

**OFFICE OF ENVIRONMENTAL
ASSISTANCE AND
PROTECTION**

**MINOR BARNETTE
DIRECTOR**



**ENVIRONMENTAL
ASSISTANCE AND
PROTECTION BOARD**

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BRENT S. ROCKETT**

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GAYLE S. GOLDSMITH
REID W. HUTCHINS
JOE MANNUZZA
CHARLES E. WILSON**

**ENVIRONMENTAL ASSISTANCE AND PROTECTION ADVISORY BOARD
MEETING**

The Forsyth County Environmental Assistance and Protection Advisory Board met on January 24, 2022 at 10:00 a.m. via online meeting through the Microsoft Teams platform and in the BER Meeting Room of the Government Center.

MEMBERS PRESENT:

Susan Appt
Gayle Goldsmith
Nicole Chiles
Reid Hutchins

Brent Rockett
Joe Mannuzza

MEMBERS ABSENT:

Charles Wilson

FCOEAP PRESENT:

Minor Barnette
Steve Lyda

Peter Lloyd
Valerie Shores

EPA ONLINE VISITOR:

Estelle Day

I. Call to Order

Mr. Rockett called the meeting to order.

Forsyth County Government Center, 201 North Chestnut Street, Winston-Salem, NC 27101-4120
Phone 336-703-2440 Fax 336-727-2777

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II. Approval of the October 18, 2022 Board Meeting Minutes:

Mr. Rockett opened the discussion to approve the October 18, 2022 meeting minutes. Ms. Chiles motioned to approve. Mr. Hutchins seconded the motion, all members of the Board in attendance approved.

III. Public Hearings- Proposed Amendments to Forsyth County's Air Quality Control Ordinance and Technical Code and Federal Plan Delegation Request

a. Public Hearing 1: Proposed request for delegation of a federal plan for municipal solid waste landfills and repeal of Section 3D-1700 Municipal Solid Waste Landfills

Dr. Lloyd opened the public hearing.

The Advisory Board (Board) has elected to request delegation to enforce the federal plan under 40 CFR Part 62. Forsyth County landfills will immediately be subject to federal plan, as the federal plan goes into effect immediately. In addition to requesting the delegation, the Board will recommend repeal of a section of the rules that are no longer applicable.

Mr. Barnette is confident that the landfill will experience prompt and personalized customer service, in addition to the regulatory oversight and compliance assistance received from the Office of Environmental Assistance and Protection (EAP). If the proposal fails to be approved by the Board of Commissioners, the provisions of the landfill's Title V permit will be enforced. However, the emission guidelines, as they apply to the facility based on the date it was constructed and continues to operate without modifications, will continue to be a regulatory oversight responsibility of the EPA.

Ms. Chiles moved for a rollcall vote to recommend the delegation request and removal of Section 3D-1700. Mr. Hutchins seconded. Steve Lyda conducted a roll call. Vote by rollcall was approved unanimously by attending board members. Following the unanimous vote, the board will draft a brief resolution recommending that they take it to the Board of Commissioners for adoption into the air quality control ordinance and technical code.

Mr. Rockett closed the public hearing.

b. Public Hearing 2: Proposed revisions to Section 3Q-0500, Title V Procedures of the Forsyth County Air Quality Technical Code.

Mr. Rockett opened the public hearing.

The State of North Carolina had a Title V program review by EPA Region 4 and EPA recommended some rule changes be made at the state level. To be consistent with the new state rule changes, the EAP Board was asked to adopt similar rule changes in the county's rules. No changes in enforcement will result from the proposed changes but there will be some changes in administrative procedures. There will be no changes in personnel needed, or an increase in workloads.

Title V is the federal operating permits program, under 40 CFR part 70. Title V refers to the Clean Air Act Amendments of 1990, and requires EPA and States to develop operating permits program that define the subset of affected facilities. These are generally your major source

facilities, although in the future they may bring in a source subject to certain federal standards. These operating permits are intended to place the requirements for air quality in one document. The fees collected under the Title V program are required by the Act to cover the costs of the program. As a result, Title V fees went up and last year Forsyth County adopted the state's increased fees. However, the fee program has made its facilities realize that cutting their emissions, will also cut their cost.

Forsyth County currently has eight Title V facilities (17 during the start of the program). Some of those facilities are out of business, and some have seen a significant decrease in emissions, to the point that they are no longer subject to Title V guidelines. The emissions thresholds were considered major if potential emissions of 100 tons per year of any individual criteria pollutant, or 10 tons per year for any individual hazardous air pollutant, or 25 tons per year in aggregate for all hazardous air pollutants. If a facility is above those thresholds, then they are required to have a permit.

Mr. Rockett called for a motion for a recommendation to the Director (Mr. Barnette). Ms. Chiles made a motion to vote for Public Hearing 2. Mr. Hutchins seconded the motion. Vote by rollcall was unanimously approved by all attending board members.

Mr. Rockett closed the public hearing.

ACTION: The Board is requested to consider comments presented at the public hearings and make recommendations to the Director on the adoption of the proposed delegation request and proposed rule changes.

IV. Director's Update

Mr. Barnette opened the update with a brief description of upcoming capital projects approved by the Board of Commissioners including a photovoltaic project and electrification of transportation, and potential federal funding to support the projects.

He also mentioned the plans to install cameras at the county's recycling convenience centers and a recent vehicular accident that damaged the facility in Kernersville requiring its closure until repairs are completed.

In response to questions by the Board, Mr. Barnette provided a detailed update on the electrification of transportation project including the planning for the necessary charging infrastructure installation.

Mr. Barnette informed the Advisory Board three appeals hearings for open burning enforcement actions will be waived and the civil penalties will be rescinded due to extenuating circumstances.

V. Other Business

There was no other business.

VI. Next Tentative Quarterly Meeting is April 18, 2023

VII. Adjournment

Mr. Rockett adjourned the meeting following a motion, second and voice vote.

Dated: Minor Barnette Minor Barnette, Director

Approved: Brent S. Rockett Brent Rockett, Chairman