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**ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

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October 7, 2019

The Honorable Andrew Wheeler, Administrator
U.S. Environmental Protection Agency
William Jefferson Clinton Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: Comments relating to *Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014, and Have Not Been Modified or Reconstructed Since July 17, 2014*;¹ Docket ID: EPA-HQ-OAR-2019-0338

Dear Administrator Wheeler,

On behalf of the Commonwealth of Kentucky, the Energy and Environment Cabinet, Division for Air Quality (Division) respectfully submits the following comments relating to the United States Environmental Protection Agency's (EPA) proposed rule *Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014, and Have Not Been Modified or Reconstructed Since July 17, 2014*.

The Division supports EPA's proposed federal plan requirements and requests that regulations promulgated pertaining to Municipal Solid Waste Landfills be consistent, clear, and provide regulatory certainty for sources subject to the rule. The Division requests EPA establish a federal plan that is consistent with 40 CFR Part 60 Subpart Cf, as well as 40 CFR Part 63 Subpart AAAA, and clearly specifies that regulated entities must comply with the applicable Emission Guideline (EG), as well as any federal (or state) plan that implements the EG.

Based on the proposed regulatory text, the federal plan will become effective for all landfills in Kentucky currently subject to 40 CFR Part 60, Subpart WWW, upon publication of a final rule in the Federal Register.² The Division requests that EPA allow additional time for states to transition sources into a state plan.

¹ 84 FR 43745

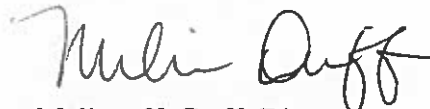
² Proposed Regulatory Text for MSW Landfills Federal Plan (40 CFR part 62, subpart OOO), EPA-HQ-OAR-2019-0338, Page 5 of 76 (40 CFR 62.711(a)(3)).

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The Division also notes a typo in the proposed regulatory text, 40 C.F.R. §62.711(a)(1), “July 14, 2014” should be “July 17, 2014.”³

The Division appreciates EPA’s consideration of the above comments. If you have questions or comments, please contact me at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Melissa K. Duff". The signature is written in a cursive, flowing style.

Melissa K. Duff, Director
Division for Air Quality

³ Proposed Regulatory Text for MSW Landfills Federal Plan (40 CFR part 62, subparts A and OOO), EPA-HQ-OAR-2019-0338, Page 5 of 76 (40 CFR 62.711(a)(1)).