

AGREED BOARD ORDER NO. 07-06

LOUISVILLE METRO AIR POLLUTION CONTROL BOARD

Incident No. 04205

This order is issued by the Louisville Metro Air Pollution Control Board pursuant to Kentucky Revised Statutes Chapter 77, Air Pollution Control. This Agreement is made by and between the Board and The Courier-Journal and Louisville Times, a division of Gannett Kentucky Limited Partnership.

COMPANY: The Courier-Journal and Louisville Times, a division of Gannett Kentucky L. P.
525 West Broadway
Louisville, Kentucky 40202

REGULATIONS INVOLVED: 2.03 - Permit Requirements: Non-Title V Construction and Operating Permits and Demolition/Renovation Permits

NOTICE OF VIOLATION LETTER: 01796, dated August 28, 2006

BACKGROUND AND DISCUSSION:

The Louisville Metro Air Pollution Control District issued construction permit no. 308-03-C to the Company on October 30, 2004 and operating permit 375-05-O on October 30, 2005 for three K&B Colora lithographic non-heatset web printing presses (the Presses). Both permits contain interim Best Available Control Technology (BACT) requirements that limit the volatile organic compound (VOC) content of the inks and other raw materials used for the Presses, and require the Company to continue to test inks and press cleaners until all inks and press cleaners contain no more than 3% VOC content by weight.

In its semi-annual reports to the District, the Company has reported the following violations of its permits:

1. From November 2004 to May 2005, the Company used inks whose VOC content exceeded the permit limits.
2. From November 2004 through September 2006, the Company used a blanket wash whose VOC content exceeded the permit limit.
3. The Company began using a plate cleaner in the first half of 2005 that was not authorized under its permit.

The Company has taken the following measures to come into compliance with its permit:

1. As of the date of this Agreed Board Order, all inks used by the Company in its presses contain no more than 3% VOC by weight.

2. The Company began testing new blanket washes in October of 2006, and currently uses a blanket wash that contains .3 lbs./gallon of VOC.

3. The Company has submitted a permit application for the new plate cleaner.

NOW THEREFORE, BE IT ORDERED THAT:

1. The Company has paid \$22,500 to the Louisville Metro Air Pollution Control District.

2. The Company has reviewed this Order and consents to all its requirements and terms. Further, the Company agrees to pay the cost of publishing legal notice of the public hearing.

3. In the event that it is necessary for the District to seek a court order to enforce this Order, the Company agrees to pay filing fees and costs of such action.

4. Neither this Order nor the actions taken hereunder shall constitute an admission by Company of any wrongdoing regarding any of the matters referenced in the Order.

Dated this ____ day of _____, 2007.

Louisville Metro Air Pollution Control Board

The Courier-Journal and Louisville Times, a division of Gannet Kentucky L.P.

By: _____
Karen A. Cassidy, Chair

By: _____

Louisville Metro Air Pollution Control District

Nixon Peabody LLP

By: _____
Jesse Goldsmith P.E.
Air Pollution Control Officer

By: _____
Scott M. Turner
Counsel to Gannet Kentucky L.P.

Approved as to form and legality:

By: _____
Lauren Anderson
Assistant County Attorney