



**Energy and Environment Cabinet  
Department for Environmental Protection**

Division for Air Quality  
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Frankfort, Kentucky 40601-1403  
Website: [air.ky.gov](http://air.ky.gov)

March 2, 2012

Air and Radiation Docket and Information Center  
Environmental Protection Agency  
1301 Constitution Avenue, NW  
Washington DC 20460  
Mail Code: 2822T

RE: Attention Docket ID No. EPA-HQ-OAR-2010-0885. Comments on the proposed nonattainment classifications approach for the 2008 8-hour ozone NAAQS, *Federal Register Vol.77, No.30*.

On behalf of the Commonwealth of Kentucky, the Division for Air Quality (Division) respectfully submits the following comments in response to the February 14, 2012 Federal Register notice, "Implementation of the 2008 National Ambient Air Quality Standards for Ozone: Nonattainment Area Classifications Approach, Attainment Deadlines, and Revocation of the 1997 Ozone Standards for Transportation Conformity Purposes."

The Division supports the percent-above-the-standard methodology for classification of nonattainment areas to modify Table 1, Subpart 2 of the Clean Air Act (CAA). The Division agrees that this approach is a simple and straightforward method for establishing classification thresholds that is based on principles inherent in the classification table itself.

With regards to the proposed options for establishing the maximum attainment dates for areas in each nonattainment classification, the Division supports the option in which the attainment date would be specified as a certain number of years from the end of the calendar year in which an area's nonattainment designation is effective. The Division agrees that this approach is consistent with the time periods provided for attainment of the 1-hour ozone NAAQS at the time the CAA was amended. This approach will provide states with three full ozone seasons with which to monitor ozone and to come back into compliance.

Again, the Division appreciates the opportunity to comment on the proposed rule. If you have any questions or comments regarding the Division comments being provided, please contact Ms. Andrea Smith at (502) 564-3999, or [Andrea.Smith@ky.gov](mailto:Andrea.Smith@ky.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "John S. Lyons".

John S. Lyons,  
Director

Enclosures

c: Beverly Banister  
Scott R. Davis