

**OFFICE OF ENVIRONMENTAL
ASSISTANCE AND
PROTECTION**

**MINOR BARNETTE
DIRECTOR**



**ENVIRONMENTAL
ASSISTANCE AND
PROTECTION ADVISORY
BOARD**

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

The Forsyth County Environmental Assistance and Protection Advisory Board met on April 21, 2015 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.

MEMBERS PRESENT: Peter DeVries, Chairman
Beth Williams
Charles Wilson

MEMBERS ABSENT: Tommy Thompson, Vice Chairman
Nathan Atkinson William Mosko
Richard Sieg

FCOEAP PRESENT: Minor Barnette Michael Settle
Peter Lloyd Bob Ragland Valerie Shores

I. Call to Order:

Mr. DeVries called the meeting to order.

II. Approval of the January 20, 2015 Board Meeting Minutes:

Mr. DeVries opened the discussion to approve the January 20, 2015 meeting minutes. Ms. Williams made a motion to accept. Mr. Wilson seconded the motion, all members of the Board in attendance approved.

III. Director's Update:

Mr. Barnette gave a brief update regarding staffing in the Compliance Assistance and Permitting Division. He discussed the efforts being made to fill vacant positions and fully staff the department. They are in the process of selecting very qualified candidates, as well as conducting interviews. Despite the fact that there are currently only two full-time permit writers, the department has been successful in completing the R.J. Reynolds Tobacco Company PSD permit and also a significant permit modification for Johnson Controls, Inc.

Mr. Barnette has been proactively communicating with some faculty of the Wake Forest University Center for Energy and Environmental Sustainability (CEES). He briefly discussed the benefits of building collaborative and mutually beneficial relationships within the community.

A group from the EPA conducted a 3-year technical systems audit of our Analysis and Monitoring Division's ambient air monitoring network operations. We submitted a detailed response to their findings. Mr. DeVries asked Mr. Barnette what deficiencies were found in the audit. Mr. Barnette explained that there were some obsolete standard operating procedures and reporting deficiencies in automated software. There were some calculation errors for a specific time period but none of the data was invalidated. In the future, more staff will be involved in data collection and quality assurance activities.

We are actively pursuing cross-training in every important function within our department.

Mr. Barnette stated that he and the Community Hygiene Division have been involved in a special case study since last September. It involved potential evidence regarding lead contamination through volatilization and deposition. There is evidence that lead paint in a house fire may volatilize, and as it drifts in the plume of gases, it may fall out of the emissions plume as it cools and deposit back on the ground.

He said we are thoroughly reassessing decisions to issue permits to the fire department for live burn training exercises. The Forsyth County Fire Department needs to burn an estimated 10 to 15 houses a year to meet their minimum training requirements. There are conditions and elements that can't be duplicated unless they are involved in a live fire. Most of the houses that are donated for burning are older homes which may likely contain lead paint. Lead was removed as an ingredient of paint in 1978. Prior to this period, it was a common component for use in and around residential structures. Assessments of the proposed structures and sampling of the soil will be conducted.

Mr. Barnette advised that he wanted to make sure that firefighters are not exposed to unacceptable risk and property owners are not left with hazardous contamination sites after the burn exercises. There are currently 7 or 8 applications for fire training exercises that are pending permits to burn. He said we are trying to select sites that are more isolated in distance to other houses in proximity. We are testing the soil by pre-sampling, and post-sampling to verify whether the volatilization and deposition phenomenon is occurring.

Mr. DeVries inquired about the processes of testing for lead contamination for potential burn sites. Mr. Barnette stated that we are going to do our due diligence to make sure we do not have an unacceptable risk to human health, safety and property. This topic has not been thoroughly examined and researched.

Mr. DeVries asked if we test for lead for all of the applications when initially submitted by the fire department. Mr. Barnette said that some applications are put on hold to determine the level of risk. We need to check for remediation after the exercise. We want the property owner or fire department to agree to be responsible for remediation after the burning exercise. A TCLIP (toxicity characteristic leaching procedure) test will be performed on the soil. If it is above a certain threshold, the soil has to be removed and disposed of as hazardous waste. This could potentially escalate the cost of remediation. If the soil is contaminated but non-hazardous, it can go to the local landfill and be used as solid waste cover.

Mr. DeVries asked Mr. Barnette why we would allow a home to be burned if we were aware that lead would volatilize. Mr. Barnette said this is his hypotheses. We are not going to issue a moratorium on all burning exercises. We are going to look at this topic objectively and make a responsible decision. Mr. Wilson asked if the county has considered a simulated house for training exercises. There was a brief discussion about this topic in reference to the training of firefighters in this county as well as in other states.

Mr. Wilson stated that the renovation and construction activities of sanding, vacuuming and chipping was putting lead into the air and these appeared to be more threatening factors for lead contamination. Mr. Ragland and Mr. Barnette explained that valid certifications and supervision had to be in place for implementing repairing, renovating and painting in various structures. These have to be in order before renovations on older homes is conducted. Mr. Ragland and Dr. Lloyd addressed his concerns and they gave a generalization of rules and procedures pertaining to removing lead paint by approved contractors.

Mr. DeVries asked if the goal in studying this topic is to decide whether we need to examine live burn exercises and not burn the ones that do have lead in them.

Mr. Barnette advised that we are responsible for issuing burn permits. If we are allowing this to happen, then we want to make sure as an agency that we are not approving something that is unsafe or poses an unacceptable risk of which no one is aware.

Mr. Barnette said that we are trying to be proactive and we feel accountable for things that we suspect. If there is nothing to worry about, then we can determine there is no validity to this issue. If there is a risk that has previously gone unrecognized, then we need to be responsible for how we make further decisions.

Mr. DeVries and Mr. Wilson discussed the previous tour of the closed Piedmont Landfill. They discussed the quality of the landfill gas that is extracted from this location. Dr. Lloyd explained that the quality of the gas is very dependent on the type of debris the landfill received.

The Piedmont Landfill installed several reciprocating engines because they have a lower quality of gas which would have destroyed a turbine in a relatively short time. (Comparatively, the Hanes Mill Rd. landfill only accepts municipal waste which is somewhat consistent in composition. And, they are able to manage a combustion turbine which is more sensitive.)

Mr. DeVries asked if the landfill is self sustaining. He said he knew they are selling energy back to Duke Power. Mr. Barnette discussed that it is better to get energy out of the gas rather than to let it end up in the atmosphere as a pollutant. Mr. Barnette said that because

these collections systems only get about ½ of the methane and the other ½ still winds up in the atmosphere, he is a big proponent of diversion of compostable organics away from landfill disposal. These organics comprise around 30% of what is currently going into the landfill. There are more beneficial ways to manage that part of the waste stream. It is probably the largest single category of potentially divertible material that could be diverted from landfill disposal to a more beneficial use.

The Director's update was concluded.

IV. Other Business:

Dr. Lloyd said the RJR Reynolds PSD permit for the purchase of the Lorillard brand went to public notice 2 weeks ago. No comments have been received. He plans to have the permit out the 1st week in May. Congratulations to a staff member, notably Rob Russ, for getting this permit out in a short time period.

Dr. Lloyd noted that due to time constraints, he has planned to delay the awards until the Advisory Board meeting scheduled for July. He wanted to make sure we have the solicitations for the awards out adequately to ensure that we receive quality applications.

Dr. Lloyd said the state of North Carolina has moved ahead with a lot of rule making changes. The most significant change was a total reworking of permitting requirements. These changes expand the exemptions to a degree, which perhaps will reduce some of the burdens in the administrative procedures of permitting.

Dr. Lloyd also discussed transportation permitting of complex sources. He referenced parking lots and parking decks of a certain size. He said normally air dispersion modeling is done to assess the impacts from carbon monoxide. The State rescinded their rules requiring complex source permitting for parking facilities effective in January 2015; we are going to update our rules to rescind the same section to be consistent with what the State has implemented.

Mr. Barnette stated that the maintenance period for us will end on November 15th. And, because our monitor at the corner of Peter's Creek and Silas Creek is showing data indicating that we have been at less than 25% of the standard for the last 5 years and it is continuing to decline, we may shut down that monitor. It does not appear to be needed after we get out of maintenance.

Mr. Ragland stated that the 5-year network assessments are due July 1st and we will have a public comment period. We will discuss our monitoring program and our plans. This should be ready in a few weeks.

V. Next Tentative Quarterly Meeting:

Date: July 21, 2015

Location: 201 North Chestnut St. Winston-Salem, NC

VI. Peter DeVries adjourned the meeting.

Dated: 6/26/15

Minor Barnette

Minor Barnette, Director

Approved:  Peter H. DeVries, Chairman