

**OFFICE OF ENVIRONMENTAL  
ASSISTANCE AND  
PROTECTION**

**MINOR BARNETTE  
DIRECTOR**



**ENVIRONMENTAL  
ASSISTANCE AND  
PROTECTION BOARD**

**PETER H. DeVRIES  
CHAIRMAN  
TOMMY THOMPSON  
VICE CHAIRMAN**

**NATHAN ATKINSON  
WILLIAM T. MOSKO  
RICHARD L. SIEG  
MARY BETH WILLIAMS  
CHARLES E. WILSON**

**FORSYTH COUNTY ENVIRONMENTAL ASSISTANCE and PROTECTION  
ADVISORY BOARD MEETING**

The Forsyth County Environmental Assistance and Protection Advisory Board met on October 21, 2014 at 10:00 a.m. in the Board of Equalization and Review Room, Forsyth County Government Center, 201 North Chestnut Street, Winston-Salem, North Carolina.

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**MEMBERS PRESENT:** Peter DeVries, Chairman  
Nate Atkinson  
Richard Sieg  
Beth Williams  
Charles Wilson

**MEMBERS ABSENT:** Tommy Thompson  
William Mosko

**FCOEAP PRESENT:** Minor Barnette    Peter Lloyd  
Bob Ragland        Valerie Shores

**I. Call to Order:**

Peter DeVries called the meeting to order

**II. Approval of the Board Meeting Minutes:**

**Meeting 7-15-14**

Mr. DeVries opened the discussion to approve the 7-15-14 meeting minutes. Mr. Wilson made a motion to accept. Ms. Williams seconded the motion, all members of the Board in attendance approved.

### **Meeting 7-31-14**

Mr. DeVries opened the discussion to approve the 7-31-14 meeting minutes. Mr. Atkinson made a motion to accept the minutes. Ms. Williams seconded. All members of the Board in attendance approved.

### **III. Public Hearing**

Mr. DeVries opened the public hearing to review revisions and make recommendations for the adoption of proposed rule changes to the Forsyth County Air Quality Technical Code. Mr. Lloyd began the discussion. He explained that the proposed revisions pertained exclusively to the Toxic Air Pollutant Program.

Revisions were made to the acceptable ambient level for arsenic. The acceptable concentration for arsenic was increased based on a recommendation by the Science Advisory Board. There were also numerical errors in calculations listed in the previous set of rules for the pollutants; mercury, mercury vapor, and toluene. Mr. Lloyd said The State Science Advisory Board made these errors during the last rule making. The corresponding permitting thresholds were also increased. Corrected values and comments were listed in new paragraph B Rule 711.

Mr. Sieg and Mr. DeVries asked Mr. Lloyd about the standards and comparisons between The State Science Advisory Board and the EPA. Mr. Lloyd commented that the EPA does not have health based standards for hazardous air pollutants. He gave a brief history of the Clean Air Act and told the Board that the EPA's attempt to establish health-based standards for hazardous air pollutants were unsuccessful. EPA changed their approach and established a technology based program based on source categories. However, the state approach is focused on health risks.

Mr. Barnette asked Mr. Lloyd if he identified any permitted sources that will be affected by these changes and if their permit conditions would be affected.

Dr. Lloyd said that arsenic is somewhat common when looking at combustion sources and concrete batch plants. So, there could be some relaxation in limitations in permits for concrete batch plants. He said there aren't many combustion sources currently subject to the program. However that could be a factor in the future.

Dr. Lloyd commented that in regard to mercury compounds, there are no sources with regular emissions that would be affected. There are some facilities that do emit toluene but the vast majority emit toluene in relatively small quantities. He stated that the industries have reformulated away from compounds that emit toluene.

Mr. Wilson asked the origin of the basis for the changes. Dr. Lloyd said the changes in the arsenic levels were made by the Science Advisory Board.

Mr. Sieg had questions regarding mercury, toluene and mercury vapor. Dr. Lloyd said that paragraph B was new and based on an overhaul of the Air Toxics program. Transcription errors were made in preparation of the documents.

Mr. DeVries asked about batch concrete plants and if the arsenic change would have any effect on the triggers for modeling. Dr. Lloyd said more facilities will be able to take production limits to avoid modeling.

Mr. DeVries said that the Board is asked to make a recommendation whether to approve this going forward to the Commissioners. Mr. Sieg approved, Mr. Atkinson seconded. Mr. DeVries and Ms. Williams approved. Mr. Wilson abstained. Mr. DeVries said that they have four in favor and one abstention.

Mr. DeVries closed the public hearing.

#### IV. Other Business

Mr. Barnette addressed the Board. He said the delegated authority of the Environmental Management Commission has the power to require Forsyth County to adopt changes that are consistent with the changes that they have adopted at the state level. He said the Agency has decided not to adopt some relaxation to rules regarding open burning in our local air quality technical code. This is in an effort to protect public health.

The Regulatory Reform Bill that was passed by current state legislature allows that residential open burning will no longer have size restrictions on the pieces of wood. The wood previously had to be 6 inches of diameter or smaller. Stumps and large diameter logs can now be burned in residential areas and can not be considered a nuisance. Mr. Barnette shared his view that it is in everyone's best interest to protect public health. He said we do not want to implement the rule changes until we are required to do so.

The N.C. State Legislature has also changed the separation distance for land clearing open burning for large piles of brush. Land clearing burning distance has changed from 1000 feet to 500 feet. He said we disagree with the rule changes.

Mr. Barnette told the Board that we have not had any responses or contact from William Mosko. The Forsyth County Board of Commissioners will review his position when his term ends in May 2015.

#### V. Next Tentative Quarterly Meeting:

**Date:** Jan 20, 2015


**Location:** 201 North Chestnut St. Winston-Salem, N.C.

#### VI. Peter DeVries adjourned the meeting.

Dated: 12/18/14



Minor Barnette, Director

Approved: 

Peter H. DeVries, Chairman