



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

August 22, 2017

The Honorable Matt Bevin
Governor of Kentucky
700 Capitol Avenue, Suite 100
Frankfort, Kentucky 40601

Dear Governor Bevin:

The purpose of this letter is to inform you of the U.S. Environmental Protection Agency's intended designations for certain areas in Kentucky for the 2010 Primary National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO₂). The designations for this NAAQS are an important part of the EPA's commitment to a clean, healthy environment. These intended designations are a response to designations-related recommendations and information your state submitted in letters dated June 2, 2011, December 20, 2011, January 15, 2013, September 16, 2015, and January 6, 2017.¹

On July 25, 2013, the EPA designated certain areas in 16 states as nonattainment, but did not at that time designate other areas. Additional areas were designated on June 30, 2016, and November 29, 2016. In Kentucky, the following areas were designated in these previous actions: Campbell County (partial), Jefferson County (partial), Ohio County, and Pulaski County. Pursuant to a March 2, 2015, court-ordered schedule,² the agency must complete the remaining SO₂ designations by two specific deadlines: December 31, 2017, and December 31, 2020. Accordingly, pursuant to section 107(d)(1)(B)(ii) of the Clean Air Act (CAA), this letter is to notify you of the EPA's assessment of your state's recommended designations for all the remaining undesignated areas in Kentucky except areas that are associated with sources for which Kentucky elected to install and begin operating a new SO₂ monitoring network. While we are in agreement with your recommendation for many of these areas, some areas warrant further discussion as explained below and in the referenced technical support document. We stand ready to assist and hope to resolve any differences regarding the proper designation for these areas within this 120-day period provided by the CAA.

To this end, if you or your staff have additional information that the EPA should consider prior to finalizing these designations, please submit it as soon as possible but no later than October 23, 2017. You may submit additional information by sending it to the EPA's public docket for these designations, EPA-HQ-OAR-2017-0003, located at www.regulations.gov, and sending a copy to EPA Region 4. The

¹ In April, May, and June 2017, Kentucky transmitted additional information to the EPA to support their designation recommendations.

² *Sierra Club v. McCarthy*, No. 3-13-cv-3953 (SI) (N.D. Cal. Mar. 2, 2015).

EPA also will publish a notice in the *Federal Register* announcing a 30-day comment period for the public to provide input on the EPA’s intended designations.

Kentucky has recommended a designation of attainment for the areas indicated below. The EPA regulations for implementing the SO₂ NAAQS require Kentucky to characterize SO₂ air quality in each listed area. In considering your recommendation, we have taken into account all available information, including any current (2014-2016) air monitoring data, and any air dispersion modeling analyses provided by Kentucky or by a third party. Our review of this information indicates that it is consistent with your recommendation.

Intended Unclassifiable/ Attainment Area	Included Counties
Boone County, KY Area	Boone County
Carroll County, KY Area	Carroll County
Daviess County, KY Area	Davies County
Hancock County, KY Area	Hancock County
Mason County, KY Area	Mason County
McCracken County, KY Area	McCracken County
Muhlenberg County, KY Area	Muhlenberg County
Trimble County, KY Area	Trimble County

Kentucky has recommended a designation of attainment for the area indicated below. The EPA regulations for implementing the SO₂ NAAQS require Kentucky to characterize SO₂ air quality in each listed area. In considering your recommendation, we have taken into account all available information, including any current (2014-2016) air monitoring data, and any air dispersion modeling analyses provided by Kentucky or by a third party. Our review of this information indicates that it is not consistent with your recommendation due to either a lack of air dispersion modeling or unresolved air dispersion modeling issues, which would require a modification of the recommended designation. We invite Kentucky to review the available information and further discuss this issue with the EPA in order to inform an appropriate final designation.

Intended Unclassifiable Area	Included Counties
Henderson County, KY Area *	Henderson County (p)

(p) indicates portion of county

An asterisk (*) indicates that the EPA’s review of the available information is not consistent with your recommendation for this county, or for a portion of it.

The Technical Support Document provides the information that supports the intended designation decisions for these areas in Kentucky.³

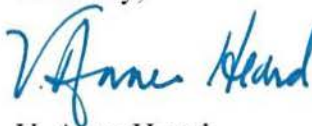
³ See Chapter 15 of the Technical Support Document for the designations EPA plans to complete by December 31, 2017, that addresses areas in Kentucky. The full Technical Support Document is available at <https://www.epa.gov/sulfur-dioxide-designations/sulfur-dioxide-designations-regulatory-actions>.

Finally, we intend to designate as unclassifiable/attainment all remaining areas of Kentucky that were not required to be characterized and for which the EPA does not have information that suggests the area may not be meeting the NAAQS or contributing to air quality in a nearby area that does not meet the NAAQS. A list of these remaining areas is included in the enclosure.

The EPA will promulgate the final designations for the areas identified in this letter by December 31, 2017. We are prepared to work with you to resolve any disagreements with respect to the available information or information gaps. We are then required to designate all other remaining undesignated areas in Kentucky by December 31, 2020, consistent with the prescribed timing of the court order. Upon completion of this designation action, the remaining areas in Kentucky to be designated by December 31, 2020, will be Henderson County (partial) and Webster County.

We share your goal to provide cleaner air for citizens in your state. We look forward to a continued dialogue with you and your staff as we work together to complete the area designations and implement the 2010 primary SO₂ NAAQS. For additional information regarding designations under the SO₂ NAAQS, please visit our website at <https://www.epa.gov/sulfur-dioxide-designations>. Should you have any questions, please do not hesitate to call me, or have your staff contact Beverly Banister of my staff at 404-562-9326 or banister.beverly@epa.gov.

Sincerely,



V. Anne Heard
Acting Regional Administrator

Enclosure

cc: Aaron B. Keatley, Commissioner
Kentucky Department for Environmental Protection

Sean Alteri, Director
Kentucky Division for Air Quality

Enclosure

List of all remaining areas of Kentucky that were not required to be characterized and for which EPA does not have information that suggests the area may not be meeting the NAAQS or contributing to air quality in a nearby area that does not meet the NAAQS. The EPA intends to designate each of these areas as a separate unclassifiable/attainment area.

County or Partial County (p)	Included Area, If Partial County
Adair County	
Allen County	
Anderson County	
Ballard County	
Barren County	
Bath County	
Bell County	
Bourbon County	
Boyd County	
Boyle County	
Bracken County	
Breathitt County	
Breckinridge County	
Bullitt County	
Butler County	
Caldwell County	
Calloway County	
Campbell County (p)	Remaining undesignated portions of Campbell County (See 40 CFR 81.318)
Carlisle County	
Carter County	
Casey County	
Christian County	
Clark County	

Clay County	
Clinton County	
Crittenden County	
Cumberland County	
Edmonson County	
Elliott County	
Estill County	
Fayette County	
Fleming County	
Floyd County	
Franklin County	
Fulton County	
Gallatin County	
Garrard County	
Grant County	
Graves County	
Grayson County	
Green County	
Greenup County	
Hardin County	
Harlan County	
Harrison County	
Hart County	
Henry County	
Hickman County	
Hopkins County	
Jackson County	
Jefferson County (p)	Remaining undesignated portions of Jefferson County (See 40 CFR 81.318)
Jessamine County	

Johnson County	
Kenton County	
Knott County	
Knox County	
Larue County	
Laurel County	
Lawrence County	
Lee County	
Leslie County	
Letcher County	
Lewis County	
Lincoln County	
Livingston County	
Logan County	
Lyon County	
Madison County	
Magoffin County	
Marion County	
Marshall County	
Martin County	
McCreary County	
McLean County	
Meade County	
Menifee County	
Mercer County	
Metcalf County	
Monroe County	
Montgomery County	
Morgan County	

Nelson County	
Nicholas County	
Oldham County	
Owen County	
Owsley County	
Pendleton County	
Perry County	
Pike County	
Powell County	
Robertson County	
Rockcastle County	
Rowan County	
Russell County	
Scott County	
Shelby County	
Simpson County	
Spencer County	
Taylor County	
Todd County	
Trigg County	
Union County	
Warren County	
Washington County	
Wayne County	
Webster County	
Whitley County	
Wolfe County	
Woodford County	