>BCFY 2021 Actuals</b>	BCFY 2022 Budget	<b>BCFY 2022 Actuals</b>	BCFY 2023 Budget	BCFY 2023 Actuals	BCFY 2024 Budget
4110:Interfund Transfer Revenue \$	16,571.00	\$ 16,571.00	\$0.00	\$ -	\$ -	\$ -	\$ -
4120:Investment Earnings \$	9,000.00	\$ 93.99	\$6,300.00	\$ (1,415.15)	\$ 100.00	\$ 22,940.45	\$ 5,000.00
4150:Other Revenue \$	-	\$ -	\$0.00	\$ 16.85	\$ 350.00	\$ -	\$ -
4180:Other Taxes and Licenses \$	145,000.00	\$ 142,430.87	\$146,000.00	\$ 153,343.85	\$ 144,000.00	\$ 152,670.47	\$ 150,000.00
4190:Permits and Fees \$	467,250.00	\$ 519,186.05	\$381,475.00	\$ 502,005.30	\$ 483,150.00	\$ 524,898.10	\$ 512,500.00
4210:Restricted Intergovernmental \$	260,357.00	\$ 265,536.00	\$265,500.00	\$ 270,642.00	\$ 352,700.00	\$ 350,217.00	\$ 332,465.00
4230:Sale of Assets \$	-	\$ 55.50	\$0.00	\$ -	\$ -	\$ -	\$ -
4310:Appropriated Fund Balance \$	120,038.00	\$ -	\$152,069.00		\$ 109,972.00	\$ -	\$ 116,703.00
\$	1,018,216.00	\$ 943,873.41	\$951,344.00	\$ 924,592.85	\$ 1,090,272.00	\$ 1,050,726.02	\$ 1,116,668.00
Expenses (ledger account)		BCFY 2021 Actuals					
5000:Salaries and Wages \$	508,647.00	,	. ,		,	,	
5030:Benefits \$	301,312.00		. ,	* -/	,		
6000:Utilities \$	1,800.00	\$ 1,450.23		\$ 1,487.03		,	•
6020:Travel and Training \$	13,791.00	\$ 1,067.18	.,	\$ 4,502.68		,	
6030:Vehicle Expense \$	-,	\$ 1,841.19		\$ 1,042.01		\$ 1,474.11	
6060:Office Expenses \$	13,100.00	\$ 7,207.40		\$ 8,735.00		\$ 6,344.85	
6070:Maintenance and Repair \$	5,150.00	\$ 4,164.00	\$ 1,600.00	\$ 898.00		\$ 1,501.87	
6075:Equipment \$	-	\$ -	\$ -	\$ -	\$ 87,700.00	\$ 85,496.00	
6090:Contract and Professional Servi \$	3,500.00	\$ 175.00	,	\$ 190.00	,	\$ 394.50	
6105:Charges and Fees \$	-	\$ 416.53	\$ 500.00	\$ 2,366.34	\$ 2,600.00	\$ 2,649.06	\$ 3,000.00
6140:Meetings and Events \$	500.00	\$ -	\$ 500.00	\$ -	\$ -	\$ -	\$ -
6160:Advertising \$	750.00	\$ -	\$ 1,400.00	\$ 894.80	,		\$ 900.00
6500:Information Technology \$	1,100.00	\$ 959.44	,	\$ 1,155.53	,	\$ 1,027.20	
6510:Non Discretionary \$	150,166.00	\$ 141,519.13	\$ 151,501.00	\$ 150,548.92	\$ 158,794.00	\$ 123,991.33	\$ 154,857.00
6525:Telecommunications \$	400.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
7000:Capital Outlay \$	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
9002:Budgetary Contingency \$	15,000.00	\$ -	\$ -	\$ -	\$ 3,000.00	\$ -	\$ 15,000.00
\$	1,018,216.00	\$ 824,228.29	\$ 951,344.00	\$ 925,285.23	\$ 1,090,272.00	\$ 1,042,688.63	\$ 1,116,668.00

Change in Fund Balance \$119,645.12 -\$692.38 \$8,037.39

\$ -

Please note that the budget numbers reflect the changes made to the budget during that year. This means that the \$15,000 in contingency funds originally budgeted in BCFY 2022 and BCFY 2023 were allocated to Salary and Benefits (2022) and Equipment (2023).

updated 10/25/2023 BBrown

# **Asheville-Buncombe Air Quality Agency Facility Inspection Report**

			Facility	Inspe	ctio	n Info	rmati	on		
Facility Na	me:	Ashevill	e Mortuary	Service	es, LLC	(Ashev	ille Area	Crema	itio	ns)
Date of In	spectio	n: Oct	: October 23, 2023 Last Inspe				spected	d: March 2, 2022		
Mailing Ad	ddress:	6	702 Riverside Drive, Asheville, NC 28801			Physical Location			702 Riverside Drive, Asheville, NC 28801	
Contact N	ame:	Dennis J	ennings				Phone	Numbe	er:	(828)-258-0566
Permit #:	11-79	4-15B	Issued:	November 9, 2015		9, 2015	Ex	oires:	No	vember 30, 2023
Inspector(	s): Al	exandei	(Alex) Lat	ta			•			
Results:	Appea	rs in compliance				Inspection Time:		: 094	0945 hours	

#### Introduction

On the above date, a comprehensive inspection was conducted at Asheville Mortuary Services, LLC (Asheville Area Cremations). The purpose of this inspection was to determine compliance under the Asheville-Buncombe Air Quality Agency Air Quality Code (ABAQA Code). Asheville Mortuary Services, LLC (Asheville Area Cremations), otherwise known as the facility, specializes in funeral and cremation services. Operation of this facility is granted under permit number 11-794-15B which was issued on November 9, 2015, amended March 12, 2018 and November 13, 2018, and expires on November 30, 2023. The inspection was conducted by Alex Latta. The facility was represented by Dennis Jennings. The following is a summary of the inspection results:

#### Safety Equipment / Special Instructions

Hearing protection is recommended while touring the crematory.

#### **Permitted Equipment**

- ES-1: One (1) 3.0 MMBtu/hr natural gas-fired crematory incinerator
   ES-1 was observed in operation during the inspection. The primary burner was operating at around 1181°F while the secondary burner was operating at around 1626°F. This unit underwent significant maintenance due to issues relating to the unit's visible emissions and appears to be operating correctly at the time of the inspection.
- ES-2: One (1) 1.5 MMBtu/hr natural gas-fired crematory incinerator

ES-2 was observed in operation during the inspection. The unit was beginning to cool down, and the primary burner was operating at around 1250°F while the secondary burner was operating at around 1650°F.

#### **Permit Conditions:**

# The following permit conditions were reviewed during this inspection:

- A.1 The facility is required to operate according to AB Air Quality Code including but not limited to the following specified conditions and any other applicable Local, State, and Federal regulations.
- A.2 The facility is required to operate the processes and equipment consistent with the application they submitted for the permit.
- A.3 The facility is required to submit an application for any changes or alterations to
  processes and equipment to AB Air Quality. Failure to do so could result in enforcement
  action.
- A.4 This condition requires the permittee to notify the Agency in the event of a name or ownership change.
- A.5 This condition requires the facility to obtain a new air permit prior to installing and operating sources of air emissions at a site or location not specified in the permit (relocation).
- A.6 This permit does not absolve the facility of any liabilities related to any
  civil/criminal penalties for violations of AB Air Quality Code prior to permit issuance. The
  facility shall be subject to enforcement action if the terms of the permit are violated.
- A.7 The facility has developed a maintenance schedule for equipment and is maintaining records of all maintenance. Additionally, the facility is maintaining an inventory of spare parts for equipment. The facility has established standard operating procedures for equipment and is training equipment operators on the procedures. The newer unit was last serviced on October 12, 2023. According to facility representatives, the newer unit has been repaired and appears to be operating normally. Facility representatives stated that the unit has been reinforced at the area just below the

entrance of the unit. Apparently, the refractory was bowing inward which was contributing to the various issues. The door was repaired and now it closes correctly and is not leaking fluid. Additionally, several internal parts were replaced that were worn out or damaged. The facility plans to send a follow-up report to the Agency detailing the repairs.

- A.8 This condition requires that the facility notify the Agency in the event of a malfunction. The facility has not experienced any malfunctions during the reporting period.
- A.9 This condition lists the Agency address that the facility is required to submit any required reports, data, notifications, and requests for renewal.
- A.10 The facility shall allow authorized Local, State, and Federal representatives onsite for inspection upon presentation of credentials.
- A.11 This condition requires that the facility pay their annual permit fee on a timely basis. The facility is up-to-date on fee payments. The facility last submitted their fee payment on November 15, 2022.
- A.12 The facility is required to submit a permit renewal request no later than ninety
   (90) days prior to permit expiration. The facility's request was received by the Agency on
   October 9, 2023. The permit renewal request was due by September 1, 2023 and was
   therefore late. As noted below in the compliance history section, a Notice of Deficiency
   was issued.
- A.13 This permit may be suspended or revoked by the AB Air Quality Board under certain conditions.
- A.14 This condition requires the facility retain a copy of the permit on the premises.
   The facility had a copy of their current operating permit on-site.
- B.1 The previous issue of this permit shall become void with the issuance of this current version.

- B.2 This condition states the facility shall be operated to prevent odorous emissions from being emitted beyond the boundary of the facility. The facility was not producing any odorous emissions during the inspection.
- B.3 This condition limits visible emissions from all sources to no more than 20 percent opacity when averaged over a six-minute period. The facility was only exhibiting heat waves from both units during the inspection.
- B.4 This condition establishes the sulfur dioxide (SO<sub>2</sub>) emission limit for the facility. ES1 and ES-2 have an hourly emission limit of 10.3 lbs, and an hourly potential to emit of
  only 0.07 lbs. Thus, the facility is in compliance with this regulation.
- B.5 This condition establishes the particulate matter (PM) emission limit for the facility. ES-1 and ES-2 have an hourly particulate emission limit of 0.20 lbs, and an hourly potential to emit of only 0.05 lbs. Thus, the facility is in compliance with this regulation.
- B.6 The facility is limited to 1470 cremations per year for obstructed stacks and 2050 cremations for unobstructed stacks for ES-1 and ES-2 combined. For 2022, the facility conducted 1575 cremations and features unobstructed stacks.
- B.7 The facility is maintaining continuous temperature monitoring for both the primary and secondary burners in the incinerator.
- B.8 The facility is retaining temperature charts on site for a period of at least two (2)
   years from the date of the inspection and were available for review.
- B.9 The facility is submitting annual reports as required. The most recent annual report was received January 30, 2023 and contained all the required information. The facility conducted 1575 cremations for 2022 and operated for 1969 hours.

# **Compliance History:**

On June 14, 2022 a Notice of Deficiency (NOD) was issued for late submittal of the facility's annual report. Specific Condition & Limitation 9 of Permit to Operate No. 11-794-15B requires that this report be submitted by February 15th of each year. The Agency received the facility's report on February 28, 2022. Since the report was received by the Agency, no further action was taken and this deficiency is considered resolved.

After receiving a complaint about excessive emissions on November 30, 2022, the Agency investigated and followed up with a letter requesting the facility to submit a plan to address the visible emissions that appeared to be associated with ongoing maintenance and repair issues with one of the incinerators. The facility responded by stating that they had contacted the manufacturer to schedule maintenance as well as adjusting their operating procedures to address the excessive emissions. Agency staff went by the facility on numerous occasions over the course of several months (independent of complaints) and did not observe visible emissions in excess of the 20 percent opacity limit for more than six minutes at a time. On some occasions no visible emissions were observed. On March 24, 2023, the Agency met with the facility in response to the visible emissions and maintenance issues that have been occurring since 2022. During that meeting, the facility noted there had been difficulty getting the manufacturer of the unit to provide maintenance and repair services that could correct the ongoing issues. On June 6, 2023, a Notice of Violation (NOV) was issued for failure to properly maintain equipment since the facility still had not been able to schedule maintenance and repairs for ES-1. The facility stopped operating ES-1 and sent a letter to the agency stating that they have ordered all the parts necessary to complete the repairs. The facility called the Agency several times during this process, and repairs were made around October 12, 2023. As of the writing of this inspection report, the unit appears to have been fixed and appears to be operating correctly. The facility plans to submit documentation to the Agency showing the repairs were completed.

On September 19, 2023, a Notice of Deficiency (NOD) was issued for the late submittal of the facility's permit renewal request. General Condition & Limitation A.12 of the permit required that the renewal request be submitted at least 90 days prior to the expiration date of the permit or by September 1, 2023. The Agency received the facility's renewal request on October 9, 2023, thus resolving this issue. No further action was taken by the Agency.

#### Conclusion:

Based on the above information, Asheville Mortuary Services, LLC (Asheville Area Cremations) appears to be in compliance with applicable regulations of the AB Air Quality Code. It is recommended that this permit be renewed.

Signature: Ulanologian	_ Date:	10/24/2023
Reviewer Signature:	_ Date:	16/27/2023
Director Signature:	_ Date:	10/31/2023



Asheville-Buncombe Air Quality Agency Advisory Committee

SUBJECT: October 19, 2023 Meeting

The Advisory Committee for the Asheville-Buncombe Air Quality Agency (AB Air Quality) met on October 19, 2023, at 4:02 PM via Microsoft Teams.

Members Present:
Evan Couzo, Chair
Keith Bamberger
Kevin Tipton
Jay Haney
Jim Neely
Ichaya Dhungel

<u>Staff Present:</u> Ashley Featherstone, Director; Kevin Lance, Field Services Program Manager; James Raiford, Permitting Program Manager: Betsy Brown, Air Quality Coordinator

# 1. Review and Approve Agenda

There is not a quorum, but Ms. Featherstone wanted to meet to review the Community Science Sensor Shelter Usage Policy and Application. She was interested in getting the information finalized and posted on our website to let residents know about the shelter. The name of the site has been changed from Citizens Shelter to the Community Science Station.

Review and approve August Minutes
Members present had no comments on the minutes.

#### 3. Community Science Shelter

a. Review Usage Policy and Application (Version 2 per Committee's Edits Last Meeting)
 Ms. Featherstone went over the previously discussed edits to the application. The document uses the name Community Science Station.
 Under Data Reporting and Follow-up:

- After 1. The following sentence was embedded to be clear to anyone who uses the shelter, but not to advertise the availability of the data. "The agency's copy of the data could potentially be subject to a public information request."
- After 2. The form requests notice within "30" days of the study's conclusion, but this was changed to "60" which is the time frame listed on the second page under the agreements. The wording changed the wording from "encouraged" to "requested" that the Agency be notified prior to the publication. The time period of 10 days was removed per prior discussion.
- Footnote 1 was added upon committee members' suggestions- "Time frame can be extended upon request. Conclusions and views expressed in studies are those of the authors and do not necessarily reflect the views or policies of the



Asheville-Buncombe Air Quality Agency." The second sentence was taken from similar disclaimers used by the EPA for papers submitted to them.

It was noted that if someone submitted their data to the Agency it would be subject to a public records request. The Agency only has confidentiality provisions in the rules for proprietary information. If anyone has real concerns about the possible request for their data, we could discuss with legal. The agency would not publish the data or make it known we had the data. The request would have to be specific for what they were requesting, such as a specific data set. Agencies are only required to release what we have available. The station is meant to be a learning tool and data supplied to the Agency could be expected to be used by the Agency. If someone is concerned about the possible release of their data before their study is complete, they can discuss it with the Agency.

The State Division of Air Quality, DAQ, has had someone request all that DAQ had on file for Blue Ridge Paper. DAQ said the person was welcome to come to DAQ's office and copy files to paper (for a fee) or scan to external thumb drive. Some documents are difficult to copy as they are large, folded paper. DAQ did not have to create that for them. Now DAQ has their records online as a public resource. If someone gives us data, it would not be published to a public facing website. Currently we do not have a digital file management system. At some point, we will; but we would not put this data on our website. This is not the type of data we normally collect so it is outside our usual purview. It is not the same as emissions data from a permitted facility which the public might request.

- b. Discuss Publicity/Outreach and Possible Signage Project with STEM High School Ms. Featherstone has talked with Stacey Wood, our Buncombe County Community Engagement-CAPE contact, concerning getting this information out to colleges, high schools, teachers and the public now that we have the approved policy and the process for access at the site. We want to post it on our website. CAPE asked, who is our audience? We could do a project with Nesbitt Discover Academy, the STEM school at the Board of Education monitoring site. There could be signage that this is an air quality monitoring site. We could reach out to the Nesbitt school through Mr. Joseph Hough, the Assistant Superintendent Buncombe County Schools, to see about partnering with them on a science project. That could be part of the story when we push the information out to schools, colleges and the public. Targeted email outreach to colleges and universities in the area would be good. Dr. Couzo said CAPE could interview his students about their project at the shelter. Mr. Bamberger thought we should reach out to Brian McCarey, Coordinator for Buncombe County Schools; Dr. Couzo's students could do a presentation to the science teachers at the high schools. If there was a way to give the teachers professional credit, or CPU, for doing a workshop based on the shelter, that would help to make it worthwhile for the teachers. First, we will reach out to Mr. Hough. We can then ask CAPE to work on a story.
- 4. UNCA Project Updates
  - a. Purple Air Sensor Project Updates

Phone: 828.250.6777
P.O. Box 2749, Asheville, NC 28802 / 30 Valley Street, Asheville NC 28801

abairquality.org

The students are starting to analyze the sensor data collected while operating on the roof on campus. The next step is finding monitoring sites. Dr. Couzo is still trying to contact the Asheville Housing Authority about locating the sensors at public housing communities. If not there they will seek to get a good spatial distribution across the city, perhaps homeowners hosting a monitor at their house. They plan to locate the monitors in the community no later than January.

There are different tracking tools for determining traditionally redlined or disadvantaged communities. There is EPA's EJ screen and the Climate Justice 40 screening maps for the communities which show census data and income level. Buncombe County has their own mapping tool. The PurpleAirs also measure temperature and humidity in addition to the PM, so provide a measure of heat stress.

County or City parks are other locations that might be an alternative for locating the sensors. Some are close to public housing. Many parks have or plan to have wi-fi access which is needed for collecting the PurpleAir data. We could do a community survey if we want to engage with the public. This is the purpose of the Engage Buncombe website. We could target areas of interest and ask if someone is interested in hosting an air pollution monitor at their house and if so, give Dr. Couzo's contact information. This would require wireless access to wi-fi and some sort of outdoor power outlet. We would still need to confirm that the monitors are situated according to EPA monitoring criteria to determine which sites are most appropriate.

Dr. Couzo expects to be ready to locate the monitors by after Thanksgiving. He is mostly interested in sites inside the city; however, if we can make an environmental justice argument for placing at a county site, that works too. There are rural communities with needs just as there are urban communities.

- b. McCullough Fellowship-Energy Star Treasure Hunts at Breweries with AB Air Quality Update on project and Recognition from agency Dr. Couzo just met with Ava Ingle. She is finishing her project and writing her paper. She will be ready to give a 10-minute presentation at the November board meeting. All the breweries that she has been working with are willing to be publicly recognized. Ms. Ingle thinks she has found some good energy efficiency opportunities at some of the breweries. She has been working with Waste Reduction Partners.
  Ms. Featherstone has also talked to CAPE about Ms. Ingle and her project. We can send out a press release and recognize the breweries with their permission. Ms. Wood says CAPE can help the Agency with the design of the recognition. We have presented framed certificates in the past. We could possibly invite brewery representatives come
- Raspberry Pi
   The 14 sensors have been in the community shelter since September. Dr. Couzo is meeting Mr. Lance on Monday (October 23, 2023) to collect them. Then he and his

to the board meeting in November or January.



students will do an initial analysis on the sensors. Each of the sensors will go to an Asheville City school campus for a month. Then they will collect the sensors and repeat the process in February.

#### 5. Agency Update

a. Potential County Environmental Awards Program
Several departments offer awards. This includes Air Quality and Agriculture and Land
Resources. Land and Ag has an awards service every year with a dinner. They invite all
the people who have put their land into conservation easements. We have our awards
function. Sybil Tate, Assistant County Manager, suggested doing something bigger for
more exposure. We would have maybe 20 people with our Board and Advisory
Committee, staff and the awardees. Land and Ag might have 100. Solid Waste and
Sustainability might have 10 or 20 each. It might be \$2,000 just to rent the space. Then
there would be the food expense. Land and Ag have applied for a grant which could be
used toward this function, possibly \$5,000 to be used toward that cost. We typically
spend only \$300 or \$400 at the most on the awards program every year. We are buying
plaques and having some refreshments. If we had something like this, it might be in
April. Mr. Bamberger says April has a full schedule with Earth Day festivities and other
environmental programs. This would be an evening event. We would need to have
approval from our Air Quality Board.

Air Quality could invite Dynamite Roasting, who received our Clean Air Excellence Award this year, as well as the breweries that participated in the Energy Star Treasure Hunt for Microbreweries.

## b. Update on EPA Grants

- i. Electric School Buses Buncombe County did apply for 5 battery-electric school buses through the current EPA grant. The announcements are supposed to be made between November and February. There is also a rebate program out with the EPA. We are not sure if Buncombe County is applying, will follow up.
- ii. NC Climate Pollution Reduction Grant Program Stakeholder Engagement
  The NC State Energy Office, SEO, kicked off their outreach with a webinar today
  which Ms. Brown attended. The SEO and NCDAQ are handling the NC Climate
  Pollution Reduction Plan under this grant program (Climate Pollution Reduction
  Grant under the Inflation Reduction Act). Areas like ours are reaching out to the
  SEO and NCDAQ with projects we would like to have included in and funded by
  the plan. Jamie Wine from Blue Horizon did attend and reached out to Mr.
  Bamberger saying they would like to be involved. Mr. Bamberger said a
  brainstorming session with Jeremiah LeRoy, Buncombe County Sustainability,
  and other groups as they had had a year or so ago might be helpful.



Ms. Brown noted that her impression from the Webinar was that projects with the collaboration of several groups that projected larger and lasting emissions reduction, were being encouraged and might be considered more favorably.

1. Buncombe County Home Heating Upgrade Program Ms. Featherstone said we had submitted our Buncombe County Home Heating Upgrade Program to Mike Abraczinskas to pass on to the Team at the NCDAQ working on the plan. This contains program scope and budget and is part of an electrification project, but we have not quantified emissions reductions. Mr. Abraczinskas said they would get back to us if they had any additional questions. Not only do they want projects that result in substantial emissions reductions, but also something that is reproducible.

Ms. Featherstone has also reached out to Mr. Dick Hoffman, who used to own the Firehouse Casual Living Store, and is on the board of the National Hearth, Patio and BBQ Association. He helped us years ago when we wanted to do a wood stove change out campaign, but there was no funding for it.

One portion of the CPRG plan is home energy upgrades and weatherization which fits in nicely with the Agency's submitted plan and with Blue Horizon's projects.

Blue Horizon is looking for some new board members. Mr. Bamberger said several members are rotating off the Community Council, which is an advisory council to the Blue Horizon Project and the Green Building Council. If anyone is interested in applying, let him know or go to the Blue Horizon's website. Ms. Featherstone might apply. Seeking representation from Asheville Habitat was suggested.

6. Next meeting scheduled for December 21-reschedule There was a brief discussion about possibly skipping or at least rescheduling the December meeting. December is a busy month for most people. If the Nesbitt school is interested in the monitoring site project or we have other projects come up, we might want to meet. Otherwise, we might not have much up for discussion. Dr. Couzo said he would be unavailable the week of December 11<sup>th</sup>, early December, the week of the 4th would be better for him. It was decided to wait and see if we want to meet in December.

The meeting was adjourned at 5:01pm.





Thank you for your application of your proposed study at the Community Science Station in Buncombe County. Your application has been reviewed by Agency staff and meets the requirements to conduct a study at this site. In order to get final approval, you must apply to be a volunteer at Buncombe County Schools by going to this link: <a href="https://bmes.buncombeschools.org/o/bcs/page/volunteering">https://bmes.buncombeschools.org/o/bcs/page/volunteering</a> and filling out a level 1 form. Once your volunteer application is approved, you must coordinate with Joseph Hough, Assistant Superintendent at Buncombe County Schools via email at <a href="mailto:joseph.hough@bcsemail.org">joseph.hough@bcsemail.org</a> or phone at 828-255-5940 to make an appointment to place your sensors at the shelter, and for any additional site visits. Additional information about the shelter is added below:

#### **Community Science Station Facility:**

The Community Science Station (CSS) is located at the Buncombe County Board of Education building at 175 Bingham Road, Asheville NC. Access to the site is typically Monday through Friday from 8AM-5PM and access must be coordinated with Buncombe County Schools as stated above. The shelter cannot be accessed on school holidays or on Fridays during summer vacation. The location of the shelter can be seen below:







# Asheville-Buncombe Air Quality Agency Community Science Station Application Process

**Vision:** To provide a platform for students, advocates, interested community members, and scientists to experiment with personal air sensors with the ability to evaluate sensor technology by comparing data from quality-assured regulatory monitors.

#### **Community Science Station Facility:**

The Community Science Station (CSS) is located at the Buncombe County Board of Education building at 175 Bingham Road, Asheville NC. The shelter is located in an area with adequate air circulation without obstructions (e.g. buildings, trees). It is located ≤10 meters from Asheville-Buncombe Air Quality Agency (AB Air Quality) federal reference method monitors, where data from these instruments are available upon request. The aluminum monitor structure includes multiple shelves, allows for air flow throughout the shelter, and includes a 120V power supply if needed. Access to the site is typically Monday through Friday from 8AM-5PM and must be coordinated with Buncombe County Schools.

#### **Application Process:**

- 1. Complete the Application Coversheet.
- 2. Prepare a one-page essay outlining the following information:
  - a. Study Design (including research question(s), methodology, and plan for data processing/analysis approach)
  - b. Sensor Technologies
  - c. Study Timeline (including duration of study and proposed access times to the site).
- 3. Send the Application Coversheet and Essay to airquality@buncombecounty.org.
- \*\* Please Note: Once the application is accepted, all volunteers with access to the Community Science Station must apply to be a volunteer at Buncombe County Schools. Additional information regarding this process will be provided once the application has been accepted.

#### **Data Reporting and Follow Up:**

- To participate in the Community Science Station project, it is required that all data collected
  on sensors while using the CSS be shared with AB Air Quality within 30 days of the study's
  conclusion (or every 3 months should the study last longer than 3 months). The agency's
  copy of the data could potentially be subject to a public information request. This
  information will be used to increase agency and community understanding of emerging
  technologies.
- 2. Asheville-Buncombe Air Quality wants to learn from your research; therefore, all conclusions and interpretations made during your study are to be shared with AB Air Quality via e-mail and/or a scheduled presentation within 60 days of the study's conclusion. If the results are included in a published report, it is requested that these materials be shared with AB Air Quality prior to publication.



# **Community Science Station Application Coversheet**

Please allow a minimum of 10 business days for staff to process this request. You will be contacted via. e-mail if further information is requested and/or when a decision has been made.

Name:	Professional Title:
Organization:	Phone:
Address:	
E-mail:	
Please provide a brief description o	of your proposed study (1-2 sentences).
Draw and Compiling Start Date.	
Pollutant Measured:	
List of Individuals Accessing the CSS	S:
release and agree to indemnify and County and Buncombe County Scho	of my heirs, assigns, personal representatives and next of kin, hereby d hold harmless Asheville-Buncombe Air Quality Agency, Buncombe ools, their employees and other representatives (the "Releasees") as, causes of actions, damages, fines, penalties, costs, liabilities and ity Science Station.
	collected at the Community Science Station during the duration of my quality Agency within 60 days of the study's conclusion, or every three er than three months.
	sions made from this study with AB Air Quality within 60 days of the lts be included in a published report, I will share these materials with



Signature:	Date:

<sup>1</sup>Time frame can be extended upon request. Conclusions and views expressed in studies are those of the authors and do not necessarily reflect the views or policies of the Asheville-Buncombe Air Quality Agency.

Following completion, please return this Coversheet along with your Application Essay to AB Air Quality by e-mailing: <a href="mailto:airquality@buncombecounty.org">airquality@buncombecounty.org</a>.



# **Community Science Station Application Essay**

Please provide a one-page essay that explains a) your study design (including research question(s), methodology, and plan for data processing/analysis approach), b) sensor technologies used in your study, and c) a study timeline (including duration of study and proposed access times to the site).