



ANDY BESHEAR
GOVERNOR

REBECCA W. GOODMAN
SECRETARY

**ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

TONY HATTON
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601
TELEPHONE: 502-564-2150
TELEFAX: 502-564-4245

EMERGENCY BULLETIN

March 26, 2020

TO: All Kentucky Solid Waste Management Facilities

FROM: Rebecca Goodman, Secretary, Energy and Environment Cabinet

As you are aware, Governor Andy Beshear has declared a State of Emergency in Kentucky related to the COVID-19 pandemic. On March 24, 2020, the National Waste & Recycling Association (NWRA) requested that the Kentucky Department for Environmental Protection (DEP) consider granting relief or flexibility to certain regulations concerning the handling, storage, and disposal of solid waste and recycling materials.

Upon consideration of the request, to maintain services provided by this essential critical infrastructure, having been advised by DEP, I have determined that granting relief and flexibility is necessary and proper to the protection of human health and the environment during this difficult time. Therefore, pursuant to the authority of KRS 39A and the Governor's Executive Orders, during the course of the declaration of a State of Emergency in Kentucky:

- You are hereby authorized to adjust your hours of operation as needed to expedite responsiveness to the emergency. A copy of your facility's modified operating schedule must be emailed to the Division of Waste Management (DWM) at jon.maybriar@ky.gov with a copy to danny.anderson@ky.gov.
- The daily tonnage limit for your facility is hereby waived. Please ensure that all tonnage accepted at your facility is included on applicable tonnage reports and that all applicable fees are collected for the material.
- Storage times for materials delivered to transfer stations and recycling facilities are hereby waived.
- Recyclables and yard waste may be co-mingled for transportation, processing, and disposal.
- Requests for flexibility for compliance timelines for conducting and documenting tasks required by solid waste management facility operating permits will be addressed by DWM as expeditiously as possible. All requests for such flexibility shall be emailed to DWM at jon.maybriar@ky.gov with a copy to danny.anderson@ky.gov.
- All permit and regulatory requirements not expressly addressed in this bulletin remain in effect, including limits on proper operation and total permitted airspace.

Nothing contained in this bulletin shall be construed to excuse a solid waste management facility's obligations with respect to local requirements, including, but not limited to, compliance with local host agreements and local ordinances.

If you have any questions or concerns, please telephone Jon Maybriar at (502)782-6702.