

RESOLUTION NO. \_\_\_\_\_, SERIES 2017

**A RESOLUTION URGING THE AIR POLLUTION CONTROL DISTRICT (“APCD”) TO DENY AMERICAN SYNTHETIC RUBBER COMPANY’S REVISED REQUEST FOR MODIFICATION OF CERTAIN STRATEGIC TOXIC AIR REDUCTION (“STAR”) PROGRAM GOALS AND REQUESTING APCD TO IMPLEMENT THE MOST STRINGENT TOXIC BEST AVAILABLE TECHNOLOGY AND MARGIN OF SAFETY TESTS TO PROTECT THE HEALTH AND SAFETY OF THE COMMUNITY.**

**SPONSORED BY: COUNCIL MEMBERS GREEN, WOOLRIDGE, BRYANT HAMILTON, HOLLANDER, BLACKWELL, SHANKLIN, AUBREY WELCH, JAMES, SEXTON SMITH, COAN, ACKERSON, FLOOD, FOWLER**

**WHEREAS**, the Legislative Council of the Louisville/Jefferson County Metro Government (the “Metro Council”) supports the 2005 Strategic Toxic Air Reduction goals for fugitive emissions including known cancer causing emissions of 1,3-butadiene;

**WHEREAS**, APCD issued a Notice of Violation to American Synthetic Rubber Company (“ASRC”) in September 2015, which required ASRC to re-evaluate its emissions, and, in response to the notice of violation, ASRC submitted a request for modification;

**WHEREAS**, APCD has not made a decision on ASRC’s request for modification stemming from the 2015 Notice of Violation;

**WHEREAS**, ASRC’s request for modification would increase the environmental acceptability goal from the adopted STAR goal of 1 part per million for two single processes, the flare and fugitive emissions, to 1.93 and 4.12 per million, respectively;

**WHEREAS**, ASRC’s request for STAR program modification allows ASRC to include financial implications on utilizing the best available technology (“TBAT”);

**WHEREAS**, the community and various groups, including the American Lung Association, the Institute for Healthy Air, Water and Soil, the West Jefferson County

Community Task Force, the Rubbertown Emergency Action and the Kentucky Resources Council, have voiced opposition to ASRC's request for modification;

**WHEREAS**, the Metro Council vehemently disagrees with an environmental policy that prioritizes profits over the health and safety of its citizens of Louisville Metro; and

**WHEREAS**, Louisville Metro has made significant strides in reducing air pollution over the last 50 years by prohibiting garbage incinerators, implementing construction policies, and reducing vehicle and industrial emissions.

**NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:**

**SECTION I:** The Metro Council, by this Resolution, urges APCD to act in the best interests of the health and safety of the citizens of Louisville Metro and deny ASRC's request for modification.

**SECTION II:** The Metro Council urges APCD to require the most stringent TBAT and margin of safety tests to ensure that the health and safety of Louisville Metro's citizens continue to be the top priority of APCD.

**SECTION III:** This Resolution shall take effect upon its passage and approval.

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H. Stephen Ott  
Metro Council Clerk

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David Yates  
President of the Council

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Greg Fischer  
Mayor

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Approved Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: \_\_\_\_\_

Resolution Requesting APCD to Deny American Synthetic Rubber Company's Modification Request.docx

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