MECKLENBURG COUNTY
- Air Quality Commission -

The virtual AQC meeting was held using WebEx on Monday, January 24, 2022, at 11:30 a.m.

AQC Absent
Rosa Mustafa     Lisa Hooker

Mecklenburg County Air Quality Staff Present
Ieshishua Pierce  Leslie Rhodes  Megan Green  Jason Rayfield  Aaron Matijow  Chuck Greco
Ivonne Hernandez  Tori Jercich  Sheldon Turner

Guest:
Erin Stanforth, Mecklenburg County Manager’s Office (Sustainability and Resilience Manager)
Katie Hunt, Mecklenburg County Sustainability Office
Denise Smith, Hummingbird Firm
Laura McKelvey, Hummingbird Firm
Leslie Young, General Public

A G E N D A

1. Call to Order
   Chair Peter McGrath called the meeting to order at 11:31 a.m.

   Janet Garner-Mullins joined at 11:32 a.m.

   Roll Call of the Air Quality Commission Members
   Air Quality Commission Members Present
   Peter McGrath  Gordon Miller  Marcus Hackler  Fern Paterson  Jamie Watts  Brian Magi
   Billy Powers  Karl Welke  Aaron Levy  Janet Garner-Mullins

2. Approval of Minutes
   Chair McGrath asked for a motion for the approval of the November 2021 AQC meeting minutes.
   Action Taken:
   Motion: A motion was made to approve the November 2021 AQC meeting minutes as written.
   Made: The motion was made by Gordon Miller and seconded by Jamie Watts.
   Vote: The motion was adopted unanimously by a roll call vote

3. Public Comments to the Air Quality Commission (AQC)
   Action Required: Open Public Comment Period

   A. Air Quality Permit Reviews
   Public comment on the proposed permits will be received at this time. The Air Quality Commission opens public comment for air quality permit reviews per Mecklenburg County Air Pollution Ordinance, Regulation 1.5213 – “Action on Application; Issuance of Permit”. Inclusion on the AQC agenda does not imply or infer any action or opinion by the AQC or its members regarding any permit.

   Chair McGrath, opened the public comment period for the facilities below, providing notice of the Mecklenburg County Air Quality’s (MCAQ) intent to issue/modify their air quality permit(s):
Jason Rayfield, Permitting Manager, was available to answer questions. Gordon Miller asked a question about IGM Resins Title V classification based off the emissions totals. Jason explained that IGM Resins is a Title V source for its Hazardous Air Pollutant (HAP) emissions and specifically for toluene having the potential to emit more than 10 tons per year although the actuals have been well below the limit. The AQC members were informed that an alternative notice was published in the Charlotte Observer and on MCAQ’s website.

B. General Comments to the Commission
None

4. Updates and Presentations
Chair McGrath asked if there were any announcements from the AQC members and MCAQ staff.

A. Announcements

Colonial Pipeline
Chair McGrath announced his firm is now representing Colonial Pipeline in some matters related to the cleanup of the spill and he will need to recuse himself from Colonial Pipeline discussions moving forward.

Leslie Rhodes, Air Quality Director, provided the following MCAQ updates.

NCDAQ Public Comment Period for Title V Rule Revisions
The State Air Quality agency recently announced and opened a public comment period for Title V permitting rule changes. These are changes that will be adopted to the State regulations and are being proposed as a result of the EPA’s last program review of the State and the changes are being made to align the State rules with Federal rules. The public comment period is opened through March 21st and a public hearing is scheduled for February 23rd with a virtual option. AQC members were asked to email Ieshishua Pierce for additional information.

EPA announced a new pollutant
The AQC members were informed that EPA has announced a new pollutant to the list of HAPS for the first time in over 30 years. The new pollutant added is 1-bromopropane which is used as a cleaning solvent. EPA is expecting that fewer than twenty sites nationwide will be classified as major users of that chemical and there are no known sources within Mecklenburg County.
EPA Public Hearing for New Indy Catawba, LLC Consent Decree
The AQC members were informed that EPA has released for public comment a draft consent decree for New Indy and will be holding a public hearing on the consent decree on January 25th at 6:30 p.m. This will be a hybrid meeting.

Airwaves newsletter
Leslie informed the AQC members that staff has started drafting the Airwaves newsletter that will be sent to Permitting sites in March. In the past, there has been a feature message from the Chair or Vice Chair and this year staff would like to feature a spotlight on one of the AQC members and is asking for a volunteer to write a few paragraphs introducing themselves and their work on the AQC. Billy Powers volunteered to write the article and it was noted that staff will help assist with the article.

New Indy Consent Decree
Chair McGrath asked the AQC members to consider if the Commission would like to submit separate comments by the commission on the New Indy consent decree and suggested creating a subcommittee to draft comments that the Commission would review. The AQC members would come back to discuss this at the end of the agenda for today’s meeting. No comments will be submitted on behalf of the AQC it was stated that individuals are able to submit comments. Fern Paterson recused herself from the discussion due to New Indy being a client of her law firm.

B. Environmental Justice Action Plan
Chair McGrath recognized Erin Stanforth, Sustainability Manager for Mecklenburg County Manager’s Office, to discuss the Environmental Justice Action Plan which is a component of the County’s Environmental Leadership Policy that was passed by the BOCC in March 2021. A presentation was given that highlighted the plan that will be rooted in qualitative and quantitative data and will give the County a prioritized list of recommended actions to help make our community a more environmentally-just space to live, work and play. Erin informed the AQC members that the County has hired Hummingbird Firm as the consultant company to help with the EJ Action Plan. Erin recognized, Denise Smith, Director of Community Engagement and Lauren McKelvey, Community Engagement Strategist, from Hummingbird to introduced themselves.

Erin informed the AQC members that with the passing of the Environmental Leadership Policy in March 2021 it requires the County to embrace justice through equal protection and enforcement of environmental laws and regulations during environmental decision-making and the associated action plan requires the County to draft an Environmental Justice Action Plan. Erin provided the County’s meaning of racial equity and commitment to prevent structural racism before highlighting the Environmental Leadership Action Plan and giving an overview of the Environmental Justice Action Plan.
The Environmental Justice Action Plan will be informed through working with communities of color and low-wealth residents. The Environmental Justice Action Plan:

- Engages the community to better understand how climate change impacts low-wealth residents and residents of color
- Establishes an advisory board
- Collaborates with communities to gather accurate baseline data
- Develops and shares prioritized environmental justice recommendations
- Guides the County to draft a racially equitable Environmental Justice Action Plan
- Applies frameworks to County policies, procedures, and practices
- Use best practices for community engagement

Denise Smith from Hummingbird Firm discussed the Environmental Justice Action Plan Outreach including the three rounds of engagement as highlighted below:

- **Round 1 (Key Stakeholders and Core Team)**
  - Meetings with County Advisory Committees
  - Communications with key community organizations
  - Development of a small core team

- **Round 2 (Broader Stakeholder Outreach)**
  - Broader group of community organizations
  - Serve as ambassadors
  - Provide feedback on public engagement plan
  - Refine and amplify messaging
  - Identify opportunities for engagement

- **Round 3 (Public Engagement)**
  - Objectives:
    - Inform the public about environmental justice and Mecklenburg County’s EJ efforts
    - Refine data support data collection efforts
    - Get input for recommendations to strengthen Mecklenburg County’s EJ efforts
  - Opportunities for engagement include:
    - Videos
    - Factsheets
    - Online meetings
    - In-person meetings
    - Surveys
Denise provided some discussion questions and paused to take questions from AQC members. Chair McGrath asked a question about terms of framing the plan. Denise responded that the plan starts from scratch but the specific plan for engagement is from the community. Rev. Janet Garner-Mullins and Dr. Aaron Levy asked questions about reaching out to neighborhood and community associations and advocacy groups such as Clean Aire NC. It was stated that a list of organizations and associations was provided by Erin to reach out too. Rev. Garner-Mullins will contact Erin with an organization that maybe interested in hearing the presentation. Dr. Brian Magi will also provide Erin with the Environmental Justice contact at Clean Aire NC. Next steps were highlight for this plan.

[Written handouts: EJAP Presentation (PowerPoint Presentation)]

C. ARPA Grant Opportunity
Megan Green, Mobile Manager, informed the AQC members of a grant opportunity related to the American Rescue Plan Act 2021. On December 13, 2021, EPA announced the availability of $20 million in American Rescue Plan funding through competitive grants to enhance ambient air quality monitoring in and near underserved communities across the United States. EPA will award funds to support community and local efforts to monitor air quality and to promote air quality monitoring partnerships between communities and tribal, state, and local governments. MCAQ staff is planning to submit an application for funding as part of the enhanced community monitoring grant opportunity. Megan highlighted the project and discussed Phase 1 & 2 of the project. Phase 1 will focus on community led and community sourced data collection and Phase 2 will focus on more in-depth data collection that builds on what we learned from Phase 1. For Phase 1 the goal is to put community members at the center of collecting data from where they live, Megan talked about the 2 ways of collecting information. Phase 2 is about building on what was learned from Phase 1 so staff envision purchasing portable air monitoring instrumentation that MCAQ staff will operate and based on results from the community assessment staff will go back and do more in-depth air monitoring within communities. This project will allow partnership between communities and staff to learn from each other.

Over the next month staff will be working to gather details about the qualitative research methods that will be using and the specific instrumentation that will be used for the data collection. Staff is excited about the opportunity to receive funding for this project.

Megan paused to take questions from the AQC members.

- Peter McGrath asked how much money will staff request for the project? Megan stated that staff will ask for the maximum, which is $500,000 that would include the instrumentation, analysis and supporting material to perform the data collection.
Billy Powers asked if this can be used in conjunction with the Hummingbird presentation that was discussed earlier. Staff will be able to build upon what Hummingbird completes since the timeline will be a little different.

Brian Magi asked if this will be apart of ARPA’s short term community monitoring? Megan stated this project will have a fixed project for a fixed amount of time. Brian follow-up asking if MCAQ is interested in the funding for continuous monitoring? Leslie answered this follow-up question stating staff is expected to receive some of the funding for separate continuous monitoring funding.

Aaron Levy asked a question concerning what type of portable monitors will be used. Megan stated personal air sensor will not be used and provided more detail on the type of technology that would be used for this project.

D. AQC Annual Report
Chair McGrath informed the AQC members that the AQC Charter prescribes that the Commission shall, “submit an annual written report as to its activities, programs, and progress to the Board of County Commissioners. The AQC shall supplement the written reports required by this paragraph with additional written and oral reports as may be requested by the Board of County Commissioners.”

The 2022 Annual AQC Report is scheduled to be presented at the May 18th BOCC meeting. There was some discussion about assigning topics for past annual reports and it was suggested that an email be sent out with a list of topics from the past year’s meetings where AQC members can sign up to draft articles for the report. Staff will put together a timeline for the AQC annual report and articles will be assigned at the February AQC meeting.

5. Next Meeting
There was some discussion about returning to an in-person meeting for the February 28th meeting. There was a motion made to hold an-person meeting with a hybrid option.

Action Taken:
Motion: A motion was made to hold an in-person meeting with a hybrid option.
Made: The motion was made by Gordon Miller and seconded by Jamie Watts.
Vote: The motion was adopted unanimously by a roll call vote.

6. Adjournment
12:43 p.m.

Mecklenburg County will comply with the Americans with Disabilities Act (ADA), which prohibits discrimination against people with disabilities. Mecklenburg County will make reasonable accommodations in all programs to enable participation by an individual with a disability who meets essential eligibility requirements. Mecklenburg County programs will be available in an integrated setting for each individual. If accommodations are necessary for participation in any program or services, participants are encouraged to notify staff.