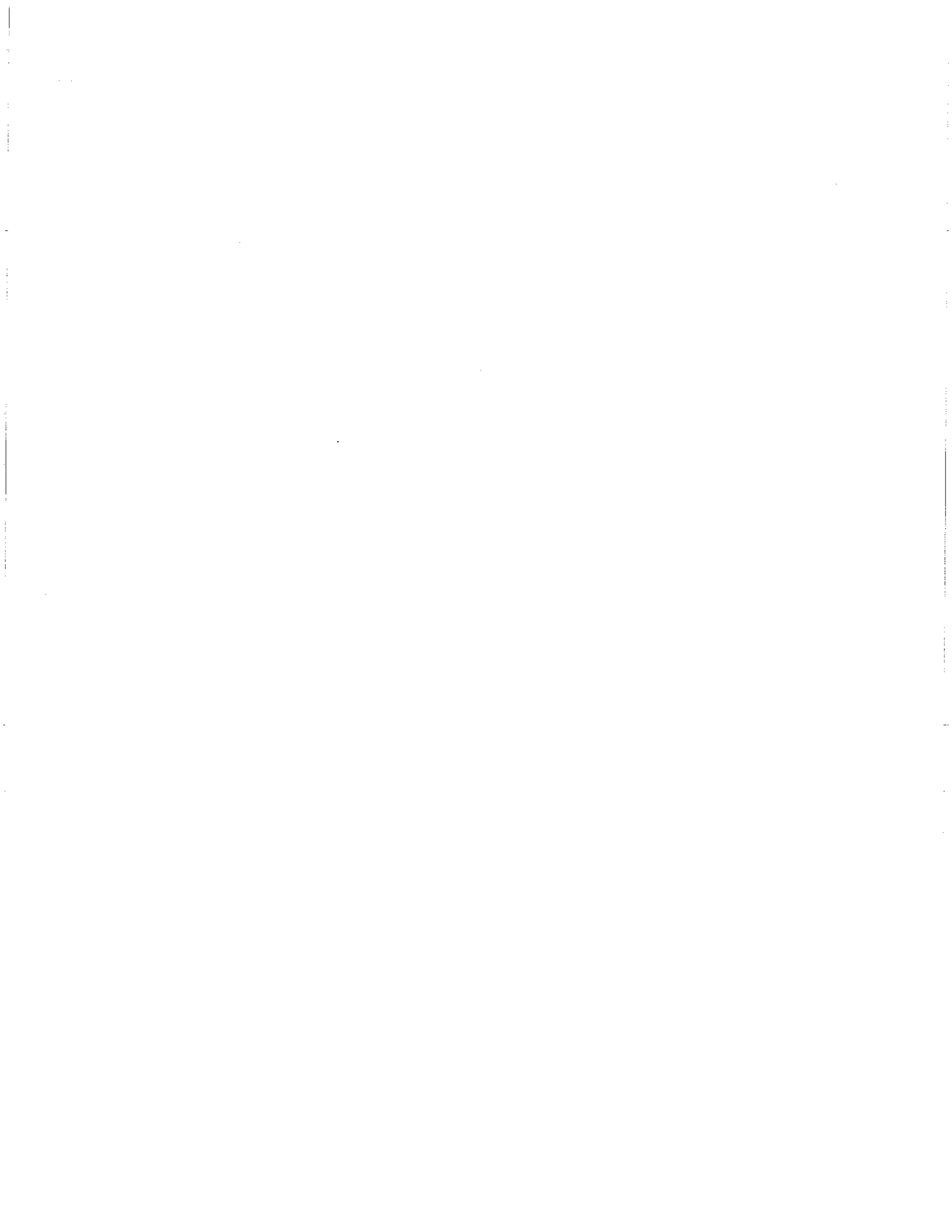


EXHIBIT

1



**CUMBERLAND
VALLEY
DISTRICT**

INDOOR AIR QUALITY STUDY

2011



CUMBERLAND VALLEY DISTRICT HEALTH DEPARTMENT

INDOOR AIR QUALITY STUDY

Average fine particle air pollution

Average PM 2.5

Venue	Georgetown Pre-law Post-law	Lexington Pre-law Post-law	Bell Pre-law	Clay Pre-law	Harlan Pre-law	Jackson Pre-law	Rockcastle Pre-law	Outdoor Standard
	86 20	199 18	43	76	85	80	147	35
A			19	139	17	10	185	35
B			25	59	39	12	141	35
C			24	91	42	5	252	35
D			20	33	31	4	5	35
E			39	18	100	7	421	35
F			17	15	73	116	52	35
G			25	38	69	448	329	35
H			54	50	39	36	38	35
I			144	95	398	90	23	35
J			64	221	44	74	20	35



Indoor Air Quality in Clay County, Kentucky Public Venues, 2011

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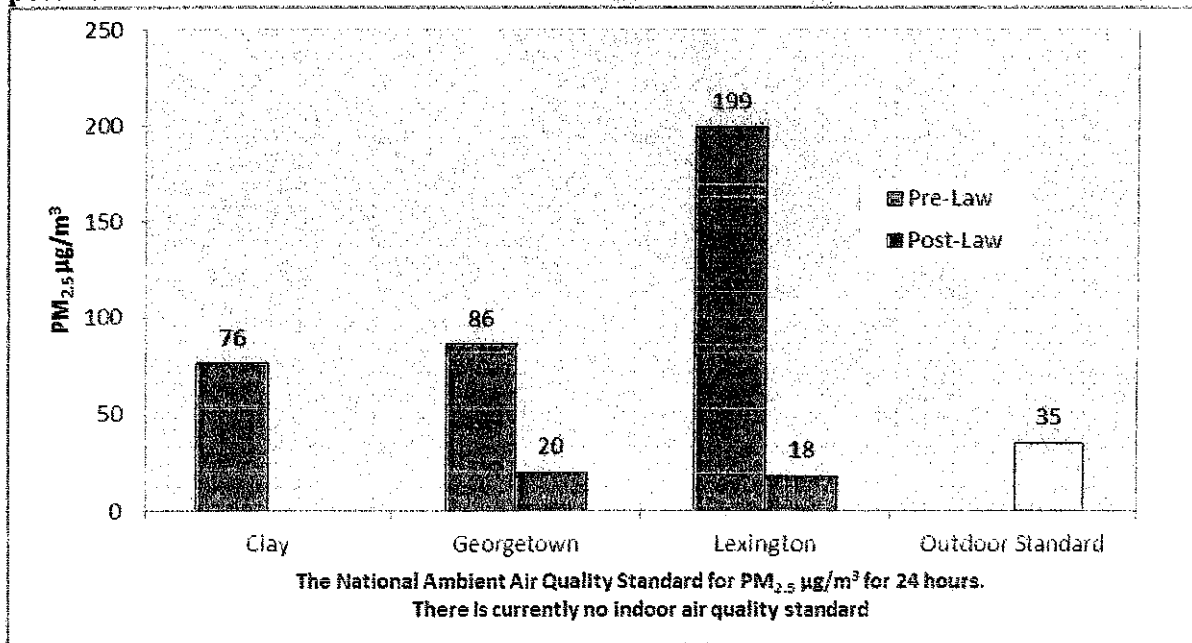
Executive Summary

Indoor air quality was assessed in 10 public venues in Clay County, Kentucky. Fine particulates were measured from June 1 to June 24, 2011, using the TSI SidePak AM510 Personal Aerosol Monitor. The average $PM_{2.5}$ level from the 10 locations was compared to the average $PM_{2.5}$ levels in Georgetown and Lexington, Kentucky before and after implementation of their smoke-free laws, as well as the outdoor National Ambient Air Quality Standard (NAAQS; $35\mu\text{g}/\text{m}^3$) for 24 hours.

Key findings of the study are:

- The level of indoor air pollution in public venues measured in Clay County (average $PM_{2.5} = 76\mu\text{g}/\text{m}^3$) was approximately 3.8 times higher than Georgetown and 4.2 times higher than Lexington after implementation of their smoke-free laws (see Figure 1). Further, the level of indoor air pollution in Clay County's public venues was 2.2 times higher than the National Ambient Air Quality Standard for *outdoor* air.
- The 10 public venues had average $PM_{2.5}$ levels ranging from 15 to $221\mu\text{g}/\text{m}^3$ (see Figure 2). Air pollution in 7 of the 10 venues exceeded the National Ambient Air Quality Standard for *outdoor* air.

Figure 1. Average fine particle air pollution in three Kentucky communities, pre- and post-law



Introduction

Secondhand smoke (SHS) contains at least 250 chemicals that are known to be toxic.¹ There is no safe level of exposure to SHS.^{2,3} SHS damages the DNA, blood vessels, and lung tissue, causing cancer, heart, and lung disease.³ SHS exposure is the third leading cause of preventable death in the United States.² SHS is a mixture of the smoke from the burning end of tobacco products (sidestream smoke) and the smoke exhaled by smokers (mainstream smoke). An estimated 3,000 nonsmokers die from lung cancer and over 46,000 nonsmokers die from heart disease² every year in the U.S due to SHS exposure. It is estimated that 40.1% of nonsmokers in the United States have biological evidence of SHS exposure.⁴

Currently in the U.S., 21,868 local municipalities are covered by either local or state 100% smoke-free laws in workplaces and/or restaurants and/or bars.⁵ It is estimated that approximately 48% of the U.S. population is protected by clean indoor air regulations that cover virtually all indoor worksites including bars and restaurants. There are 3,315 local ordinances or regulations that restrict smoking to some extent in workplaces across the United States and Washington D.C.⁵ The extent of protection provided by these laws varies widely from community to community.

As of September 21, 2011, 30 Kentucky communities had implemented smoke-free laws or adopted smoke-free regulations. The most comprehensive ordinances/regulations, 100% smoke-free workplace *and* 100% smoke-free enclosed public place laws, have been implemented in 18 communities: Ashland, Bardstown, Bowling Green, Campbellsville, Clark County (Board of Health regulation), Danville, Elizabethtown, Georgetown, Glasgow, Hardin County (unincorporated areas), Lexington-Fayette County, London, Louisville, Madison County (Board of Health regulation), Morehead, Prestonsburg, Radcliff, and Woodford County (Board of Health regulation), Kentucky. The next most comprehensive ordinances, 100% smoke-free enclosed public place laws, have been implemented in three communities: Frankfort, Letcher County, and Paducah. Nine communities have enacted partial smoke-free laws, protecting workers and patrons in some public venues: Beattyville, Daviess County, Henderson, Hopkins County, Kenton County, Oak Grove, Oldham County, Paintsville, and Pikeville.

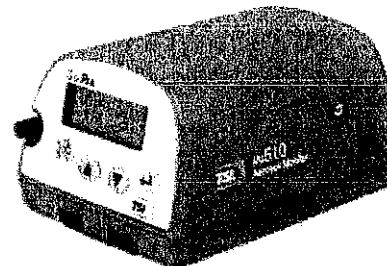
The purpose of this study was to (a) assess air quality in Clay County, Kentucky public venues; and (b) compare the results to Georgetown and Lexington, Kentucky air quality data before and after their smoke-free laws took effect.

Methods

Between June 1 and June 4, 2011, indoor air quality was assessed in 10 indoor public venues located in Clay County. Sites were of various sizes; some sites were individually owned establishments and some were part of local or national chains.

A TSI SidePak AM510 Personal Aerosol Monitor (TSI, Inc., St. Paul, MN) was used to sample and record the levels of respirable suspended particles in the air. The

TSI SidePak AM510 Personal Aerosol Monitor



SidePak uses a built-in sampling pump to draw air through the device and the particulate matter in the air scatters the light from a laser to assess the real-time concentration of particles smaller than $2.5\mu\text{m}$ in micrograms per cubic meter, or $\text{PM}_{2.5}$. The SidePak was calibrated against a light scattering instrument, which had been previously calibrated and used in similar studies. In addition, the SidePak was zero-calibrated prior to each use by attaching a HEPA filter according to the manufacturer's specifications.

The equipment was set to a one-minute log interval, which averages the previous 60 one-second measurements. For each venue, the first and last minute of logged data were removed because they are averaged with outdoor and entryway air. The remaining data points were summarized to provide an average $\text{PM}_{2.5}$ concentration within each venue. The Kentucky Center for Smoke-free Policy (KCSP) staff trained researchers from the Cumberland Valley District Health Department who did the sampling and sent the data to KCSP for analysis. Sampling was discreet in order not to disturb the occupants' normal behavior.

Statistical Analyses

Descriptive statistics including the venue volume, number of patrons, number of burning cigarettes, and smoker density (i.e., average number of burning cigarettes per 100 m^3) were reported for each venue and averaged for all venues.

Results

The public venues were visited Wednesday through Monday for an average of 48 minutes (range 45-56 minutes). Visits occurred at various times of the day from 8:30 AM to 7:20 PM. The average size of the Clay County venues was 400 m^3 (range $64\text{-}660\text{ m}^3$) and the average smoker density was $0.06/100\text{ m}^3$. On average, 5 patrons were present per venue and 0.2 burning cigarettes per venue were observed. Descriptive statistics for each venue are summarized in the Table.

As depicted in Figure 1, the average level of indoor air pollution in the Clay County venues ($76\mu\text{g}/\text{m}^3$) was approximately 3.8 times higher than Georgetown and 4.2 times higher than Lexington after implementing their smoke-free laws. Further, the level of indoor air pollution in Clay County public venues was 2.2 times higher than the National Ambient Air Quality Standard ($35\mu\text{g}/\text{m}^3$) for outdoor air for 24 hours.

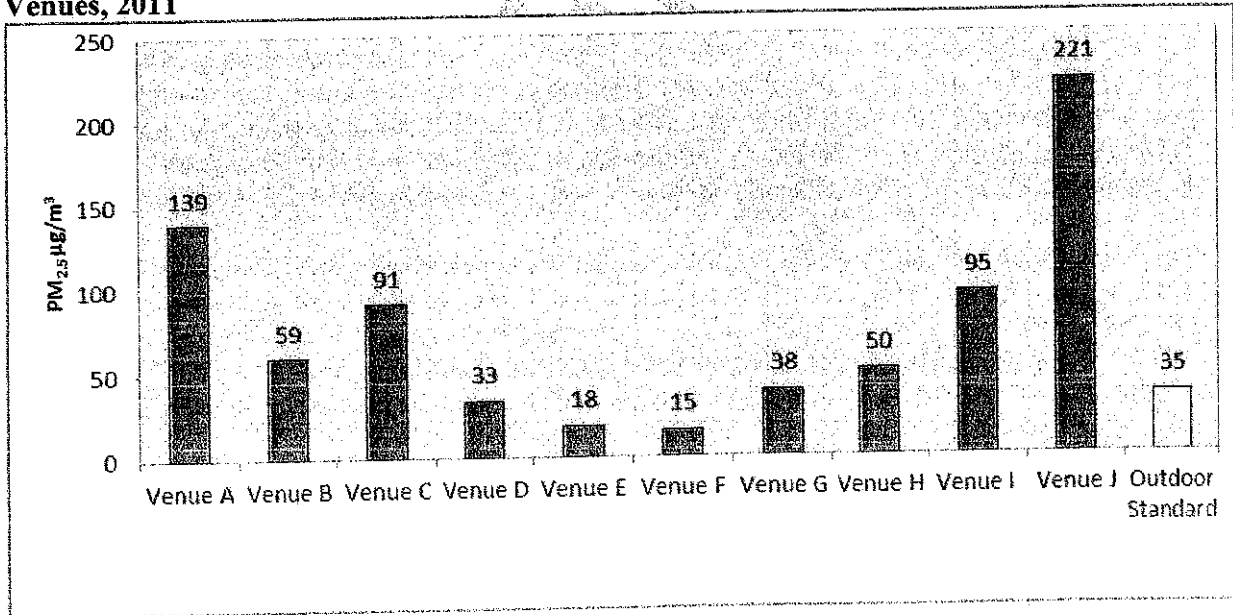
Figure 2 shows the average level of indoor air pollution in each of the 10 tested venues in Clay County. The average $\text{PM}_{2.5}$ levels ranged from 15 to $221\mu\text{g}/\text{m}^3$. Air pollution in 7 venues exceeded the National Ambient Air Quality Standard for outdoor air (NAAQS; $35\mu\text{g}/\text{m}^3$).

Table. Air Quality Data for 10 Venues in Clay County, Kentucky, June, 2011

Venue	Date Sampled	Size (m ³)	Average # people	Average # burning cigs	Smoker density (#bc/100m ³)	Average PM _{2.5} levels (µg/m ³)
Venue A	6/1/2011	214	4	0.5	0.23	139
Venue B	6/1/2011	630	2	0.2	0.03	59
Venue C	6/2/2011	64	5	0.0	0.00	91
Venue D	6/2/2011	144	4	0.0	0.00	33
Venue E	6/2/2011	584	2	0.7	0.11	18
Venue F	6/3/2011	352	3	0.2	0.05	15
Venue G	6/3/2011	520	8	0.2	0.03	38
Venue H	6/3/2011	523	5	0.0	0.00	50
Venue I	6/3/2011	660	11	0.2	0.02	95
Venue J	6/4/2011	313	11	0.5	0.16	221
Averages		400	5	0.2	0.06	76

Note. In Venues C and H, the smell of tobacco smoke was observed, but there were no visible burning cigarettes.

Figure 2. Average Indoor Fine Particle Concentration in 10 Clay County, Kentucky Venues, 2011



Discussion

The average PM_{2.5} level in 10 Clay County, Kentucky venues was 76µg/m³, which is 2.2 times higher than the National Ambient Air Quality Standard for *outdoor* air set by the EPA. There were over 80 EPA cited epidemiologic studies in creating a particulate air pollution standard in 1997.⁶ To protect the public's health, the EPA set a new limit of 35 µg/m³ on December 17, 2006 as the average level of exposure over 24-hours in *outdoor* environments. There is no EPA standard for indoor air quality.

At least two Kentucky air quality studies have demonstrated significant improvements in air quality as a result of implementing a comprehensive smoke-free law. Hahn et al. showed a 91% decrease in indoor air pollution after Lexington, Kentucky implemented a smoke-free law on April 27, 2004.⁷ The average level of indoor air pollution was 199 µg/m³ pre-law and dropped to 18 µg/m³ post-law. Average levels of indoor air pollution dropped from 86 µg/m³ to 20 µg/m³ after Georgetown, Kentucky implemented a comprehensive smoke-free law on October 1, 2005.⁸ Similarly, other studies show significant improvements in air quality after implementing a smoke-free law. One California study showed an 82% average decline in air pollution after smoking was prohibited.⁹ When indoor air quality was measured in 20 hospitality venues in western New York, average levels of respirable suspended particle (RSP) dropped by 84% after a smoke-free law took effect.¹⁰

Other studies have assessed the effects of SHS on human health. Hahn et al. found a 56% drop in hair nicotine levels in a sample of workers after Lexington implemented a smoke-free law, regardless of whether workers were smokers or nonsmokers.¹¹ Workers were also less likely to report colds and sinus infections after the law went into effect. Similarly, Farrelly et al. also showed a significant decrease in both salivary cotinine concentrations and sensory symptoms in hospitality workers after New York State implemented a smoke-free law in their worksites.¹² Smoke-free legislation in Scotland was associated with significant improvements in symptoms, spirometry measurements, and systemic inflammation of bar workers. The significant improvement of respiratory health was reported in only one month after smoke-free law.¹³

There is no longer any doubt in the medical or scientific communities that SHS is a significant public health problem. In 2006, U.S. Surgeon General Carmona, said "The scientific evidence is now indisputable: secondhand smoke is not a mere annoyance. It is a serious health hazard that can lead to disease and premature death in children and nonsmoking adults."² In 2010, U.S. Surgeon General Benjamin reported that tobacco smoke causes immediate blood vessel, lung tissue, and DNA damage causing heart disease, lung disease, and cancer.³

Many millions of Americans, both children and adults, are still exposed to secondhand smoke in their homes and workplaces. Approximately 40.1% nonsmokers in the United States have biological evidence of SHS exposure.⁴ U.S. Surgeon General Carmona said, "Eliminating smoking in indoor spaces fully protects nonsmokers from exposure to secondhand smoke. Separating smokers from nonsmokers, cleaning the air, and ventilating buildings cannot eliminate exposure of nonsmokers to secondhand smoke."²

Conclusions

This study demonstrated that workers and patrons in Clay County public venues are exposed to harmful levels of SHS. On average, workers and patrons in Clay County were exposed to indoor air pollution levels approximately 2.2 times the National Ambient Air Quality Standard, and the level of indoor air pollution in these venues was 3.8 times higher than Georgetown and 4.2 times higher than Lexington's average PM_{2.5} levels after implementation of their smoke-free laws. When smoking is completely prohibited, air quality significantly improves.

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