



Louisville Metro Government

Legislation Details (With Text)

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On agenda: 8/24/2017 **Final action:** 8/24/2017

Title: 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.

Sponsors: Jessica Green (D-1), Mary C. Woolridge (D-3), Cheri Bryant Hamilton (D-5), Bill Hollander (D-9), Barbara Shanklin (D-2), Rick Blackwell (D-12), Vicki Aubrey Welch (D-13), David James (D-6), Barbara Sexton Smith (D-4), Brandon Coan (D-8), Brent Ackerson (D-26), Madonna Flood (D-24), Cindi Fowler (D-14), Dan Johnson (D-21), David Yates (D-25)

Indexes:

Code sections:

Attachments: 1. R-109-17 V.1 081017 APCD Deny American Synthetic Rubber Co.pdf, 2. RES 082 2017.pdf

Date	Ver.	Action By	Action	Result
8/24/2017	1	Metro Council	adopted	Pass
8/15/2017	1	Public Works, Parks, Sustainability and Transportation Committee	recommended for approval	Pass
8/10/2017	1	Metro Council	assigned	

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, JOHNSON AND YATES

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.

H. Stephen Ott
Metro Council Clerk

David Yates
President of the Council

Greg Fischer
Mayor

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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