

MINUTES
MISSOURI AIR CONSERVATION COMMISSION
Elm Street Conference Center
1730 East Elm Street
Lower Level
Bennett Springs Conference Room
Jefferson City, MO 65101
February 3, 2020
9:00 a.m.

Commissioners Present

Ron Boyer, Member*
Gary Pendergrass, Member*
Richard Rocha, Chairman*
Mark Fohey, Vice Chairman*

Commissioners Absent

Kevin Rosenbohm, Vice Chairman

Staff Members Present

Aaron Basham, Air Quality Planning Section, Air Pollution Control Program (APCP)
Darcy Bybee, Director, APCP
David Gilmore, Director's Office, APCP
Sara Green, Director's Office, APCP
Paul Myers, Air Quality Planning Section, APCP
Shelly Reimer, Air Quality Planning Section, APCP
Seanmichael Stanley, Air Quality Planning Section, APCP
Richard Swartz, Compliance and Enforcement Section Chief, APCP
Richard Waters, Assistant General Counsel, Department of Natural Resources

Others Present by Attendance Record

Richard Groeneman, Attorney General's Office*

A. Call to Order

Chairman Gary Pendergrass called the February 3, 2020, meeting of the Missouri Air Conservation Commission to order. The following commissioners were present and participated by phone*: Gary Pendergrass, Ron Boyer, Mark Fohey, and Richard Rocha. Kevin Rosenbohm was absent. The commission's attorney, Richard Groeneman, also participated by phone.

B. Minutes from December 3, 2019

Commissioner Mark Fohey moved to approve the December 3, 2019, minutes as written. Commissioner Ron Boyer seconded the motion. All commissioners voted to approve the December 3, 2019, minutes as written.

C. New Business

Election of Officers for 2020

Commissioner Ron Boyer nominated Richard Rocha for Chairman and Mark Fohey for Vice Chairman for 2020. Commissioner Gary Pendergrass seconded the motion and all commissioners voted Richard Rocha for Chairman and Mark Fohey for Vice Chairman for 2020.

D. Public Hearing

The following public hearing items are in the January 30, 2020, Missouri Air Conservation Commission Briefing Document and available online at <https://dnr.mo.gov/env/apcp/macc.htm>.

The video for this meeting is available at <https://dnr.mo.gov/videos/archive-meetings.htm>. Please note that the video will be available for 90 days after the date of the commission meeting.

Chairman Richard Rocha called the public hearing to order.

Mr. Aaron Basham presented 10 CSR 10-5.500 *Control of Emissions From Volatile Organic Liquid Storage*. More information on the proposed amendment is available on page 145 of the briefing document.

Mr. Seanmichael Stanley presented 10 CSR 10-6.241 *Asbestos Projects – Registration, Abatement, Notification, Inspection, Demolition, and Performance Requirements*. More information on the proposed amendment is available on page 161 of the briefing document.

Mr. Basham presented 10 CSR 10-5.540 *Control of Emissions From Batch Process Operations*. More information on the proposed amendment is available on page 169 of the briefing document.

Commissioner Gary Pendergrass moved to close the public hearing. Vice Chairman Mark Fohey seconded the motion. All commissioners voted to close the public hearing.

Chairman Rocha closed the public hearing.

To obtain a copy of the public hearing transcript, please contact Alaris Litigation Services, 711 North 11th Street, St. Louis, MO 63101, or by phone at 1-800-280-3376.

E. Adoption Items and Actions to be Voted on

The following adoption items are in the January 30, 2020, Missouri Air Conservation Commission briefing document and available online at <https://dnr.mo.gov/env/apcp/macc.htm>.

The video for this meeting and these reports can be viewed at <https://dnr.mo.gov/videos/archive-meetings.htm>. Please note that the video will be available for 90 days after the date of the commission meeting.

Mr. Seanmichael Stanley presented 10 CSR 10-6.330 *Restriction of Emissions from Batch-Type Charcoal Kilns*. More information on this proposed rule amendment is available on page 183 of the briefing document.

Commissioner Pendergrass moved to amend rule 10 CSR 10-6.330 *Restriction of Emissions from Batch-Type Charcoal Kilns*. Commissioner Boyer seconded the motion. All commissioners voted to amend rule 10 CSR 10-6.330 *Restriction of Emissions from Batch-Type Charcoal Kilns* as proposed.

Mr. Paul Myers presented rule 10 CSR 10-6.390 *Control of NOx Emissions From Large Stationary Internal Combustion Engines* for amendment. More information on this proposed rule amendment can be found on page 185 of the briefing document.

Vice Chairman Mark Fohey moved to amend rule 10 CSR 10-6.390 *Control of NOx Emissions From Large Stationary Internal Combustion Engines*. Commissioner Pendergrass seconded the motion. All commissioners voted to amend rule 10 CSR 10-6.390 *Control of NOx Emissions From Large Stationary Internal Combustion Engines* as proposed.

Mr. Stanley presented rule 10 CSR 10-6.060 *Construction Permits Required* for amendment. More information on this proposed rule amendment can be found on page 187 of the briefing document.

Vice Chairman Fohey moved to amend rule 10 CSR 10-6.060 *Construction Permits Required*. Commissioner Boyer seconded the motion. All commissioners voted to amend rule 10 CSR 10-6.060 *Construction Permits Required* as proposed.

F. March 2020 Meeting

Ms. Darcy Bybee informed the commission she had a conflict attending the March 26, 2020, meeting. She asked whether the commission would prefer to move their March meeting to March 30, 2020, so she can attend or to keep it on March 26, 2020, and have someone stand in for her.

Vice Chairman Fohey said he will have a conflict if the commission meeting were moved to March 30, 2020.

The commission decided to maintain the current schedule, keeping the March meeting on March 26, 2020.

G. Meeting Adjournment

Vice Chairman Fohey moved to adjourn the February 3, 2020, Missouri Air Conservation Commission meeting. Commissioner Boyer seconded the motion. All commissioners voted to adjourn the February 3, 2020, Missouri Air Conservation Commission meeting.

Chairman Rocha adjourned the February 3, 2020, Missouri Air Conservation Commission meeting.

Respectfully submitted,

Signature on File

Darcy A. Bybee, Director
Air Pollution Control Program

Approved:

Richard Rocha, Chairman
Missouri Air Conservation Commission