# AIR POLLUTION CONTROL

AIR QUALITY ADVISORY COMMITTEE

EAST WEST GATEWAY COUNCIL OF GOVERNMENTS

SEPTEMBER 26, 2017

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HEALTH SERVICES MANAGER

# RECENT HISTORY

- In 2011, the State of Missouri withdrew funding for local air pollution programs.
- The City of St. Louis had just passed Ordinance 68657 in 2010, establishing the local code and delegated responsibilities under the Missouri Department of Natural Resources, as well as establishing a local fee structure.
- Since then, staffing was cut from 24 staff to 4, and through attrition, in November 2013 there were no longer any staff.
- Handling air pollution complaints and providing review of asbestos and demolition projects was the extent of services provided since 2014.

# RECENT DATA

- For the past few years, Air Pollution Control (APC) has been handled by Environmental Health Officers (EHOs), who permit, inspect, and enforce local regulations for asbestos abatement, demolition projects, occupancy permits, and smoke free environments (as well as a host of other inspection duties).
- In 2016, with 0 full time staff, 386 demolition permits were approved by Air Pollution Control, and nearly 2/3 of these were in north City ZIP Codes.
- This included a review of asbestos inspections and abatement, and field visits when possible.
- No fees have been collected since 2013.

# CONVERSATIONS

- In 2016-2017, Air Pollution Control met with with elected officials, neighboring counties, the Missouri Department of Natural Resources, East-West Gateway, and other community partners to plan the revision of the City's air pollution ordinance and establish a memorandum of agreement with Missouri Department of Natural Resources.

# SUPPORT FOR REVISION OF THE CODE

- On March 9, 2017, this group identified direction for the City to begin to re-establish an Air Pollution Control Program.
- MDNR supported the delegation of asbestos and demolition regulations under NESHAP to the City.
- Alderwoman Cara Spencer offered to sponsor the Board Bill.
- Alderwoman Spencer, city counselors, and environmental health staff at the City drafted the bill, in consultation with staff and attorneys from St. Louis County Air Pollution Control.

# BOARD BILL 86

- The goal of the draft bill was to ensure that the fee structure in the City, County and State were all the same, and complied with requirements of the Hancock amendment.
- The Board Bill eliminated any air pollution regulation:
  - that had been superseded by more stringent Missouri or Federal regulations (e.g., incinerators), or
  - for which the City could not support technically trained staff at this time (e.g., construction and operating permits).
- De minimis levels for asbestos notifications and abatement match the County's rules.

# STAKEHOLDER MEETINGS AND BOARD BILL HEARINGS

- A stakeholder meeting was held at St. Louis County Department of Public Health on June 28, 2017.
- A hearing with the Board of Aldermen Health and Human Services Committee was held June 29, 2017, with two of the stakeholders testifying in favor of the Board Bill.
- A final hearing of the Board Bill occurred July 6, 2017, and it was passed out of committee.

# ORDINANCE 70607

- Board Bill 86 passed the Board of Aldermen with 21 Ayes and 3 Noes. The objections were to the reduction of the stringency of the local code where MDNR would take authority.
- The bill became Ordinance 70607 on July 19, 2017.
- A memorandum of agreement is currently under review with MDNR
- Two Air Pollution Inspector II positions are posted on the City's website.
- The original goal was to have the program in full operation by October 1, 2017, with hopes that it will be close by November 1, 2017.

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