

**NOTICE OF PUBLIC HEARING
DIVISION FOR AIR QUALITY
AIR EMISSION FEE
PROPOSED ADMINISTRATIVE REGULATION AMENDMENT**

The Kentucky Energy and Environment Cabinet will conduct a virtual public hearing on July 26, 2024, at 10:00 a.m. (Eastern Time). This hearing will be held to receive comments on the following proposed administrative regulation amendment:

401 KAR 50:038. Air emissions fee.

The proposed amendment to this administrative regulation will remove the 4,000 ton per year pollutant cap, which will increase the amount of 'subject emissions' and lower the overall per ton emissions fee for all sources. The amount of increase for any individual facility is unknown. Based on 2022 emissions data, there was approximately 22,000 tons that was not billed because it was over the 4,000 ton cap. This would reduce the amount of the emissions fee approximately \$30 per ton. All facilities with less than 4,000 ton per year cap would see a decrease in the total emissions invoice. Some facilities with more than 4,000 will see increases, and some will see decreases, depending on facility and actual emissions. This change is necessary to create a financial incentive for sources to reduce emissions below the 4,000 ton cap.

This hearing is open to the public and all interested persons will be given the opportunity to present testimony. To assure that all comments are accurately recorded, the Division requests that oral comments presented at the hearing are also provided in written form, if possible. It is not necessary that the hearing be held or attended in order for persons to comment on the proposed administrative regulation.

Please note that registration is required to participate in this hearing. You must either email your name and mailing address to Cassandra.jobe@ky.gov or mail this information to Cassandra Jobe, Division for Air Quality, 300 Sower Building, 2nd Floor, Frankfort, KY 40601. Please put "Registration for Air Emissions Fee Public Hearing" as the subject line, and state in the body of the message if you plan to speak during the hearing. If no request for a public hearing is received by July 19, 2024, the hearing will be cancelled, and notice of the cancellation will be posted at <https://eec.ky.gov/Environmental-Protection/Air/Pages/Public-Notices.aspx>.

The Energy and Environment Cabinet does not discriminate on the basis of race, color, national origin, sex, age, religion, or disability and provides, upon request, reasonable accommodation including auxiliary aids and services necessary to afford an individual with a disability an equal opportunity to participate in all services, programs, and activities.

The full text of the proposed administrative regulations is available for public inspection and copying during regular business hours (8:00 a.m. to 4:30 p.m., local time) at the Division for Air Quality, 300 Sower Boulevard, Frankfort, Ky. Any individual requiring copies may submit a request to the Division for Air Quality in writing, by telephone, by FAX, or e-mail. Requests for copies should be directed to the contact person. The proposed administrative regulation amendment can be accessed at: <https://apps.legislature.ky.gov/law/kar/TITLE401.HTM> or <https://eec.ky.gov/Environmental-Protection/Air/Pages/Proposed-Regulation-Changes.aspx>

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