

GREENEBAUM DOLL & McDONALD PLLC

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February 10, 2005

VIA FACSIMILE AND FIRST CLASS MAIL

Jonathan Trout
Louisville Metro Air Pollution Control District
850 Barret Avenue
Louisville, Kentucky 40204-1745

Re: Request for Extension of Comment Period –
Proposed STAR Regulatory Package

Dear Mr. Trout:

On behalf of the Louisville Chemistry Partnership, Inc. (“LCP”), I am submitting this request for an extension of the current 30-day public comment period on the Strategic Toxic Air Reduction (“STAR”) regulatory package as officially proposed for comment on January 12, 2005. The current comment period will expire on February 14, 2005.

As the District and the Board have recognized, this is a major new regulatory program. Although there were informal drafts circulated previously among the community, the District has stated that prior informal comments cannot be considered in the formal comment period. Therefore, it is necessary to prepare comprehensive comments for submittal. There have been changes from the informal draft of the STAR package which must also be considered in developing comments. Finally, the Regulatory Impact Analysis was first made available with the official proposal in January and had not been shared previously with the community. Although the LCP has been working diligently to review and evaluate the regulatory package and to prepare comments, a meaningful review and development of comments is not possible in 30 days. Accordingly, we request that the Board extend the comment period by an additional 30 to 60 days. We believe that an extension of the comment period to allow all interested parties a sufficient time to review and comment on the regulations will ultimately produce a more workable and environmentally beneficial regulatory program.

The LCP strongly believes that these and many other reasons warrant an extension of the formal comment period. According to KRS § 77.185, the District must provide the public with “a fair and reasonable opportunity” to review and comment on the proposed regulations. An extension of the comment period will allow the Board to fulfill this statutory obligation.

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If you have any questions regarding this request, please contact me. I am submitting this request to you in your capacity at the District and as Secretary to the Board. If this request should be directed to someone else, please advise me as soon as possible.

Sincerely yours,



Carolyn M. Brown
Counsel for Louisville Chemistry Partnership, Inc.

CMB/cab

cc: Dr. Karen A. Cassidy
Art Williams

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