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EPA AGREES TO ISSUE DECISION ON KENTUCKY AIR POLLUTION PLANS
Kentucky group argues the plans are not currently protective of public health

The Environmental Protection Agency (EPA) agreed on Friday, January 14, to take action on Kentucky plans to implement air quality regulations that a Kentucky group says doesn't go far enough to protect public health. The Kentucky Environmental Foundation (KEF) brought about the suit because EPA had failed to approve Kentucky State Implementation Plans for ozone and Regional Haze as required by the Clean Air Act.

"Hundreds of Kentuckians become ill from asthma, COPD and heart disease or die prematurely each year because of air pollution from power plants and other high-emission facilities," said Deborah Payne, MPH, KEF's Energy and Health Coordinator. "That is why it is so important that the EPA act promptly on air quality maintenance and implementation plans. Without an approved plan there are no assurances to improve Kentucky's air quality."

One of the group's concerns is the impact on Kentucky from new proposed air pollution sources, such as the Cash Creek and New Gas coal plants. KEF is concerned that the Maintenance Plan submitted to EPA by the Kentucky Division of Air Quality downplayed the concentrations of ozone (commonly known as smog) in the air in Lexington, Ashland and in Edmonson County, where, if current pollution levels are not maintained or lowered, the law should mandate implementation of a suite of air clean-up actions. Under the consent decree, the EPA agreed to approve or disapprove the Maintenance Plan by April 15, 2011.

Regional Haze plans are implemented specifically to preserve air quality around environmentally significant areas such as national parks and wilderness areas. The goal of the haze plan is to protect visibility in these areas. KEF is concerned that the proposed coal plants in Kentucky, if operational, will negatively impact visibility in such areas. EPA will now approve or disapprove Kentucky's Haze plan by March 15, 2012.

"The Clean Air Act was passed by Congress 40 years ago because we recognized then that our air quality was in trouble, and we're still struggling to meet those basic standards," said KEF Director Elizabeth Crowe, "In cases like this, where Kentucky doesn't seem serious about ensuring air quality standards, we need the federal EPA to make a decision that will serve the well-being of Kentucky citizens."

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Copies of the legal filings are available from KEF up on request at (859) 986-0868.