

1 A JOINT RESOLUTION directing the Energy and Environment Cabinet to adopt
2 revisions to the state air quality implementation plan to remove the reformulated gas
3 requirement for Jefferson County and applicable parts of Oldham and Bullitt Counties.

4 WHEREAS, pursuant to the federal Clean Air Act (Act) as amended, 42 U.S.C.
5 secs. 7401 et seq., the Commonwealth of Kentucky is required to prepare and submit to
6 the Environmental Protection Agency (EPA) a state implementation plan and revisions to
7 such plan as appropriate to attain and maintain the National Ambient Air Quality
8 Standards (NAAQS) and protect human health; and

9 WHEREAS, pursuant to KRS Chapter 224, the Energy and Environment Cabinet
10 (cabinet) is designated as the air pollution control agency of this Commonwealth for all
11 purposes of the Act; and

12 WHEREAS, pursuant to KRS Chapter 77, the Louisville Metro Air Pollution
13 Control District (district) is authorized to control air pollution in Jefferson County; and

14 WHEREAS, the Kentucky Air Pollution Control Commission granted concurrent
15 jurisdiction to the district on January 26, 1971; and

16 WHEREAS, the intent of the cabinet and the district is to operate an effective air
17 pollution control program in Jefferson County as authorized under KRS Chapters 77 and
18 224 through joint implementation of necessary control strategies; and

19 WHEREAS, Governor Brereton Jones, through a letter dated September 29, 1993,
20 opted into the federal reformulated gasoline requirements effective January 1, 1995; and

21 WHEREAS, the EPA mandated improved quality in conventional gasoline
22 beginning in 2011; and

23 WHEREAS, consequently, the environmental benefits of reformulated gasoline
24 compared to conventional gasoline no longer provide as significant of an environmental
25 benefit as in the past; and

26 WHEREAS, in June, 2022, reformulated gas was estimated to be 45 cents more
27 expensive than conventional gas; and

1 WHEREAS, the national average price of gasoline is currently at a historic level of
2 \$3.47 per gallon, a figure essentially unchanged from last year that seemingly represents
3 the new normal;

4 NOW, THEREFORE,

5 ***Be it resolved by the General Assembly of the Commonwealth of Kentucky:***

6 ➔Section 1. Pursuant to 42 U.S.C. sec. 7410(l), the Energy and Environment
7 Cabinet is directed to, after reasonable notice and public hearing, adopt revisions to the
8 applicable state implementation plan to:

9 (1) Remove the reformulated gas requirement for Jefferson County and the parts of
10 Oldham and Bullitt Counties to which the reformulated gas requirement applies;

11 (2) Implement air pollution control strategies necessary to achieve equivalent, or
12 greater, emission reductions than those achieved by reformulated gasoline requirements
13 in those areas to which the reformulated gas requirements applied; and

14 (3) Make any other changes necessary to demonstrate that reasonable further
15 progress in attaining the applicable national ambient air quality standards for the area will
16 not be impeded by removal of the reformulated gas requirement.

17 ➔Section 2. Not later than October 31, 2023, the Energy and Environment
18 Cabinet shall report to the Interim Joint Committee on Natural Resources and Energy on
19 the status of revisions to the state implementation plan identified under Section 1 of this
20 Resolution.

21 ➔Section 3. The Clerk of the House of Representatives is directed to transmit a
22 copy of this Resolution to Secretary Rebecca Goodman, Energy and Environment
23 Cabinet, 300 Sower Boulevard, Frankfort, Kentucky 40601.