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August 1, 2024

Ms. Jeaneanne Gettle
Acting Regional Administrator
U.S. EPA, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, Georgia 30303

RE: Request for One Year Extension of the 2015 8-Hour Ozone National Ambient Air Quality Standard Attainment Date for the Louisville, KY-IN Moderate Nonattainment Area

Dear Ms. Gettle:

Pursuant to Section 181(a)(5) of the Clean Air Act (CAA) and 40 C.F.R. 51.1307, the Kentucky Division for Air Quality (Division), in concurrence with Louisville Metro Air Pollution Control District (District), respectfully requests the U.S. Environmental Protection Agency (EPA) to extend, by one year, the redesignation of the 2015 8-hour ozone National Ambient Air Quality Standard (NAAQS) for the Louisville, Kentucky-Indiana moderate nonattainment area (hereinafter “the Area”) from its current attainment date of August 3, 2024, to August 3, 2025.

The CAA encourages the EPA Administrator to extend the attainment date by one year, even if the area has a three-year design value above the standard, provided the following two conditions are met:

1. CAA Section 181(a)(5)(A) requires that “the State has complied with all requirements and commitments pertaining to the area in the applicable implementation plan.”

When the 2021 and 2022 design values indicated the Area was meeting the standard, on September 6, 2022, the Division submitted a redesignation request for the Area. At the time of the request, the Area was classified as marginal nonattainment. The Division complied with all marginal SIP requirements for the Area in the submittal and EPA proposed approval of the Division’s redesignation request.¹ On November 7, 2022, the EPA reclassified the Area to moderate nonattainment for the 2015 ozone NAAQS by operation of law.² To date, the EPA has not taken final action on the Division’s redesignation submittal for the Area. EPA has yet to

¹ 88 FR 23598

² 87 FR 60897

approve or disapprove the Division’s submittal and the Division has not developed an applicable moderate implementation plan for the Area as a final approval of the redesignation request would make such an effort unnecessary.

Monitoring data relied upon in the Division’s submittal, shown in the table below, clearly demonstrates that the Area attained the 2015 ozone NAAQS.

Site ID	County	2019 Annual 4 th High Max	2020 Annual 4 th High Max	2021 Annual 4 th High Max	2019-2021 Design Value
21-029-0006	Bullitt, KY	0.063	0.065	0.065	0.064
21-185-0004	Oldham, KY	0.065	0.061	0.065	0.063
21-111-0067	Jefferson, KY	0.068	0.071	0.069	0.069
21-111-0051	Jefferson, KY	0.065	0.063	0.067	0.065
21-111-0080	Jefferson, KY	0.064	0.068	0.073	0.068
18-019-0008	Clark, IN	0.064	0.062	0.063	0.063
18-043-1004	Floyd, IN	0.063	0.066	0.064	0.064

2. CAA Section 181 (a)(5)(B) requires that "no more than 1 exceedance of the national ambient air quality standard level for ozone has occurred in the area in the year preceding the Extension Year."

In accordance with 40 C.F.R. 51.1307, the Area's fourth highest daily 8-hour average in the moderate attainment year of 2024 must not exceed the 2015 Ozone NAAQS (70 ppb) to be eligible for a one-year extension. The Division operates two ozone monitors in the Area. The District operates four ozone monitors in the Area. The table below shows the fourth highest daily 8-hour ozone concentrations for each of the Area’s ozone monitors in 2023. To date, the fourth highest daily 8-hour average at all the monitors in the Area are below 70 ppb in 2024.

Exceedances of the 2015 Ozone NAAQS occurred in the Area in 2023, and the 2023 monitoring data can be seen in the table below. The District will be submitting an exceptional events demonstration to exclude ozone exceedances caused by Canadian wildfires in 2023 that resulted in these values exceeding the standard. The Division and the District do not believe these exceptional events should impede this extension request and result in a reclassification of the Area to serious nonattainment for the 2015 ozone NAAQS by operation of law.

Site ID	Kentucky County	2023 Fourth Highest Daily 8-hour Ozone Concentration (ppb)
21-029-0006	Bullitt	0.059
21-185-0004	Oldham	0.060
21-111-0067	Jefferson	0.075*
21-111-0051	Jefferson	0.071*
21-111-0080	Jefferson	0.072*

21-111-1041	Jefferson	0.072*
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*The Division and the District are preparing an exceptional events demonstration to account for these regulatorily significant exceedances.

The Division certified and submitted the 2023 ozone monitoring data for the Division's monitoring network to EPA Region 4 on May 1, 2024.

Having met both CAA requirements that pertain to extension requests, the Division requests that EPA grant a one-year extension of the attainment date for the Louisville, KY-IN 2015 Ozone NAAQS moderate nonattainment area from August 3, 2024, to August 3, 2025. If you have any questions regarding this matter, please contact Ms. Cassandra Jobe, Environmental Control Manager, in the Program Planning and Administration Branch at (502) 782-6670, or cassandra.jobe@ky.gov.

Sincerely,



Michael Kennedy, P.E.
Director