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TESTIMONY OF SEAN ALTERI

ON "H.R. 806, OZONE STANDARDS IMPLEMENTATION ACT OF 2017"

BEFORE THE

UNITED STATES HOUSE OF REPRESENTATIVES

ENERGY AND COMMERCE SUBCOMMITTEE ON ENVIRONMENT

MARCH 22, 2016

Good morning, Chair Shimkus, Ranking Member Tonko, and members of the Subcommittee. My name is Sean Alteri and I currently serve as the Director of the Kentucky Division for Air Quality. I am honored to testify today and thank you for this opportunity to share information about the Commonwealth of Kentucky.

In addition to my work with the Kentucky Division for Air Quality, I also currently serve as the President for the Association of Air Pollution Control Agencies. Our association is a national, non-partisan, consensus-driven organization focused on improving air quality. The Association represents more than 40 state and local air agencies, and senior officials from 20 state environmental agencies currently sit on AAPCA's Board of Directors.

Regarding today's hearing, I appreciate the thoughtfulness and consideration that has went into the drafting of H.R. 806. The Bill's intent, "[T]o facilitate efficient State implementation of ground-level ozone standards..." is a welcome opportunity for state and local air quality regulators. H.R. 806 is supported by leaders of air pollution control agencies. The

strategic approach to modernizing the Clean Air Act is necessary and appropriate. There are three elements of the bill that deserve emphasis:

- The proposed amendments establish a more reasonable time interval for area designations of revised NAAQS and provides EPA and state air pollution control officials with sufficient time to meet its respective statutory obligations.
- Additionally, H.R. 806 requires the study and report of international pollution and its impacts on our air quality.
- Finally, H.R. 806 will also obligate EPA and NOAA to conduct a study to determine regional background, naturally-occurring concentrations of volatile organic compounds and nitrogen oxides from vegetation. These studies will provide the necessary information for state and local air pollution control officials to develop cost-effective air pollution control strategies.

With respect to the periodic review of criteria pollutants, H.R. 806 modernizes the statutory clock to reflect the significant improvements that have been made in air quality. Section 3 of H.R. 806 provides for a more practical and attainable 10 year interval for the review and potential revision of air quality standards. Moving forward, this time period will be essential to achieve the most difficult and expensive remaining increments of air quality improvement.

In fact, the timeframes and process detailed in H.R. 806 are consistent with those that EPA has most recently employed to designate areas with respect to the 2010 sulfur dioxide national ambient air quality standard (NAAQS). Although the sulfur dioxide NAAQS was revised in 2010, the court order resulting from the consent decree negotiated between EPA and third party interest groups sets the schedule for EPA to complete all area designations by December 31, 2020. Given the court's decision, the 10 year interval for designation timeframe

expressed in H.R. 806 is consistent with EPA's approach to the 2010 SO₂ NAAQS designation process.

As the Director of the Division for Air Quality, I am responsible for carrying out the Clean Air Act congressional declaration of purpose, "To insure that economic growth will occur in a manner consistent with the preservation of clean air resources."

In Kentucky, we have a strong manufacturing economy that is robust and growing. Many of the products that are manufactured in Kentucky are essential to our national security and economy. For example, Kentucky produces military-grade aluminum and steel to protect our soldiers and to provide them with the resources to carry out their missions. We are a world leader in the aerospace industry and are currently the 3rd largest automobile manufacturer in the United States. We are home to Toyota, Ford, and General Motors.

We melt, cast, and mold more than 50% of the aluminum produced in the US and more than 35% of the nation's stainless steel. Currently, two of the four remaining primary aluminum facilities in the US operate in the Commonwealth of Kentucky. And, not to be forgotten, 95% of the world's bourbon is distilled in Kentucky. Simply put, Kentucky makes things that enables other states in the nation to grow their economies and improve their quality of life.

In closing, state and local permitting authorities must be provided with regulatory certainty throughout the permitting process of new, modified, and reconstructed stationary sources. The regulatory certainty is necessary to carry out our statutory obligations, which includes providing for economic growth. The reasonable amendments proposed in H.R. 806 will further enable all of our states to continue to grow our economy, enhance our quality of life, and improve our air quality. Again, thank you for the opportunity to comment on H.R. 806 and I look forward to any questions you may have regarding my testimony.



