1 KENTUCKY DIVISION FOR AIR QUALITY
PUBLIC HEARING
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7 RE: TO REVISE KENTUCKY'S STATE IMPLEMENTATION PLAN
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12 PUBLIC HEARING
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19 COURT REPORTER: LINDA A. FOX, CCR
(502)593-4940
20 DATE: FEBRUARY 3, 2012
TIME: 10:00 A.M.
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1 The public hearing of The Kentucky Energy and
2 Environment Cabinet was taken before Linda A. Fox, Certified
3 Court Reporter and Notary Public for the State of Kentucky
4 at Large at 850 Barret Avenue, Louisville, Kentucky on
5 February 3, 2012 at approximately 10:00 A.M.
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7 **A P P E A R A N C E S**
8
9 **JOHN GOWINS**
EVALUATION SECTION SUPERVISOR
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12
13 **MS. LESLIE EGGEN**
MR. DAVID COYTE
14 **MR. CLARENCE HIXSON, ESQUIRE**
15
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1 **MR. GOWINS:** Let's go on record. Good
2 morning, it's February 3rd, 2012 at 10 A.M. My name's John
3 Gowins with the Kentucky Division for Air Quality Evaluation
4 Section. As your moderator, I declare this public hearing
5 in session.
6 The division asks that everyone attending today's
7 hearing provide all of the information requested on the
8 attendance roster located at the entrance to the conference
9 room.
10 Today's hearing announcement was mailed to
11 everyone on the division's current mailing list, to the
12 regional offices, the Louisville Metro Air Pollution Control
13 District and local -- and located at specified county
14 clerk's offices. In addition, the notice was published in a
15 newspaper wide circulation within the Commonwealth.
16 This is a non-adversarial hearing so the division
17 will not respond to comments or questions regarding the
18 proposed actions, and individuals who present testimony will
19 not be questioned by anyone attending this hearing. A
20 division representative may, however, ask questions in order
21 to clarify the meaning or intent of a comment.
22 All comments received in an appropriate format by
23 the close of the comment period will receive equal
24 consideration and every individual who submits comments will
25 receive a copy of the statement of consideration.

1 Ms. Linda Fox, to my right, is recording today's
2 hearing. Anyone interested in obtaining a copy of the
3 transcript should contact Ms. Fox. Are there any questions?
4 This hearing is being held to receive comments on
5 a proposed redesignation request and maintenance plan for
6 the Kentucky portion of the Louisville, Kentucky-Indiana
7 1997 PM 2.5 non-attainment area.
8 There are indications to present testimony.
9 Please come forward or make sure Ms. Fox can hear you when
10 your name is called and, if you can, provide a written
11 comment of your -- written copy of your comments to me if
12 possible.
13 The first name is Clarence Hixson.
14 **MR. HIXSON:** Like a -- my name's Clarence
15 Hixson. I'm the attorney for the Coalition for the
16 Advancement of Regional Transportation.
17 At this time I'd like to defer to Dave Coyte, the
18 president of CART for some brief introductory comments and
19 then I will pick up after that.
20 **MR. GOWINS:** Okay. Mr. Coyte.
21 **MR. COYTE:** Thank you. My name is David
22 Coyte. I'm a resident of Louisville and the president of
23 the Coalition for the Advancement of Regional Transporation
24 known as CART.
25 CART has been actively promoting improved air

1 quality through transit, biking, walking, and sustainable
2 transportation development since its founding in 1993. Our
3 membership includes retirees, construction workers,
4 students, teachers, housewives, disabled citizens, and
5 lawyers from cross the metro area. We are drivers, bus
6 riders, bikers, and walkers.
7 As a construction worker, I can personally
8 experience the poor air quality that has earned our metro
9 area notoriety for high asthma rates and chronic pulmonary
10 and cardiac diseases associated with such conditions.
11 We welcome the EPA today and look to you for
12 protection for our members and fellow citizens.
13 Early in 1990s CART embraced the concept of
14 LUTRAQ, which describe relationship between land use,
15 transportation and air quality. Much of our work since then
16 has revolved around those relationships as we have sought
17 the balance between growth, health and mobility.
18 The EPA has been a leader in promoting the
19 understanding of this relationship. However, neither
20 Kentucky nor Louisville has grasped this concept. Efforts
21 here focus on avoiding air quality regulations rather than
22 embracing them. Our governor's message to the EPA in his
23 last state of the State of the State address was, "Get off
24 our backs." This attitude permeates government in Kentucky
25 and the health of our citizens reflects that.

1 We all know that there are tremendous health
2 benefits to children and elderly in simple walking or riding
3 bicycles. Kentucky leads the nation in childhood obesity so
4 encouraging these simple acts seems a no-brainer.
5 However, as Mr. Hixson will show, the air quality
6 around our major thoroughfares is not being adequately
7 tested. Recent studies demonstrate that major
8 transportation corridors show significantly elevated levels
9 of fine particulates, some of the most dangerous pollution.
10 Do we want to encourage our children to exercise in that.
11 The Jefferson County APCD may protest that they
12 are adequately testing and enforcing regulations but history
13 disputes this. Citizens in the industrial west end of
14 Louisville fought for years, decades for protection against
15 seriously toxic air quality. Only when they begin
16 collecting and testing samples independently of APCD,
17 proving the seriousness of those conditions did any action
18 take place.
19 Louisville, like many of our nation's cities, is
20 under financial duress. Transit services have been cut at a
21 time when more people are dependent on them. Meanwhile,
22 highway projects are being promoted that will admittedly
23 increase brawl and increase traffic -- funding requirements
24 for the Ohio River Bridges project forced the removal of all
25 major transit initiatives from the MPO's planning documents

1 in 2005. This redesignation effort, if successful, will
2 kill any consideration of LUTRAQ as these projects move
3 forward and leave us without a thorough analysis of the air
4 quality effects of those projects.
5 CART wants you on our backs. Citizens of Metro
6 Louisville need you on our backs. We need the regulations
7 in both form and spirit to be enforced. I will leave the
8 discussion of monitoring science and monitoring failures to
9 our attorney, Bud Hixson. Thank you.
10 **MR. GOWINS:** Thank you, Mr. Coyte.
11 Mr. Hixson.
12 **MR. HIXSON:** We will provide a copy now of the
13 written comments of Mr. Coyte.
14 My name is Clarence Hixson and I've been retained
15 by Coalition for the Advancement of Regional Transportation
16 and have conducted a study of the -- the request document,
17 the Redesignation Request and Maintenance Plan for the
18 Kentucky portion of the Louisville, Kentucky, Indiana 1997
19 annual PM2.5 non-attainment area.
20 This multicounty area has -- was designated for
21 non-attainment for particulate matter 2.5 micrometer size
22 particles, not a coarse particle but not an ultra fine
23 particle, kind of a mid-level particle there. And they were
24 designated for non-attainment in 2005 and have had three
25 years, beginning about 2006, to implement a plan to reattain

1 the national ambient air quality standards, the NAAQS
2 standards, which are 15 micrograms per cubic meter.
3 I'm going to briefly cover some of the highlights
4 of the points that I'll be making and then I'll get into
5 some of the points a little bit -- in a little bit more
6 depth but in view of everybody's time and folks here, I
7 don't want to belabor some of the points to the nth degree
8 and this is pretty dense material and you can go on and on
9 about it.
10 But in summary, today's comments support our
11 conclusion that an EPA decision to redesignate Louisville as
12 in attainment of the 1997 PM2.5 NAAQS standards would be
13 against the interest of public health protection.
14 Since 2007, Kentucky has experienced an economic
15 recession, which produced a reduction in measured
16 particulate emissions. The emissions data shows a dip in
17 2008 as lost jobs, reduced construction, and manufacturing
18 resulted in reduced traffic and vehicular activity and
19 resulted in reduced particulate emissions. This produced a
20 set of three-year average particulate monitoring results
21 that are offered here by the state as proof of attainment of
22 the NAAQS standard. And that -- that data is reproduced
23 herein in our comments.
24 The document supporting the request for
25 redesignation rely on outdated measurements of the mass or

1 the weight of fine particulate air pollution. Emerging
2 science, since 2000, has shown, however, that a standard for
3 particle counts of the more toxic ultra fine particulate
4 must be established EPA to protect the public.
5 The continued use of federal reference method
6 gravimetric analysis measuring the weight of filter pads to
7 yield grams per cubic meter of air volume is an inadequate
8 measure to document public health risk and its sources at
9 the places where people are exposed.
10 It is unacceptable and misleading for Metro Air
11 Pollution Control District and the EPA to ignore the very
12 high levels of ultra fine toxic particulates in the
13 community while claiming attainment of the NAAQS PM2.5
14 standards. Ultra fine particulate has emerged in the peer
15 reviewed scientific literature as a public health threat
16 caused by mobile source emissions in present and great
17 concentrations on highways, in urban areas, and around
18 airports but the established gravimetric analysis for PM2.5
19 based on the weight of larger particulate fails to detect
20 it.
21 Engine combustion of gasoline and diesel produces
22 particulate that is between 80 and 90 percent composed of
23 particle size well below the 2.5 micrometer width, which the
24 NAAQS standard is based on, for instance, diesel engines
25 have about a 20 to 130 nanometer width of 80 percent of

1 their particulate emissions and, for gasoline engines, about
2 20 to 60 nanometers in particle width, this is ultra fine
3 particle.
4 EPA revised the NAAQS particulate standards in
5 2006 -- excuse me -- with a significant body of peer
6 reviewed studies at the time, demonstrating that the adopted
7 standards at that time did not go far enough to protect
8 public health. But, presently, the Clean Air Scientific
9 Advisory Committee, CASAC, for particulate matter, the panel
10 that advises EPA on the particulate NAAQS standards, is
11 approaching and developing a consensus that would lower the
12 PM2.5 standard even lower, perhaps to as low as 10
13 micrograms per cubic meter. Redesignation to attainment of
14 the Louisville non-attainment area against this scientific
15 controversy background would be misleading to the public.
16 EPA must move forward to adopt a public health
17 protection standard based on particle numbers per cubic
18 centimeter. Because the redesignation request is based on
19 data and calculations using the FRM, Federal Reference
20 Method, gravimetric analysis, it produces misleading
21 predictions of future maintenance of NAAQS standards
22 estimated in tons per year of emitted PM2.5.
23 These maintenance targets are similarly misleading
24 and unprotective of public health. Ultra fine particulate
25 is measured in nanometers width and penetrates more deeply

1 into the lungs and crosses the lung epithelium and gets into
2 the bloodstream where it causes tissue damage. Our comments
3 cite to a substantial number of peer reviewed journal
4 articles identifying the public health risk from ultra fine
5 particulate.
6 The network of monitors in Jefferson County is
7 located away from busy highway interchanges, located away
8 from the airport and from major sources of particulate
9 pollution where people are exposed.
10 The monitor network gives a low estimate of the
11 actual average PM2.5 exposure of the public, it gives no
12 information about particle counts of ultra fine particulate.
13 The monitoring network data was used in conjunction with old
14 data from 2000 to create a travel demand model and emissions
15 factors that were used in predicting future maintenance of
16 the NAAQS standards. These predictions included a required
17 15 percent safety margin. The model predictions are likely
18 to be violated because they are not based on real world 2011
19 socio-economic data and current vehicle registration.
20 And then here are the -- and we're going to
21 present a CD ROM and a written copy of the comments at this
22 time to the State. And -- and then I'll get in a little bit
23 to the basis of some of the comments.
24 The redesignation request starts out by laying out
25 the legal framework under section 107 of the Clean Air Act

1 and highlights criteria that must be met in order for an
2 area to be redesignated from non-attainment to attainment.
3 The first criteria is a determination that the area has
4 attained the PM2.5 standard.
5 As we said before, CART argues that its
6 members will suffer significant air pollution health effects
7 by an erroneous determination of attainment of the PM2.5
8 fine particulate standard by use of FRM gravimetric analysis
9 that ignores mode sifting to ultra fine particle of mobile
10 source emissions, a mode not detected by the FRM method.
11 The public health risk is underestimated and the
12 data demonstrating attainment is flawed, biased, and
13 unreliable.
14 A second criteria to be redesignated is an
15 approved State Implementation Plan for the area under
16 section 110(k). CART argues in this regard that its members
17 will suffer significant air pollution and health effects
18 because of erroneous adoption and approval of the State
19 Implementation Plan. The State Implementation Plan uses
20 erroneous emissions factors based on FRM gravimetric data
21 that ignores PM2.5 mode shifting to ultra fine particle and
22 uses outdated socio-economic data in 2000 vehicle
23 registrations and the travel demand model to generate
24 erroneous emissions predictions in tons per year of PM2.5.
25 Approval of the SIP would harm CART's interest by approving

1 a plan that ignores public health risk from UFP emissions of
2 mobile sources. These sources would actually be lowered by
3 control measures in the form of mass transit projects
4 instead of trying to use ineffective emissions control based
5 on FRM gravimetric analysis.
6 The third criteria listed is a determination that
7 the improvement in air quality is due to permanent and
8 enforceable reductions in emissions resulting from
9 implementation of the State Implementation Plan and other
10 federal requirements -- permanent and enforceable reductions
11 in emissions resulting from the implementation of the SIP
12 and other federal requirements.
13 And our comment, CART argues that what has caused
14 a transient dip in the Louisville Metro Area of PM2.5
15 emissions is the economic slowdown or recession which has
16 not yet ended. Trends charted from 2008 to 2010 are
17 unreliable indicators of PM2.5 declines achievable by the
18 State Implementation Plan and other measures.
19 It is noted that EPA is in the early stages of the
20 process of rulemaking to reduce further NAAQS for PM2.5 and
21 could adopt a new standard in five years as low as ten
22 micrograms per cubic meter in recognition of the growing
23 understanding of health impacts and public exposure to fine
24 particulate. Enforceable reductions that ignore the
25 principal mode of mobile source combustion emissions, ultra

1 fine particulate, do not result in improved air quality.
2 Such enforcement measures mask actual public health impacts
3 and exposure.
4 Recently, the EPA has promulgated a requirement
5 for near-road monitoring evidencing a recognition of the
6 highest concentrations of pollution at the near roadway
7 areas. Data based on this modeling will require revision of
8 the PM2.5 NAAQS and redeployment of the Louisville Metro
9 Area PM2.5 network to more accurately reflect actual public
10 exposure.
11 We, in the course of investigating the application
12 for redesignation, we took a photo safari to the Louisville
13 Metro Area PM2.5 network station and we have included on our
14 CD ROM, that we're tendering there, photographs of each of
15 the stations showing that they're generally located what we
16 think is about 300 meters or more from busy highway
17 intersections and major traffic arteries that would -- that
18 are known to be high levels of particulate, especially ultra
19 fine particulate.
20 Our findings in this regard are based on recent
21 articles in the peer reviewed literature, one among them
22 being Near Roadway Air Quality Synthesizing the Findings
23 from Real World Data, an enviromental science and technology
24 article from 2010. And this material is reproduced in our
25 comments and shows a graphic that demonstrates that ultra

1 fine particulate is -- is highly concentrated in main
2 traffic arteries and corridors and that people driving down
3 these main roadways are being exposed to very high
4 concentrations of ultra find particulate. And this
5 particulate, as we've said, is not monitored or measured by
6 the -- the current network and, thus, proving a
7 redesignation with that background would be unreliable and
8 unprotected.
9 We found particular problems with some of the
10 monitors and the data submitted to demonstrate attainment.
11 The attainment basis is based on a three-year average of
12 annual means data collected by the Louisville area monitor
13 system. And those data are given on page five of our
14 comments and were included in the redesignation application.
15 And just to go down quickly through some of the monitor
16 criticism.
17 The Wyandotte Park site, the 21-111-0044 site
18 appears to have no co-location monitor for PM2.5 to validate
19 the results. We understand that the Wyandotte Park 2.5
20 monitor has been subjected to repeated vandalism and that
21 the air pollution control district has applied to EPA to
22 allow it to close the station because of vandalism. And we
23 argue that that data set should not be allowed in the
24 application.
25 The Watson Lane data site, the 21-111-0051 site is

1 very close to the existing NAAQS limit. It had a annual
2 average of means of 14.83 micrograms per meter, which was
3 close to the limit, that was in the 2010 year that it had
4 that.
5 And, generally, the readings on the monitoring
6 stations have been upticking coming out of the economic dip
7 since 2008.
8 We used the application listed Barret Avenue and
9 Cannons Lane monitoring stations but those two stations did
10 not each have three continuous years of monitoring, which
11 was required by the reapplication statutes. If -- to use
12 Barret Avenue and Cannons Lane would require spacial
13 variability averaging and we didn't think that the
14 coefficient of variability, the difference in the average
15 means readings would not permit spacial averaging for those
16 two stations.
17 We reproduce on page eight of our comments a
18 graphic taken from the Indiana application for
19 redesignation, which I show here, which shows the economic
20 dip in the average readings a trough and shows the uptick as
21 the local area network stations are showing economic
22 activity increasing and that we're coming out of this
23 economic recession and having more vehicle activity. And
24 that is predicted -- we predict that to result in rising
25 particle emissions that will cause us to violate any

1 maintenance plan based on the economic dip.
2 We had a question about the Thunder Over
3 Louisville data. When we tried to access data to show
4 accurate particle readings for April 18th of 2011, Thunder
5 Over Louisville day, we were unable to find any on-line
6 accessible data for Jefferson County, Kentucky.
7 The Indiana Department of Environmental Management
8 provides an on-line website where you can plug in a date and
9 see the actual particulate monitor readings. And,
10 therefore, we were able to look at the New Albany monitoring
11 station data for April 18th and rolling into April 19th.
12 That showed large increase of particulate monitor readings
13 into April 19th with the highest reading being 60 micrograms
14 per cubic meter. None of the other stations, Jeffersonville
15 or Charlestown or any of the Louisville stations had data
16 that was on-line and accessible that we could look at to
17 show accurate monitoring and documenting of such a -- the
18 detonation of 60 tons of fireworks and the resulting
19 particulate matter pollution resulting from that.
20 Furthermore, the multiple months in 2008 to 2010
21 exceeded the standard of 15 micrograms per meter so that
22 while the statutes allow yearly averages -- annual averages
23 to be used to demonstrate compliance, it shouldn't overlook
24 the fact that three months in 2008, July, August, and
25 September had monthly averages exceeding the 15 micrograms

1 per cubic meter level. The July of 2008 was 18.1; August,
2 17.1; and September, 17.6. Four months in 2010, February,
3 16.3; July, 16; August 16.4; October 17.0. Three months in
4 2011, January, 15.2; July, 19.7, a very high reading only
5 recently; and August, 16.2.
6 It should be noted that our observation about the
7 economic recession was echoed by KIPDA in its comments to
8 the Indiana request, actually, it predated our comments, so
9 I guess it didn't echo them, but Larry Chaney, the MPO
10 director for KIPDA made the comment, there is sufficient
11 uncertainty associated with several variables used in the
12 analysis of regional air quality that establishing motor
13 vehicle emission budgets for PM2.5 and NOx based on 15
14 percent margins of safety will be too low. Establishing
15 motor vehicle emissions budgets that are too low, (i.e., too
16 stringent) will increase the probability that a conformity
17 failure will occur. If this occurs, the metropolitan
18 transportation plan and transportation improvement plan
19 cannot be updated or amended. This would hinder the
20 progress in implementing transportation projects, some of
21 which have the potential to reduce pollutant emissions and
22 presumably improve local air quality.
23 We also include a listing of current peer reviewed
24 scientific journals underscoring the growing scientific
25 understanding of the health impacts of ultra fine

1 particulate.
2 **MR. COYTE:** Yeah. Yeah. My -- if I may
3 interject here. I think -- I want to make sure that --
4 **MR. GOWINS:** Could -- could -- could you
5 indicate --
6 **MR. COYTE:** David Coyte with CART again. I
7 think it's important to note in the studies that Bud was
8 citing relative to the placement of the meter -- of the
9 monitors, which are -- average about 300 meters from the
10 main traffic corridors. Many of these studies show that the
11 actual measurable emissions off these -- off these roadways
12 drop significantly within a hundred meters.
13 So, if you place your monitor 300 meters away from
14 the road, you're not getting an accurate reading of what
15 that -- of what the real pollutant load is for the users of
16 that roadway be it the cyclist, drivers or pedestrians.
17 And I think that this is tremendously important as
18 we -- as we realize that people use those roads and it's
19 people on those roads, it's not just vehicles, it's people
20 in those cars, it's pedestrians, it's cyclist, and if we
21 want to encourage a healthier state and encourage people to
22 walk, then they -- they are -- they are certainly being
23 impacted negatively by proximity to those, and our monitors
24 need to be placed in a way that show that.
25 I think there's also some -- some standards in the

1 EPA monitoring guidelines that talk about specifically that,
2 that you have to make sure that your -- you are testing and
3 showing your higher -- your hotspots as well as the general
4 background.
5 So there seems to be a real bias in how these
6 monitors have been placed within the metro area that are
7 keeping the accurate data and the accurate health impacts
8 from being seen, not just for the ultra fine, which is a
9 coming issue, but for the 2.5, which is with us today.
10 I think the other point that Bud made is it had to
11 do with the information available from the monitors relative
12 to the Thunder Over Louisville. The only monitor that he
13 was able to get ready information on was the one upwind in
14 New Albany and even that showed exceedances following the
15 Thunder Over Louisville program. So it seems to be a
16 concerted effort to obfuscate some of the realities of air
17 pollution in this -- in this region.
18 We've seen it before, we -- we're hoping that EPA
19 will get -- we'll get our -- cover our backs and -- and take
20 their role of protecting the citizens of this region
21 seriously. Thank you.
22 **MR. GOWINS:** Okay. Thank you, Mr. Coyte.
23 Mr. Hixson, were you completed?
24 **MR. HIXSON:** I -- I'm going to conclude my
25 comments just offering that if anybody wants to give me an

1 e-mail I can send them the complete text of our comments and
2 some of the supporting documents if they need that.
3 **MR. GOWINS:** Okay. Thank you, Mr. Hixson.
4 The next person on the list that indicated they might
5 possibly offer comments would be Jeff Gallic.
6 **MR. GALLIC:** Yes. You're -- you're one of the
7 few people to get that right the first time.
8 **MR. GOWINS:** You might need to come to the
9 table, sir, in order for our court reporter to hear you.
10 **MR. GALLIC:** Well, I wrote possibly because
11 I'm not completely sure what the procedure is in regards to
12 hearings like this. And I -- I certainly don't want to
13 waste anyone's time.
14 We're very interested in this event and we have
15 questions about the side effects of approving redesignation.
16 I don't know if this is an appropriate time venue for those
17 questions or not?
18 **MR. GOWINS:** Well, what you can do if you have
19 comments and questions regarding the package, you can state
20 them and then in our response to comments, we will respond
21 to what your comments are.
22 **MR. GALLIC:** All right. We -- our two
23 questions are, what would -- if -- if redesignation is
24 approved, if the EPA considers this now to be an attainment
25 area, what would the impact be on stage 2 vapor recovery

1 requirements at retail gasoline facilities. And what would
2 the impact be on the current requirement for reformulated
3 gasoline to be sold in this area. Thank you.
4 **MR. GOWINS:** Thank you, Mr. Gallic. The next
5 person that has indicated they would like to give testimony
6 is Mary Love.
7 **MS. LOVE:** Thank you. My name is Mary Love.
8 I am here as a member of Kentuckians for the Commonwealth.
9 The Jefferson County chapter has been working on trying to
10 look at the issue of the pollution that's coming from the
11 coal fired power plants, specifically, the landfill, the
12 coal ash landfills.
13 The folks who live in the Cane Run neighborhood
14 are just across the street from that 14-story coal ash
15 landfill. They regularly have dust, which has been shown to
16 have come from the landfill, polluting their homes, their
17 cars, gets inside the -- the -- their houses. Their
18 children are suffering from asthma and other diseases. We
19 just are very concerned about the fact that we feel like
20 that pollution is not being monitored in the way it should
21 be. I just raise that concern.
22 The Mill Creek and Cane Run plants are on the
23 southwest side of Louisville. Mill Creek also has a huge
24 landfill there for coal ash. And the prevailing winds are
25 from the southwest. And we are pretty certain that all that

1 pollution coming from those coal ash landfills is coming all
2 over Louisville and adding to the fact that we -- Louisville
3 is one of the highest -- has one of the highest asthma rates
4 around.
5 So we just want to raise those as concerns and
6 we're not -- we're not sure at all that there are monitoring
7 stations that are close enough to that pollution to really
8 measure what's coming out particularly for those
9 neighborhoods. Thank you.
10 **MR. GOWINS:** Thank you, Ms. Love.
11 **MR. COYTE:** May I just -- a little bit of
12 information?
13 **MR. GOWINS:** Yeah. Yes, sir.
14 **MR. COYTE:** This is David Coyte with CART. We
15 just -- because we've looked at where these monitoring
16 stations are located, we can tell you, the nearest one is
17 the Watson Lane Elementary, which is probably five miles
18 away and it's probably south and -- east and south of
19 that -- of that facility, which doesn't put it in the direct
20 air flow from the -- from those -- that ash landfill.
21 **MS. LOVE:** But there is a middle school that
22 is just to the north and slightly northeast of the Cane Run
23 plant that's within, what, a mile, mile and a half,
24 something like that, so there are -- there are a bunch of
25 school surrounding that area.

1 **MR. GOWINS:** Okay. Thank you all. Does
2 anyone present, who has not offered comments previously,
3 have any final comments before we close the hearing. Your
4 name?
5 **MS. RUNYON:** I did sign up.
6 **MR. GOWINS:** Ms. Runyon?
7 **MS. RUNYON:** Yes.
8 **MR. GOWINS:** Okay. If you could give your
9 name for the --
10 **MS. RUNYON:** My name is Meme Sweets Runyon.
11 I'm executive director of River Fields Incorporated, 643
12 West Main Street.
13 I am speaking here on behalf of River Fields. I
14 will be brief. River Fields is a 52-year old river
15 conservancy. We monitor the health of the river in its
16 corridor through advocacy, education, and we also do a great
17 deal of land conservation work. We are active from West
18 Point, Kentucky to Westport. And we are very concerned
19 about air pollution issues in the river corridor.
20 The Ohio River corridor master plan, which was a
21 joint planning process with MSD, Jefferson County, and River
22 Fields funded for $300,000 and their goals and objectives
23 are a part of Cornerstone 20/20. One of their -- one of
24 their goals is that the air quality in the river corridor
25 will be healthy for its citizens.

1 River Fields has a number of questions that we
2 look forward to answers in your responses, first, we would
3 like to understand in depth the -- your -- your thinking,
4 your methodology behind the placements of the monitors,
5 exactly what was the thought process, why each one of those
6 areas of those spots were placed.
7 We also support CART's comments, excellent in
8 depth research that really we can't improve on. And we're
9 concerned particularly about the question of redesignation
10 and we'd like some in depth explanation about your use of
11 traffic data and exactly how you decided on the particular
12 years that you -- you did in this traffic data.
13 Another issue that we're concerned about is the
14 number of monitors and the relationship between the
15 monitors, which are chosen in places like parks or schools
16 and not known hot spots in the community.
17 So those are our questions and we are very
18 concerned about this redesignation, and hope that the air
19 pollution control district board will also be aware of the
20 grave health issues that exist in our community.
21 One member of our board is Dr. Hiram Polk, who's
22 renown as a very important public health leader in this
23 community. And his explanation to me of what the lungs of
24 citizens in Louisville look like versus the lungs of
25 citizens from other parts of the state is truly a grave

1 situation. And so there's such new science that's coming
2 out about fine particulates that I think it would be
3 important in terms of public health to err on the
4 conservative side rather than the liberal side in terms of
5 redesignation. Thank you.
6 **MR. GOWINS:** Thank you, Ms. Runyon.
7 So I'll ask again, is there anyone present who has
8 not offered comments previously to have any final comments
9 before we close this hearing?
10 In the absence of any additional testimony then,
11 this public hearing is adjourned. Thank you very much.
12
13 *(Whereupon, said public hearing was concluded at*
14 *approximately 10:42 a.m.)*
15
16 * * * * *
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1 STATE OF KENTUCKY)
) SS:
2 COUNTY OF OLDHAM)

3 I, Linda A. Fox, Notary Public in and for the
4 State of Kentucky at Large, hereby certify that the
5 foregoing public hearing was taken at the time and place
6 stated in the caption; that the appearances are as set forth
7 in the caption; that prior to giving the testimony the
8 witness was first duly sworn by me;
9 That said testimony was reported by me in
10 stenographic notes and transcribed under my personal
11 direction and supervision; and that said typewritten
12 transcript is a true and correct transcript, to the best of
13 my ability and understanding.
14 I further certify that I am not related by blood
15 or marriage to any of the parties hereto and that I have no
16 interest in the outcome of the captioned case.
17 My Commission as Notary Public expires
18 February 23, 2015. My notary ID is 437175.
19 Given under my hand this the **14th**, day of
20 **February**, 2012.
21
22
23
24 _____
LINDA A. FOX, CCR
CCR NO. 20042030
25 NOTARY PUBLIC, STATE OF KENTUCKY

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