



MATTHEW G. BEVIN
GOVERNOR

CHARLES G. SNAVELY
SECRETARY

ENERGY AND ENVIRONMENT CABINET

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601
TELEPHONE: 502-564-3350
TELEFAX: 502-564-7484

R. BRUCE SCOTT
DEPUTY SECRETARY

July 5, 2019

Ms. Mary Walker
Regional Administrator
U.S. EPA, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-8960

Re: Withdraw request for inclusion of 401 KAR 51:010, Section 9, into the Kentucky State Implementation Plan

Dear Ms. Walker:

The purpose of this letter is to request the withdrawal of Section 9 of 401 KAR 51:010 from consideration for approval into the Kentucky State Implementation Plan (SIP). On December 13, 2016, the Kentucky Energy and Environment Cabinet (Cabinet) submitted a request for the United States Environmental Protection Agency (EPA) to approve a revision to the Kentucky State Implementation Plan (SIP). Specifically, the Cabinet requested EPA to revise the Kentucky SIP to include the amended administrative regulation, 401 KAR 51:010, Attainment status designations. Effective on October 6, 2016, the amendment to 401 KAR 51:010 updated the attainment status designations for areas in the Commonwealth of Kentucky based on current quality-assured ambient air quality data.

On December 18, 2018, EPA approved all portions of the amended administrative regulation into the Kentucky SIP, except for Section 9, *Attainment Status Designations for Sulfur Dioxide (SO₂)*.¹ Due to timing differences between the Cabinet's SIP submittal and EPA's recent SO₂ designations, the SO₂ designations in 401 KAR 51:010 are not identical to the federal designations codified in 40 CFR 81.318. Thus, EPA did not take a final action on Section 9 of the administrative regulation.

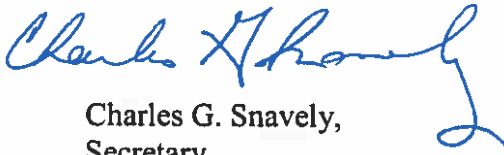
To resolve this discrepancy, the Cabinet requests to withdraw Section 9 of 401 KAR 51:010 from consideration for approval into the Kentucky SIP as submitted on December 13, 2016. Currently, the Cabinet intends to promulgate amendments to 401 KAR 51:010 and request approval of those changes, including Section 9, into the Kentucky SIP upon completion of the promulgation process.

¹ 83 FR 65088

Ms. Mary Walker
July 5, 2019
Page 2

If you have any questions or comments regarding this request, please contact Melissa Duff, Director of the Division for Air Quality, at (502) 782-6597.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles G. Snavely". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Charles G. Snavely,
Secretary

cc: Lynorae Benjamin, EPA Region 4