

# **APPENDIX K**

## **Public Participation Process Documents**

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## **LEGAL NOTICE OF PUBLIC HEARING**

### **Redesignation Petition and Maintenance Plan In Association with the Annual Fine Particle (PM<sub>2.5</sub>) Standard**

#### **Jefferson County (Madison Township) and Clark and Floyd Counties, Indiana**

Notice is hereby given under 40 CFR 51.102 that the Indiana Department of Environmental Management (IDEM) will hold a public hearing on May 26, 2011. The purpose of this hearing is to receive public comment on the Draft Redesignation Petition and Maintenance Plan in association with the Annual Fine Particle (PM<sub>2.5</sub>) Standard, for Jefferson County (Madison Township) and Clark and Floyd counties, Indiana. The meeting will convene at 5:30 p.m. (local time) in the Program Room at the Jeffersonville Township Public Library, 1312 Eastern Boulevard, Clarksville, Indiana. All interested persons are invited and will be given opportunity to express their views concerning the draft documents.

Jefferson County (Madison Township) and Clark and Floyd counties, Indiana are part of the Louisville KY-IN Nonattainment Area for Fine Particles. This area was designated as nonattainment for the annual standard for fine particles and subject to the requirements of Section 172 of the Clean Air Act (CAA). One of the compliance requirements mandated by Section 172(c) of the CAA, is the development of a plan demonstrating that the area will continue to meet the annual standard for fine particles. This Redesignation Petition and Maintenance Plan is being drafted and submitted consistent with United States Environmental Protection Agency (U.S. EPA) guidance.

Copies of the draft documents will be available on or before May 26, 2011 to any person upon request and at the following locations:

- Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center North, 100 North Senate, Room N1003, Indianapolis, Indiana.
- Clarksville Branch Library, 1312 Eastern Boulevard, Clarksville, Indiana.
- Floyd County Public Library, 180 West Spring Street, New Albany, Indiana.
- Jeffersonville Township Public Library, 211 East Court Avenue, Jeffersonville, Indiana.
- Madison-Jefferson County Public Library, 420 West Main Street, Madison, Indiana.

The draft documents will also be available on the following web page:

<http://www.in.gov/idem/4658.htm>

Oral statements will be heard, but for the accuracy of the record, statements should be submitted in writing. Written statements may be submitted to the attendant designated to receive written comments at the public hearing.

IDEM will also accept written comments through May 29, 2011. Mailed comments should be addressed to:

**Jefferson County (Madison Township) and Clark and Floyd Counties,  
Indiana Fine Particle (PM<sub>2.5</sub>) Redesignation Petition and Maintenance  
Plan**

Scott Deloney, Chief  
Air Programs Branch  
Indiana Department of Environmental Management  
Office of Air Quality – Mail Code 61-50  
100 North Senate Avenue  
Indianapolis, IN 46206-2251

A transcript of the hearing and all written submissions provided at the public hearing shall be open to public inspection at IDEM and copies may be made available to any person upon payment of reproduction costs. Any person heard or represented at the hearing or requesting notice shall be given written notice of actions resulting from the hearing.

For additional information contact Mr. Gale Ferris, at the Indiana Department of Environmental Management, Air Programs Branch, Office of Air Quality, Room 1001, Indiana Government Center North, 100 North Senate Avenue, Indianapolis or call (317) 234-3653 or (800) 451-6027 ext. 4-3653 (in Indiana).

\*\*\*\*\*

*Individuals requiring reasonable accommodations for participation in this hearing should contact the IDEM Americans with Disabilities Act (ADA) coordinator at:*

Attn: ADA Coordinator  
Indiana Department of Environmental Management – Mail Code 50-10  
100 North Senate Avenue  
Indianapolis, IN 46204-2251

*Or call (317) 233-1785 (voice) or (317) 232-6565 (TDD). Please provide a minimum of 72 hours notification.*

Prescribed by State Board of Accounts

ATTACH COPY OF ADVERTISMENT HERE

IDEM

(Governmental Unit)

Clark  
County, Indiana

To:  
NEWS AND TRIBUNE  
221 SPRING STREET  
PO BOX 867  
JEFFERSONVILLE, IN 47130

RECEIVED

MAY 12 2011

State of Indiana  
Department of Environmental Management  
Office of Air Quality

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

82  
82

COMPUTATION OF CHARGES

82 lines, 3 columns wide equals 246 equivalent lines at 2674

cents per line

\$ 65.78

Additional charges for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 65.78

DATA FOR COMPUTING COST

Width of single column in picas 6

Size of type 7 point

Number of insertions 1

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 1 times. The dates of publication being as follows:

4-26-11

PRINTED STATE

Additionally, the statement checked below is true and correct:

..... Newspaper does not have a Web site.

Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.

..... Newspaper has a Web site, but due to technical problem or error, public notice was posted on .....

..... Newspaper has a Web site but refuses to post the public notice.

Kelley J. Wells

Legal Clerk

Date 5-6-11

Ref # 06526906

Claim No. \_\_\_\_\_ Warrant No. \_\_\_\_\_

IN FAVOR OF  
\_\_\_\_\_  
\_\_\_\_\_

\$ \_\_\_\_\_

ON ACCOUNT OF APPROPRIATION FOR

Appropriation No. \_\_\_\_\_

ALLOWED \_\_\_\_\_  
IN THE SUM OF \$ \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I have examined the within claim and hereby certify as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon statutory authority.

correct

That it is apparently

incorrect

I certify that the within claim is true and correct, that the services there in itemized and for which charge is made were ordered by me and were necessary to the public business

LEGAL NOTICE OF PUBLIC HEARING  
Redesignation Petition and Maintenance Plan  
In Association with the Annual Fine Particle (PM2.5) Standard

Jefferson County (Madison Township) and Clark and Floyd Counties, Indiana

Notice is hereby given under 40 CFR 51.102 that the Indiana Department of Environmental Management (IDEM) will hold a public hearing on May 26, 2011. The purpose of this hearing is to receive public comment on the Draft Redesignation Petition and Maintenance Plan in association with the Annual Fine Particle (PM2.5) Standard, for Jefferson County (Madison Township) and Clark and Floyd counties, Indiana. The meeting will convene at 5:30 p.m. (local time) in the Program Room at the Jeffersonville Township Public Library, 1312 Eastern Boulevard, Clarksville, Indiana. All interested persons are invited and will be given opportunity to express their views concerning the draft documents.

Jefferson County (Madison Township) and Clark and Floyd counties, Indiana are part of the Louisville KY-IN Nonattainment Area for Fine Particles. This area was designated as nonattainment Area for Fine Particles. This area was designated as nonattainment for the annual standard for fine particles and subject to the requirements of Section 172 of the Clean Air Act (CAA). One of the compliance requirements mandated by Section 172(c) of the CAA, is the development of a plan demonstrating that the area will continue to meet the annual standard for fine particles. This Redesignation Petition and Maintenance Plan is being drafted and submitted consistent with United States Environmental Protection Agency (U.S. EPA) guidance.

Are instead of "Area"  
HIGHLIGHTED LINE IS A REPEAT

Copies of the draft documents will be available on or before May 26, 2011 to any person upon request and at the following locations:

- Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center North, 100 North Senate, Room N1003, Indianapolis, Indiana.
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The draft documents will also be available on the following web page:

<http://www.in.gov/idem/4658.htm>

Oral statements will be heard, but for the accuracy of the record, statements should be submitted in writing. Written statements may be submitted to the attendant designated to receive written comments at the public hearing.

IDEM will also accept written comments through May 29, 2011. Mailed comments should be addressed to:

Jefferson County (Madison Township) and Clark and Floyd Counties, Indiana  
Fire Particle (PM2.5) Redesignation Petition and Maintenance Plan.  
Scott Deloney, Chief  
Air Programs Branch  
Indiana Department of Environmental Management  
Office of Air Quality - Mail Code 61-50  
100 North Senate Avenue  
Indianapolis, IN 46206-2251

SHOULD BE "FINE"

A transcript of the hearing and all written submissions provided at the public hearing shall be open to public inspection at IDEM and copies may be made available to any person upon payment of reproduction costs. Any person heard or represented at the hearing or requesting notice shall be given written notice of actions resulting from the hearing.

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\*\*\*\*\*  
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Attn: ADA Coordinator  
Indiana Department of Environmental Management - Mail Code 50-10  
100 North Senate Avenue  
Indianapolis, IN 46204-2251

Or call (317) 233-1785 (voice) or (317) 232-6565 (TDD). Please provide a minimum of 72 hours notification.

ATTACH COPY OF ADVERTISEMENT HERE

Indiana Dept. of Enviromental Mgmt  
(Governmental Unit)  
Jefferson County, Indiana

To: Madison Courier  
Madison, IN 47250

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines .....  
Body -- number of lines .....  
Tail -- number of lines .....  
Total number of lines in notice ..... 139

COMPUTATION OF CHARGES

139 lines, 1 columns wide equals 139 equivalent lines at .2849 cent per line \$ 39.60  
Additional charges for notices containing rule or tabular work (50 per cent of above amount) .....  
Charge for extra proofs of publication (\$1.00 for each proof in excess of two) ..... 39.60  
TOTAL AMOUNT OF CLAIM \$ 39.60

DATA FOR COMPUTING COST

Width of single column in picas 7.6 Size of type 7 point.  
Number of insertions 1

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 1 times. The dates of publication being as follows:

April 22nd, 2011

Additionally, the statement checked below is true and correct:

- ..... Newspaper does not have a Web site.
- Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- ..... Newspaper has a Web site, but due to technical problem or error, public notice was posted on .....
- ..... Newspaper has a Web site but refuses to post the public notice.

Date April 22nd, 2011

*James Earl Spaulding*  
Title Publisher

Claim No. \_\_\_\_\_ Warrant No. \_\_\_\_\_

I have examined the within claim and hereby certify as follows:

IN FAVOR OF \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

That it is in proper form.

\$ \_\_\_\_\_  
ON ACCOUNT OF APPROPRIATION FOR \_\_\_\_\_  
\_\_\_\_\_

That is duly authenticated as required by law.

ALLOWED \_\_\_\_\_ 20 \_\_\_\_\_  
In the sum of \$ \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

That is based upon statutory authority.

correct.

That is apparently

incorrect.

I certify that the within claims true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

\_\_\_\_\_, 20 \_\_\_\_\_

## THE MADISON COURIER, MADISON, IN

### LEGAL NOTICE OF PUBLIC HEARING Redesignation Petition and Maintenance Plan

In Association with the Annual  
Fine Particle (PM2.5) Standard  
Jefferson County (Madison  
Township) and Clark and Floyd  
Counties, Indiana.

Notice is hereby given under 40  
CFR 51.102 that the Indiana De-  
partment of Environmental Man-  
agement (IDEM) will hold a public  
hearing on May 26, 2011. The pur-  
pose of this hearing is to receive  
public comment on the Draft Re-  
designation Petition and Mainte-  
nance Plan in association with the  
Annual Fine Particle (PM2.5)  
Standard, for Jefferson County  
(Madison Township) and Clark  
and Floyd counties, Indiana. The  
meeting will convene at 5:30 p.m.  
(local time) in the Program Room  
at the Jeffersonville Township  
Public Library, 1312 Eastern Bou-  
levard, Clarksville, Indiana. All in-  
terested persons are invited and  
will be given opportunity to ex-  
press their views concerning the  
draft documents. Jefferson County  
(Madison Township) and Clark  
and Floyd counties, Indiana are  
part of the Louisville KY-IN Nonat-  
tainment Area for Fine Particles.  
This area was designated as non-  
attainment for the annual standard  
for fine particles and subject to the  
requirements of Section 172 of the  
Clean Air Act (CAA). One of the  
compliance requirements mandated  
by Section 172(c) of the CAA  
is the development of a plan dem-  
onstrating that the area will con-  
tinue to meet the annual standard for  
fine particles. This Redesignation  
Petition and Maintenance Plan is  
being drafted and submitted con-  
sistent with United States Environ-  
mental Protection Agency (U.S.  
EPA) guidance.

Copies of the draft documents will  
be available on or before May 26  
2011 to any person upon request  
and at the following locations:

- Indiana Department of Environ-  
mental Management, Office of Air  
Quality, Indiana Government Cen-  
ter North, 100 North Senate  
Room N1003, Indianapolis, Indi-  
ana.
- Clarksville Branch Library, 1312  
Eastern Boulevard, Clarksville, In-  
diana.
- Floyd County Public Library, 180  
West Spring Street, New Albany,  
Indiana.
- Jeffersonville Township Public Li-  
brary, 211 East Court Avenue, Jef-  
fersonville, Indiana.
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Library, 420 West Main Street,  
Madison, Indiana.

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page:

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submitted to the attendant design-  
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at the public hearing.

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ments through May 29, 2011.  
Mailed comments should be ad-  
dressed to:

Jefferson County (Madison  
Township) and Clark and Floyd  
Counties, Indiana Fine Particle  
(PM2.5) Redesignation Petition  
and Maintenance Plan

Scott Deloney, Chief  
Air Programs Branch  
Indiana Department  
of Environmental Management  
Office of Air Quality -  
Mail Code 61-50  
100 North Senate Avenue  
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A transcript of the hearing and all  
written submissions provided at  
the public hearing shall be open to  
public inspection at IDEM and  
copies may be made available to  
any person upon payment of re-  
production costs. Any person  
heard or represented at the hear-  
ing or requesting notice shall be  
given written notice of actions re-  
sulting from the hearing.

For additional information contact  
Mr. Gale Ferris, at the Indiana De-  
partment of Environmental Man-  
agement, Air Programs Branch,  
Office of Air Quality, Room 1001  
Indiana Government Center North,  
100 North Senate Avenue, Indian-  
apolis or call (317) 234-3653 or  
(800) 451-6027 ext. 4-3653 (in In-  
diana).

Individuals requiring reasonable  
accommodations for participation  
in this hearing should contact the  
IDEM Americans with Disabilities  
Act (ADA) coordinator at:  
Attn: ADA Coordinator  
Indiana Department  
of Environmental Management  
Mail Code 50-10  
100 North Senate Avenue  
Indianapolis, IN 46204-2251  
Or call (317) 233-1785 (voice) or  
(317) 232-6565 (TDD).  
Please provide a minimum of  
72 hours notification.

C4-22

IND DEPT OF ENVIRONMENTAL MANA  
MARION COUNTY, INDIANA

To: INDIANAPOLIS NEWSPAPERS  
307 N PENNSYLVANIA ST - PO BOX 145  
INDIANAPOLIS, IN 46206-0145

**PUBLISHER'S CLAIM**

**LINE COUNT**

Display Matter - (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set). - number of equivalent lines \_\_\_\_\_

Head - Number of lines \_\_\_\_\_

Body - Number of lines \_\_\_\_\_

Tail - Number of lines \_\_\_\_\_

Total number of lines in notice \_\_\_\_\_

**COMPUTATION OF CHARGES**

117.0 lines 2.0 columns wide equals 234.0 equivalent lines at .458 cents per line \$ 107.17

Additional charge for notices containing rule and figure work (50 per cent of above amount) \_\_\_\_\_

Charges for extra proofs of publication (\$1.00 for each proof in excess of two) .00

**TOTAL AMOUNT OF CLAIM** \$ 107.17

**DATA FOR COMPUTING COST**

Width of single column 5.8 ems      Size of type 7

Number of insertions 1.0

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 1 times. The dates of publication being between the dates of:

**04/26/2011 and 04/26/2011**

Additionally, the statement checked below is true and correct:

- Newspaper does not have a Web site.
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Kerney Dodson

DATE: 04/26/2011

Title: Clerk

A 5/5/11

# INDIANAPOLIS STAR AND NEWS, INDIANAPOLIS, IN

## LEGAL NOTICE OF PUBLIC HEARING

### Redesignation Petition and Maintenance Plan In Association with the Annual Fine Particle (PM2.5) Standard

#### Jefferson County (Madison Township) and Clark and Floyd Counties, Indiana

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Fine Particle (PM2.5) Redesignation  
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Scott Deloney, Chief  
Air Programs Branch  
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Indianapolis, IN 46206-2251

Or call (317) 233-1785 (voice) or (317) 233-6565 (TDD). Please provide a minimum of 72 hours notification.

(S - 4/26/11 - 5801966)

## **Jefferson County (Madison Township) and Clark and Floyd Counties, Indiana Redesignation Request and Maintenance Plan in Association with the Annual Fine Particle (PM<sub>2.5</sub>) Standard**

### **Summary/Response to Comments Received at the Public Hearing**

On May 26, 2011, the Indiana Department of Environmental Management (IDEM) conducted a public hearing in Clarksville, Indiana concerning the draft Redesignation Request and Maintenance Plan for Jefferson County (Madison Township) and Clark and Floyd counties, Indiana. IDEM received no comments at the public hearing.

### **Summary/Response to Comments Received During the Comment Period**

IDEM requested public comment on the draft Redesignation Request and Maintenance Plan for Jefferson County (Madison Township) and Clark and Floyd counties, Indiana from April 20, 2011 to May 29, 2011.

IDEM received comments from the following parties:

**Larry D. Chaney, MPO Director, Kentuckiana Regional Planning and Development Agency (LC)**

*Comment:* There is sufficient uncertainty associated with several variables used in the analysis of regional air quality that establishing motor vehicle emission budgets (MVEBs) for PM<sub>2.5</sub> and NO<sub>x</sub> based on 15% margins of safety will be too low. Establishing MVEBs that are too low (i.e. too stringent) will increase the probability that a conformity failure will occur. If this occurs, the metropolitan transportation plan (MTP) and transportation improvement plan (TIP) cannot be updated or amended. This would hinder the progress in implementing transportation projects some of which have the potential to reduce pollutant emissions and presumably improve local air quality. (LC)

*Response:* IDEM agrees with the commenter that a number of variables used in the regional air quality analysis can result in adjustments to future emission projections (e.g. new tools and emission factors). This variability applies to all source sectors, not just mobile sources, and has to be accounted for within the maintenance plan to prevent backsliding by preserving an overall margin of safety. In an effort to accommodate future variations in the transportation demand model and the total daily vehicle miles traveled (VMT) forecast when no change to the network is planned, IDEM consulted with the interagency consultation group (ICG), including United States Environmental Protection Agency (U.S. EPA) Regions IV and V, to determine a reasonable approach to address this variation. The ICG approved a 15% safety margin for direct

PM<sub>2.5</sub> mobile source emission estimates for the years 2015 and 2025, and a 15% safety margin for NO<sub>x</sub> mobile source emission estimates for the years 2015 and 2025. IDEM believes that this margin of safety provides adequate flexibility to account for mobile source-related variability.

As a maintenance area for the 8-hour ozone standard, KIPDA has performed a number of air quality analyses to demonstrate that its MTP and TIP conform to the region's MVEBs for ozone precursors (i.e. volatile organic compounds and NO<sub>x</sub>). These analyses have demonstrated that the region's projected future year emissions are well below the MVEBs and have shown that a margin of safety of 7.5% would have been adequate for the region to demonstrate conformity. A 15% margin of safety is more than twice the amount historically shown to be necessary for the region to demonstrate conformity with the 8-hour ozone MVEBs and should more than adequately accommodate future growth in the region. With new ozone and fine particles standards scheduled to be released within the next year, these conformity budgets will almost certainly be replaced within the next three to four years. Due to the fact that those budgets will be contained in attainment state implementation plans (SIPs) as opposed to maintenance plans, IDEM will not be in a position to accommodate a margin of safety as large as 15%. Therefore, it is highly likely that the MVEBs contained in this particular SIP will only be applicable for the next three to five years. KIPDA's MTP and TIP clearly demonstrate conformance with the maintenance SIP budgets for this window of time, without reliance on a margin of safety.

*Comment:* Population growth, employment, commuting, and VMT information from the 2010 Census and related sources is not available at a sufficiently small level of geography to be able to quantify the impacts of socioeconomic changes. County-level information does indicate that although the region has suffered from the recent economic downturn, there is still growth in socioeconomic attributes and VMT. Regional planning cannot be based on short-term events like the economic downturn. Therefore, growth in travel must be expected once the economy improves. When it does, MVEBs must be large enough to account for future growth in VMT.  
(LC)

*Response:* Motor vehicle emission inventories were developed using the latest available planning assumptions at the time the SIP was developed. Future year emissions projections are likely to change when they are updated over time. If warranted, IDEM can process a SIP revision in conjunction with a MTP or TIP revision through the interagency consultation process. U.S. EPA can process such a revision within 90 days. This process and schedule would not impede the transportation planning process. Additionally, fleet turnover, ever evolving fuel and engine standards, and emission factor model upgrades have historically resulted in future year emission projections to decrease rather than increase, and there is no reason to expect that historical trend to reverse over the next few years.

*Comment:* How can the MTP demonstrate conformity with the proposed MVEBs? It is not feasible to change projects in the MTP in order to demonstrate conformity except in cases where the otherwise failing MTP is only failing by a small amount. Theoretically, it is possible to determine which projects, if any, have negative air quality impacts and remove them. However, MTPs are required to be financially responsible and additional funding for new projects would have to come from funding not used by the projects with positive air quality impacts. An extreme case of this would be to remove all projects that do not show positive air quality impacts. This might be theoretically possible, but it would be impractical because the air quality neutral projects may provide benefits that are not normally considered. (LC)

*Response:* The proposed MVEBs have been built around the region's long range travel demand model and MTP. All projects contained within the current MTP and TIP are thus protected without reliance on a margin of safety. IDEM believes that the MVEBs established in the SIP provide an adequate margin of safety to account for any variability that may occur in the transportation planning process, especially considering the estimated lifespan of these particular MVEBs. If adding a new or unexpected project results in the region being unable to demonstrate conformity, existing projects will need to be adjusted accordingly to ensure emissions are below the MVEBs, or an amendment to the SIP could occur concurrently with an amendment to the plan or TIP if warranted.

*Comment:* Mobile source emission estimates used in the MVEB setting process were calculated using a new model recently released by U.S. EPA referred to as the Motor Vehicle Emission Simulator (MOVES). Because of its newness and complexity, there is ample reason to expect that "bugs" will be found in the software and "fixes" will need to be made. KIPDA believes that the uncertainty associated with the MOVES model and its inputs are considerable and should be accompanied by more lenient, rather than more stringent MVEBs. (LC)

*Response:* MOVES incorporates substantial new vehicle emissions-related data and accounts for changes in vehicle technology and regulations as well as improved understanding of in-use emission levels and the factors that influence them. This allows federal reduction programs to be better accounted for (e.g. new fuel and engine standards) and will likely result in more accurate emission estimates. IDEM feels that it is inappropriate to refer to the MVEBs as "stringent", "overly stringent", or "more stringent" considering the fact that the MVEBs accommodate everything contained in the current long-range MTP and provide a margin of safety that is approximately 200% greater than the region has needed historically.

MVEBs were developed using the latest available planning assumption and should adequately accommodate for future growth in the region. If warranted, IDEM can process a SIP revision in conjunction with a MTP or TIP revision through the interagency consultation process. U.S. EPA can process such a revision within 90 days. This process and schedule would not impede the transportation planning process.

*Comment:* As new vehicle registration data for Bullitt and Jefferson counties becomes available, it is likely that the majority of the NO<sub>x</sub> margin of safety and a significant portion of the PM<sub>2.5</sub> margin of safety will be used up. If the region should need to use MOVES in the emission rate mode, the rest of the NO<sub>x</sub> margin of safety will be immediately consumed. (LC)

*Response:* Motor vehicle emission inventories were developed using the latest available planning assumptions at the time the SIP was developed. If new vehicle registration data or estimating emissions in the “emission rate mode” necessitates the need to revise the MVEBs in the future, IDEM can process a SIP revision in conjunction with a MTP or TIP revision through the interagency consultation process. U.S. EPA can process such a revision within 90 days. This process and schedule would not impede the transportation planning process. However, IDEM does not anticipate this to be necessary. When population shifts from one county to another and is accounted for within a regional emissions analysis, the net impact is negligible (because it is accounted for in both scenarios). Additionally, socio-economic data suggests that the growth that is occurring within the metropolitan region would likely affect the fleet mix in a favorable manner (i.e., decrease in average vehicle age).

**Conclusion:** IDEM is not making any changes to the MVEBs contained within the maintenance plan. The MVEBs are consistent with the consensus achieved through interagency consultation and based on close evaluation of historical conformity demonstrations, provides a generous margin of safety. Any increase to the margin of safety contained within the SIP needs to be quantified (actual VMT for 2010 is 30% greater than what was projected by the travel demand model for the same year, etc.) in order to properly substantiate a percent greater than that which is currently contained. IDEM believes that 15% is more than adequate to account for the qualitative variabilities presented as concern by KIPDA.



May 26, 2011

Scott Deloney, Chief  
Air Programs Branch  
Indiana Department of Environmental Management  
Office of Air Quality – Mail Code 61-50  
100 North Senate Avenue  
Indianapolis, IN 46206-2251

Kentucky  
Member  
Counties

Bullitt

Henry

Jefferson

Oldham

Shelby

Spencer

Trimble

Indiana  
Member  
Counties

Clark

Floyd

Equal  
Opportunity  
Employer

**SUBJECT:** Comments concerning the State Implementation Plan (SIP) Budgets  
Proposed by the Indiana Department of Environmental Management

It is our understanding that new emission budgets for the Louisville KY-IN Metropolitan Area are proposed for PM 2.5 in the State Implementation Plan (SIP) developed by the Indiana Department of Environmental Management (IDEM) with the aid of other agencies. The SIP including the budgets is presently undergoing public review. These budgets were proposed to limit the amount of fine particulate matter (PM 2.5) and one of its precursors, oxides of Nitrogen (NOx) that could be emitted. Please know that KIPDA staff is not in any way opposed to the reduction of those pollutants. However, we do have concerns regarding the margin of safety proposed by IDEM, as well as the potential negative impacts on transportation planning if those budgets are not met and the local area experiences a conformity failure.

To summarize the position of the KIPDA MPO, please refer to the attachments: NOx Emission Levels and PM2.5 Emission Levels. As can be seen in the graphs, the emissions were at a certain level when the Annual PM 2.5 standard was attained. Therefore, the 2008 total emissions for each pollutant represent a level that can be emitted with the expectation that attainment of the standard would continue. It can also be noted that onroad mobile source emissions are expected to drop in each case (as shown by the lighter blue). The levels for onroad mobile sources for 2015 and 2025 are based on the metropolitan transportation plan (MTP) as it existed last year. Those levels were calculated with data from the regional travel demand forecasting model (TDFM). If the budgets were set at those levels, any change to any of the inputs (projects, socioeconomic data, etc.) to the TDFM would have a reasonable chance of causing a conformity failure. To decrease the probability of a conformity failure, a margin of safety (the darker blue on each graph) was added to the emission level calculated from TDFM outputs, and the budgets were set as being the sum of the emissions from TDFM outputs and the margins of safety. The margins of safety currently being proposed by IDEM are 15%.

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KY TDD 1-800-648-6056  
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The concern of KIPDA is that there is sufficient uncertainty that budgets based on 15% margins of safety will be too low. Having budgets which are too low (i.e. too stringent) increase the probability that a conformity failure will occur. If this occurs, the MTP and TIP cannot be updated or amended. This situation will hinder—if not stop—the progress in implementing projects. The irony of this situation is that at least some of the projects being delayed or cancelled could reduce pollutant emissions and presumably improve air quality.

KIPDA will be providing comments to IDEM to support larger, less stringent budgets. KIPDA recognizes that the emission levels from all sources must remain below 2008 (attainment) levels. Further, we also recognize that the onroad mobile source budgets will still require emission reductions. However, we believe that the uncertainty associated with the calculation of the emissions supports larger budgets. We do not believe it is necessary to set budgets for 2015 at approximately 40% below 2008 (attainment) levels and for 2025 at almost 70% below 2008 (attainment) levels. The proposed emission reductions contain enough excess that a more modest set of reductions would still improve air quality without the significant risk of a conformity failure. Discussed below are several issues we believe support the larger budgets.

### **Issue 1 - Growth in Population, Employment, Commuting, and VMT**

At this time, much of the information from the 2010 Census and related sources is not available at a sufficiently small level of geography to be able to quantify the impacts of socioeconomic changes. However, there are some inferences that can be drawn from the county-level that is presently available. Below are several important pieces of that information.

1. The increase in population from 2000 to 2010 exceeded that from 1990 to 2000 for four of the five counties in the metropolitan area and for the region as a whole. The regional increase in population from 2000 to 2010 was about 30% higher than the regional increase from 1990 to 2000.
2. The employment in all counties grew noticeably from 2000 to 2008 before the recent recession caused some job losses in 2009. Still, four of the five counties showed a net increase in employment from 2000 to 2009. The regional increase in employment from 2000 to 2008 was slightly above 5%, and even after the job losses in 2009, there was a modest net increase from 2000 to 2009.
3. The patterns of inter-county commuting also show continued growth. The total number of people commuting to jobs in the five metropolitan counties grew from 102,304 to 114,380 during the period from 2000 to the 2006-2008 timeframe (the most recent data available). This represents an increase of 12,076, which is slightly less than 12%.
4. The 15-year (1993-2007) trend of vehicle-miles-traveled (VMT) shows a positive slope. The recent economic downturn has led to indications that there has been no growth or perhaps a decline in VMT in the last 2-3 years. However, a similar phenomenon occurred during 2000 and 2001. When the economy “recovered”, the growth in VMT returned and at a slope of the same order of magnitude.

This information indicates that although the KIPDA region has suffered from the recent economic downturn, there is still growth in socioeconomic attributes and VMT. Planning cannot be based on short-term events like the recent economic downturn. Therefore, growth in travel must be expected once the economy improves. When it does, the emission budgets must be large enough to allow the growth to occur.

## **Issue 2 - Can VMT be “controlled” through the proper choice of transportation projects?**

During consultation concerning the PM 2.5 SIP budgets, the KIPDA MPO made a statement questioning how conformity could be “passed” with the proposed budgets. The response was that KIPDA would have to change the projects in the plan. KIPDA believes that this is not feasible except in cases where the otherwise failing MTP is only failing by a small amount. As can be noted in 40 CFR 93.122 (b) and (d), the tool of choice for a regional emissions analysis is to be the TDFM. TDFMs usually determine projects which increase capacity to have travel impacts which translate into emission reductions and those which decrease capacity to have travel impacts which translate into emission increases. Projects which do not change capacity are not reflected in the TDFM. In the past, “no-build” (not to be confused with a similar but slightly different concept using the same term in 40 CFR 93) analyses were tested by removing all projects from a future year scenario. In these test analyses, the emissions associated with this “no-build” analysis were higher than the scenario with all the projects included. However, the differences in emissions have been small and not at the level necessary to offset a problem with an insufficient budget. Theoretically, it is possible to determine which projects, if any, have negative air quality impacts and remove them. That being said, MTPs are required to be financially responsible. Therefore, additional funding for new projects would have to come from the funding not used by the projects with positive air quality impacts. An extreme case of this would be to remove all projects that do not show positive air quality impacts. This might be theoretically possible, but it would be impractical because the air quality neutral projects may provide benefits that are not normally considered. For example, the repaving of a street is normally an air quality neutral project. If this is not accomplished according to a reasonable schedule, however, the condition of the street will become so bad that it loses its capacity, and a negative air quality impact would occur.

## **Issue 3 - Variability of MOVES**

The emission estimates used in the budget-setting process involved a new model called MOVES. MOVES is a new and very complex model. KIPDA has three concerns which deal directly with MOVES. They are discussed below.

1. As stated above, MOVES is a new and very complex model. It is a model which can be used in two different ways. One of these is to develop emission rates (e.g. amount of pollutant per mile traveled), and the other is to have MOVES combine the travel-related information and the emission rates and calculate emissions. The first of these methods is known as the emission rate mode, and the latter is known as the inventory mode. Various parties across the county have made test runs to

determine the difference in results when using MOVES in the emission rate mode versus using MOVES in the inventory mode. The results presented vary by pollutant, but for oxides of Nitrogen (NO<sub>x</sub>), which is one of the pollutants with a proposed budget, researchers have found increases of 3%-4% when using MOVES in the emission rate mode versus the inventory mode. That increase is not large until it is compared with the 15% margin of safety. In this area, we have used the emission rate method of estimating emissions because that was all that was available with the previous model. However, there were other advantages to using this method, not the least of which was that it was more precise and more conceptually correct.

2. Because of the newness and complexity of MOVES, KIPDA expects that “bugs” will be found in the software, and “fixes” will be made. The previous emissions model was in its sixth generation before it was replaced by MOVES. For most—if not all—of those models, errors were found after their releases, and they had to be fixed. The fixes changed the emission rates produced by the model. KIPDA believes there is ample reason to expect the same from MOVES, which introduces still another unknown variable in the consideration of margins of safety and budgets.
3. Also of concern are the inputs used in MOVES. In particular, there has been speculation about one of the inputs. This concern is the vehicle registration data for Bullitt and Jefferson counties in KY. New registration information has been recently developed for the Indiana counties in the nonattainment area, but the process for the KY counties is still ongoing. When the new registration data was used for the Indiana counties, the emission levels for each county increased on the order of 6% to 17% for PM 2.5 and 5% to 15% for NO<sub>x</sub>. At present, the emission levels for the Kentucky counties—particularly Jefferson counties—are on the order of 3 times larger than the Indiana counties. If the emissions for the KY counties increase with new registration data in a manner similar to what happened with the IN counties, the margin of safety will essentially be used up. To test the situation, a test run was made using the combined new Clark/Floyd county data for the Kentucky counties. The results of this run indicated a 2%-3% regional increase for PM 2.5 and a 7%-8% regional increase for NO<sub>x</sub>. However, after the test run, it was noted that the existing registration data for Bullitt County indicated that its fleet was already older than the new Indiana data. Since the expected reason for the fleet getting older was the economy, it seems unlikely that the Bullitt County vehicle fleet would become newer while the vehicle fleets of the other counties are getting older. Therefore, KIPDA staff believe that the results should be viewed as an indication of the direction emissions will trend when the new Kentucky registration data is available but that the increase in emissions will be greater—probably closer to the 6%-8% increase in PM 2.5 and the 11%-12% increase in NO<sub>x</sub> shown by Jefferson County in the results of the test run.

KIPDA believes that uncertainty associated with the MOVES model and its input are considerable. Because of its newness, we do not expect anyone to have a good “feel” for what are “reasonable” results. In addition, after the discussion concerning the budgets, corrections were still being made to the emission results. KIPDA feels that because of the

newness and complexity, the use of MOVES should be accompanied by more lenient rather than more stringent budgets.

#### **Issue 4 - Past Experience with setting budgets**

In December 2010, Larry Heil of FHWA-IN asked the Indiana MPOs (in nonattainment and maintenance areas) to evaluate what the use of the new (2009) vehicle registration data would do to their chance to pass conformity once the new data has been quality assured and, therefore, had to be used. Five MPOs (besides KIPDA) provided information to Mr. Heil concerning test runs made to determine if they could pass conformity for Ozone. All five indicated that they would fail at least one of their conformity tests. The failures ranged from 1% to over 16%. On the other hand, the information for the Louisville area indicated that the KIPDA region could pass conformity with the critical (smallest) difference being about 7.5%. The budget for which KIPDA would pass conformity by 7.5% was for NOx, and the margin of safety for that budget was originally set at slightly over 50%.

**In summary**, KIPDA believes that there is too much uncertainty to expect budgets with a 15% margin of safety to be sufficient. As new registration data for Bullitt and Jefferson counties become available, it is likely that the majority of the NOx margin of safety and a significant portion of the PM 2.5 margin of safety will be used up. If the region should need to use MOVES in the emission rate mode, the rest of the NOx margin of safety will be immediately consumed. As a consequence, there will be nothing left as a margin of safety for other concerns such as what happens when 2010 Census data and accompanying projections become available and must be used. Finally, past experience with setting budgets indicates that 15% (while it may seem appropriate when they are set) can ultimately turn out to be far too small when changes occur in the future.

Part of our charge is to be good stewards of our environment, through air quality monitoring and analysis, reduction of Vehicle Miles Travelled (VMTs), and the development and implementation of alternatives to Single Occupancy Vehicles (SOVs) in our region. However, we also feel it necessary that we continuously move forward with a Metropolitan Transportation Plan that can adequately address those issues. Non-conformity as a result of overly restrictive budgets would certainly impede that effort.

Thank you for the opportunity to comment on this very important matter. If you have questions or concerns regarding this information, please contact me either by phone at 502-266-6084 or by e-mail at [larry.chaney@ky.gov](mailto:larry.chaney@ky.gov).

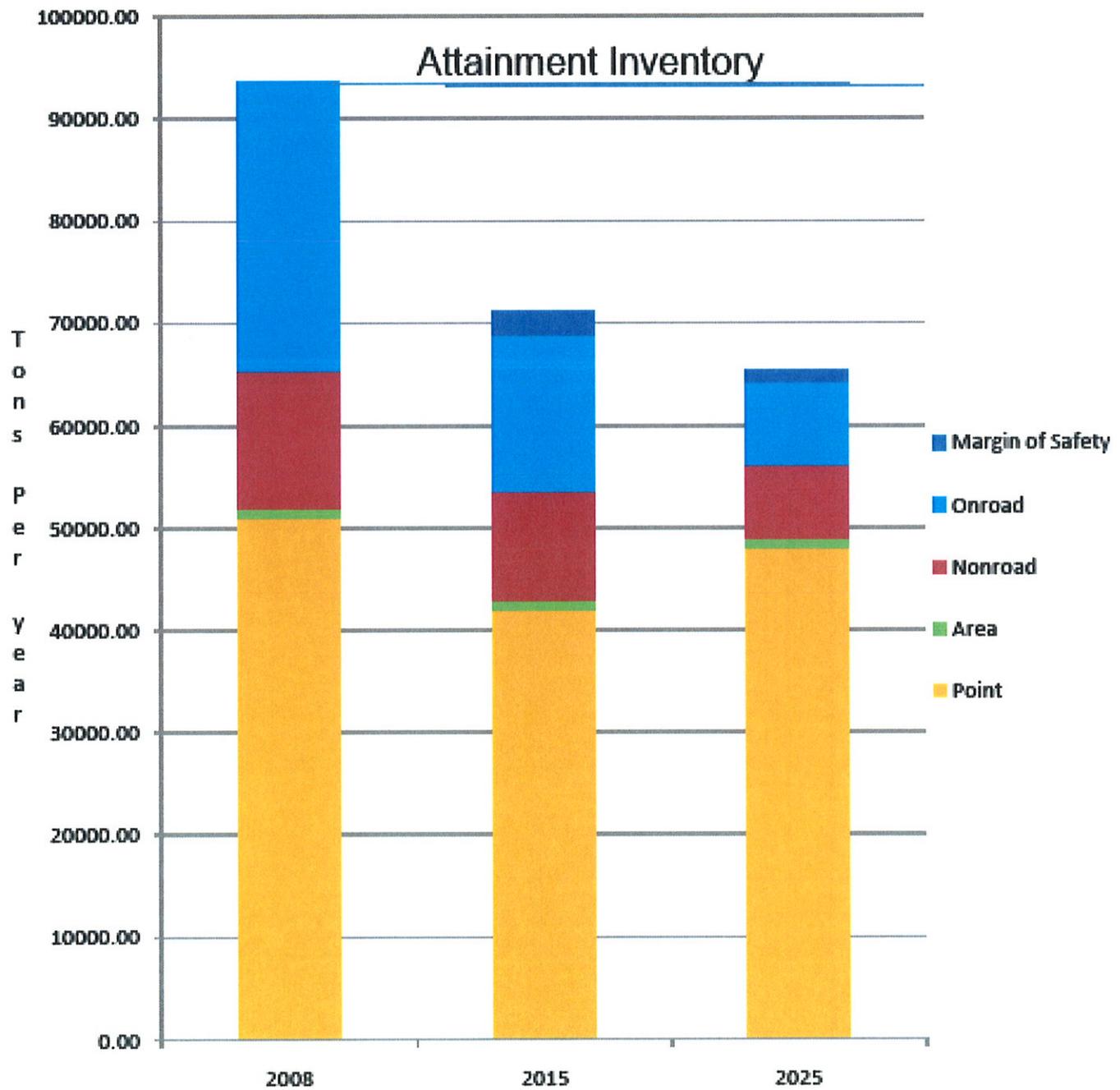
Sincerely,



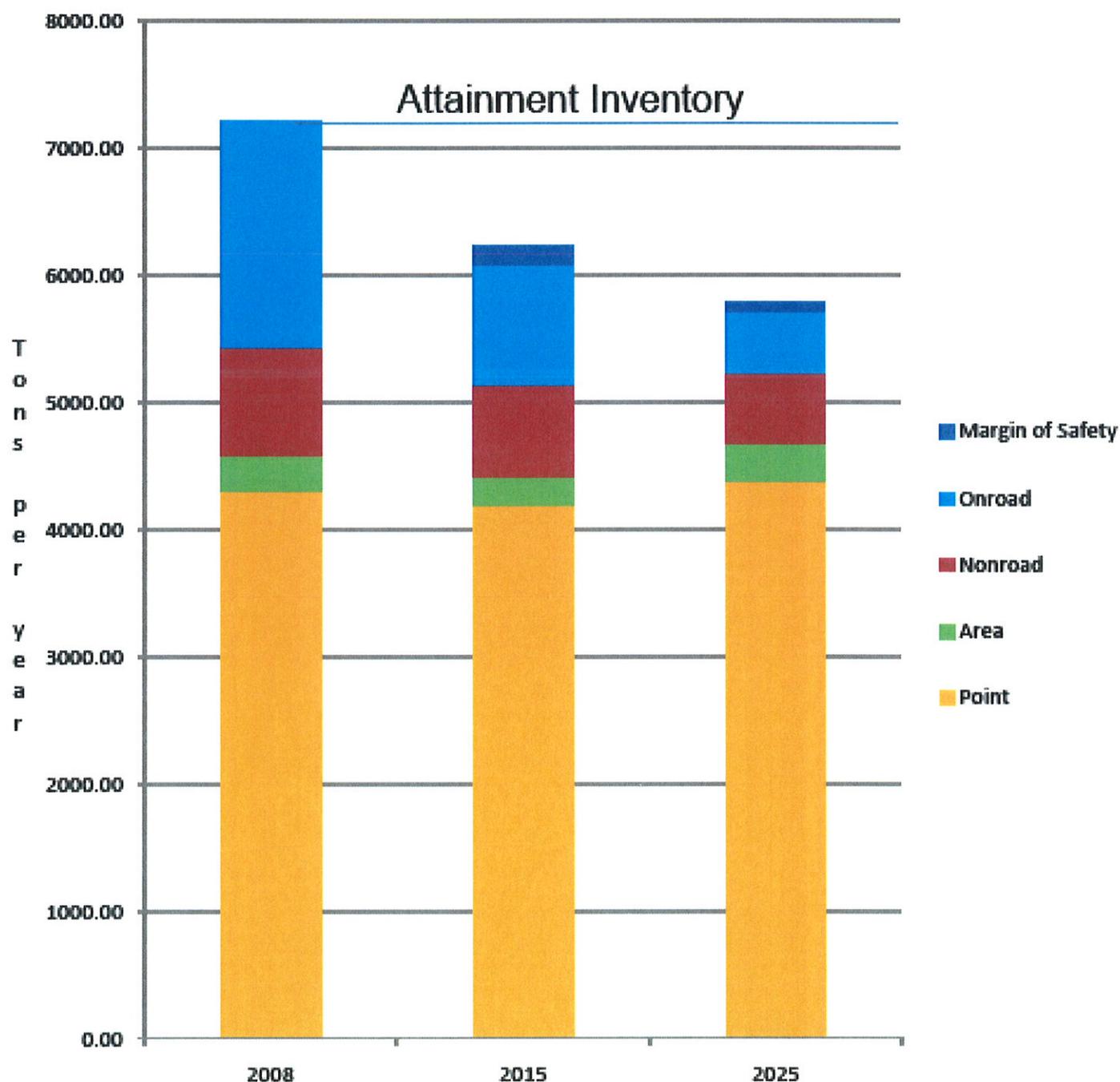
Larry D. Chaney  
MPO Director

LDC/RS  
Attachments

# NOx Emission Projections by Source Type



# PM 2.5 Emission Projections by Source Type



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
DRAFT REDESIGNATION PETITION AND MAINTENANCE PLAN

COPY

DATE: May 26, 2011

TIME: 5:30 P.M.

PLACE: Jeffersonville Township Public Library  
1312 Eastern Boulevard  
Program Room  
Clarksville, IN 47129

PRESENT: Christine E. Pedersen, Hearing Officer  
Gale Ferris, Hearing Officer

Sharon Shields, Reporter

---

**Sharon Shields**  
**S.A.S. Reporting Service**  
3650 N. Old SR 62, Madison, IN 47250  
Business: (812) 265-2994  
Fax (812) 273-5220

1                   A public hearing of the Department of  
2 Environment Management Redesignation Petition and  
3 Maintenance Plan in association with the Annual Fine  
4 Particle (PM<sub>2.5</sub>) Standard for the Jefferson County, Madison  
5 Township and Clark and Floyd Counties, Indiana was held in  
6 the Program Room, at the Jeffersonville Township Public  
7 Library, 1312 Eastern Boulevard, Clarksville, IN at 5:30  
8 P.M. on May 26, 2011.

9  
10                   **OPENING STATEMENT BY MS. CHRISTINE E. PEDERSEN:**

11                   This is a public hearing to accept comments  
12 concerning the Draft Redesignation and Maintenance Plan  
13 under the annual National Ambient Air Quality Standard or  
14 (NAAQS) for fine particles for the Indiana portion of the  
15 Louisville KY-IN Nonattainment Area for Fine Particles,  
16 including Madison Township in Jefferson County and Clark and  
17 Floyd counties in Indiana. This hearing is being held to  
18 conform to the provisions in 40 CFR Part 51 regarding public  
19 hearings for State Implementation Plan or (SIP) submittals.

20  
21                   My name is Christine Pedersen. I am Section  
22 Chief of the Rule and State Implementation Plan Development  
23 Section of the Indiana Department of Environmental  
24 Management's or (IDEM's) Office of Air Quality. I have been  
25 appointed to act as hearing officer for this public hearing.

1 Also here with me from the Office of Air Quality is Gale  
2 Ferris.

3  
4 Notice of the time and place of the hearing  
5 was given as provided by law by publication in the following  
6 newspapers:

- 7 1. The Indianapolis Star, Indianapolis, Indiana
- 8 2. The New Albany Tribune, New Albany, Indiana
- 9 3. The Evening News, Jeffersonville, Indiana
- 10 4. The Madison Courier, Madison, Indiana

11  
12 The purpose of this public hearing is to  
13 provide interested persons an opportunity to offer comments  
14 to the state regarding the draft Redesignation and  
15 Maintenance Plan under the annual NAAQS for fine particles  
16 for Madison Township in Jefferson County, and Clark and  
17 Floyd counties in Indiana.

18  
19 Appearance cards have been distributed in the  
20 hearing room for all those desiring to be shown appearing on  
21 record in this cause. If you wish to speak and have not  
22 already filled out a card, please do so and indicate if you  
23 are appearing for yourself or on behalf of a group or  
24 organization and identify the group or organization. Also  
25 note the capacity in which you appear, such as attorney,

1 officer or authorized spokesperson.  
2

3 Any person who is heard or represented at this  
4 hearing or who requests notice may be given written notice  
5 of the final action taken on the SIP submittal. Please  
6 indicate on the appearance card if you wish to receive this  
7 notification. When appearance cards have been completed,  
8 they should be handed to Gale or I and we will include them  
9 with the official record of this proceeding.  
10

11 Oral statements will be heard, but written  
12 statements may also be handed to me. These statements can  
13 also be mailed to the Office of Air Quality on or before  
14 close of business on May 29, 2011. A written transcript of  
15 this hearing is being made. The transcript will be open for  
16 public inspection and a copy of the transcript will be made  
17 available to any person upon payment of the copying cost.  
18

19 After the conclusion of this public hearing, I  
20 will prepare a written report summarizing the comments  
21 received at this hearing and recommending changes which may  
22 need to be made to this document.  
23

24 I would like to introduce the following  
25 documents into the record:

- 1           1)       The notice of public hearing.
- 2           2)       And the Draft Request for Redesignation and
- 3                   Maintenance Plan under the annual NAAQS for
- 4                   Fine Particles for the Indiana portion of the
- 5                   Louisville KY-IN Nonattainment Area for Fine
- 6                   Particles, including Madison Township in
- 7                   Jefferson County, and Clark and Floyd counties
- 8                   in Indiana.

9

10                   Finally, I would like to briefly go over the

11                   contents of the draft document.

12

13                   In 1997, the United States Environmental

14                   Protection Agency (U.S. EPA) set daily and annual ambient

15                   air quality standards for fine particles at 15.0 micrograms

16                   per cubic meter on an annual basis and at 65.0 micrograms

17                   per cubic meter on a 24-hour or daily basis. Legal

18                   challenges to the new standards for fine particles resulted

19                   in delayed implementation of the standard until February of

20                   2001, when the Supreme Court upheld the standard and ruled

21                   that the U.S. EPA could proceed with implementation of the

22                   new standards. This submittal pertains solely to the 1997

23                   annual standard for fine particles. The Louisville area is

24                   in compliance with both the 1997 and 2006 24-hour fine

25                   particle standards. Indiana began monitoring for fine

1 particles in 1999. In December 2004, U.S. EPA originally  
2 designated counties under the fine particle standards based  
3 on 2001 through 2003 monitoring data. U.S. EPA formally  
4 designated areas throughout the country as attainment,  
5 nonattainment, or unclassifiable, including Madison Township  
6 in Jefferson County, and Clark and Floyd counties in Indiana  
7 as part of the Louisville KY-IN Nonattainment Area for Fine  
8 Particles. In addition to these Indiana counties, the  
9 nonattainment area includes Bullitt and Jefferson counties  
10 in Kentucky.

11  
12 The agencies responsible for assuring the  
13 nonattainment area complies with the Clean Air Act  
14 requirements are:

- 15
- 16 • The Louisville Metro Air Pollution Control District,  
17 which is responsible for Jefferson County, Kentucky.
  - 18 • The Kentucky Department for Environmental Protection,  
19 which is responsible for Bullitt County, Kentucky.
  - 20 • The Indiana Department of Environmental Management,  
21 which is responsible for Madison Township in  
22 Jefferson County and Clark and Floyd counties in  
23 Indiana.

24  
25 Indiana and Kentucky have worked cooperatively

1 with U.S. EPA Regions IV and V to address planning issues.

2  
3 The Indiana portion of the nonattainment area  
4 has been in compliance with the annual standard for fine  
5 particles since the end of 2008 with values that are now  
6 well below the standard. Furthermore, photochemical  
7 modeling conducted by the State of Indiana, the Midwest  
8 Regional Planning Organization, and U.S. EPA demonstrates  
9 that beginning in 2011, this area will benefit greatly from  
10 the implementation of U.S. EPA's proposed Clean Air  
11 Transport Rule, with projected design values well below the  
12 standard, and providing for an ample margin of safety.  
13 These modeling results are considered to be conservative  
14 since they do not include emission reductions that will  
15 occur as a result of several federal control programs  
16 including substantial off-road diesel fuel and engine  
17 reductions.

18  
19 Although Indiana and Kentucky have worked  
20 together to ensure the use of consistent information, each  
21 state is required to make a separate submittal for its  
22 portion of the planning components to U.S. EPA. As such,  
23 this submittal only covers Indiana's portion of the  
24 nonattainment area, including Madison Township in Jefferson  
25 County and Clark and Floyd counties in Indiana.

1                   The highest most recent design value for the  
2 area, based on 2008 through 2010 quality-assured ambient  
3 air quality monitoring data is 14.1 micrograms per cubic  
4 meter. This design value represents fine particle  
5 concentrations that are below the national ambient air  
6 quality standards, therefore, the area is eligible to be  
7 redesignated to attainment under the annual standard for  
8 fine particles and classified as maintenance.

9  
10                   IDEM has prepared the draft Redesignation and  
11 Maintenance Plan for Indiana's portion of the Louisville  
12 KY-IN Fine Particle Nonattainment Area consistent with  
13 U.S. EPA guidance. The draft redesignation plan outlines a  
14 demonstration that the area has attained the standard  
15 based on monitored concentrations, and that the reductions  
16 in monitored concentrations are attributable to permanent  
17 and enforceable reductions in precursor emissions,  
18 specifically, reductions of nitrogen oxides or (NO<sub>2</sub>) and  
19 sulfur dioxide or (SO<sub>2</sub>). Furthermore, the draft maintenance  
20 plan outlines the following information.

- 21
- 22       • Regional precursor emissions of NO<sub>2</sub> and SO<sub>2</sub> will
  - 23       continue to decline in the future.
  - 24       • Due to existing and future emission controls, the
  - 25       area's air quality is not projected to worsen, and

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should further improve over time.

- A commitment for all existing emission controls to remain in place.
- A commitment to revise the plan within eight years of redesignation.
- A commitment to adopt and expeditiously implement necessary corrective actions if an action level response is triggered.
- A mobile source budget for transportation conformity purposes.

This concludes my comments regarding the draft Redesignation and Maintenance Plan under the annual NAAQS for fine particles for the Indiana portion of the Louisville KY-IN Nonattainment Area for Fine Particles. Before opening this hearing for public comments, may I once again remind you that this hearing pertains only to this draft Redesignation and Maintenance Plan for the annual NAAQS for fine particles standard for Indiana's portion of the Louisville KY-IN Nonattainment Area for Fine Particles, and only comments pertaining to this matter will be considered as part of the public record.

Gale and I will be available following this hearing to address any questions you may have that do not

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pertain to this specific matter.

This hearing is now open for public comment.  
Are there any public comments?

In the absence of any further comments, these  
proceeds are concluded. This hearing is adjourned.

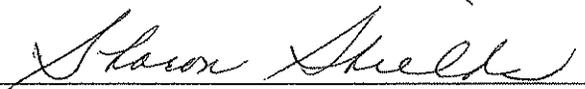
C E R T I F I C A T E

STATE OF INDIANA )  
 ) SS:  
COUNTY OF JEFFERSON )

I, Sharon Shields, do hereby certify that I am a Notary Public in and for the County of Jefferson, State of Indiana, duly authorized and qualified to administer oaths; That the foregoing public hearing was taken by me in shorthand and on a tape recorder on May 26, 2011 in the Program Room at the Jeffersonville Township Public Library, 1312 Eastern Boulevard, Clarksville, IN; That this public hearing was taken on behalf of the Indiana Department of Environmental Management pursuant to agreement for taking at this time and place; That the testimony of the witnesses was reduced to typewriting by me and contains a complete and accurate transcript of the said testimony.

I further certify that pursuant to stipulation by and between the respective parties, this testimony has been transcribed and submitted to the Indiana Department of Environmental Management.

WITNESS my hand and notarial seal this 6th day of June, 2011.

  
Sharon Shields, Notary Public  
Jefferson County, State of Indiana

My Commission Expires: July 2, 2015