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MEMORANDUM

TO: Chris Ewing, Environmental Scientist, Division for Air Quality

FROM: Emily Caudill, Regulations Compiler

RE: Amended After Comments – 401 KAR 061:036

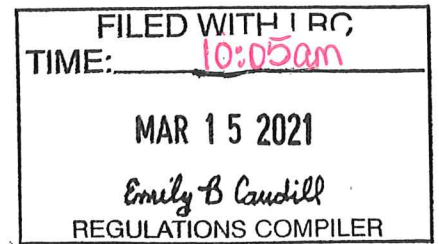
DATE: March 15, 2021

A copy of the Amended After Comments regulation listed above along with the required Statement of Consideration are enclosed for your files.

This administrative regulation will be reviewed by the Administrative Regulation Review Subcommittee at its **April 2021** meeting. Please notify the proper person(s) of this meeting.

If you have questions, please contact us at RegsCompiler@LRC.ky.gov or (502) 564-8100.

Enclosure



1 ENERGY AND ENVIRONMENT CABINET

2 DEPARTMENT FOR ENVIRONMENTAL PROTECTION

3 Division for Air Quality

4 (Amended After Comments)

5 401 KAR 61:036. Emission guidelines and compliance times for municipal solid waste (MSW)

6 landfills.

7 RELATES TO: KRS 224.10-100, 224.20-100, 224.20-110, 224.20-120, 40 C.F.R. Part 60

8 Subpart Cf [~~60.30e-60.36e~~], 42 U.S.C. 7411(d)

9 STATUTORY AUTHORITY: KRS 224.10-100, 224.20-110, 224.20-120, [~~60.30e-60.36e~~,
10 ~~42 U.S.C. 7411(d)~~]

11 NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-100(5) authorizes
12 [~~requires~~] the [~~Environmental and Public Protection~~] cabinet to promulgate[~~prescribe~~]
13 administrative regulations for the prevention, abatement, and control of air pollution. [~~The federal~~
14 ~~regulation incorporated by reference in~~] This administrative regulation provides for the control of
15 emissions from existing municipal solid waste (MSW) landfills.

16 Section 1. Definitions. (1) Except as established in this section, terms used in this
17 administrative regulation shall have the meaning established in 40 C.F.R 60.41f, as published July
18 1, 2020.

19 (2) “Administrator” means the Secretary of the Energy and Environment Cabinet unless a
20 specific provision of 40 C.F.R. Part 60, Subpart Cf, or an approved state plan as published in