

Public notice

Pursuant to the public notification requirements of KRS 13A.270, the Kentucky Division for Air (Division) has enclosed for your information the following proposed administrative regulation:

401 KAR 61:016 - Repeal of 401 KAR 61:011 and 401 KAR 61:013.

These administrative regulations are being repealed because no facilities are currently permitted under 61:011 or 61:013.

The Division filed the proposed administrative regulation with the Legislative Research Commission on September 14, 2026. The proposed administrative regulation will be published in the October 1, 2026 version of Administrative Register of Kentucky.

Full text of the filed administrative regulation can also be viewed on the Legislative Research Commission's web page at:

[Chapter 61 - Title 401 Chapter 61 • Kentucky Administrative Regulations • Legislative Research Commission](#)

Please note there may be a slight delay in the filings to appear on the Legislative Research Commission web pages.

Copies of the proposed administrative regulation amendments can also be found on the DEP Regulations Tracker at the following link: [DEP Regulations Tracker - Kentucky Energy and Environment Cabinet](#)

A public hearing on this administrative regulation shall, if requested, be held on November 23, 2026, at 10:00 a.m. (Eastern Time); 9:00 a.m. (Central Time). The Zoom invitation will be emailed to each requester the week prior to the scheduled hearing. Individuals interested in attending the virtual hearing shall notify this agency in writing by November 16, 2026, five (5) workdays prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be cancelled. This hearing is open to the public. Any person who attends virtually will be given the opportunity to comment on the proposed administrative regulation. The virtual public hearing will be recorded, and the recording provided upon a written request to the contact person. Written comments shall be accepted through November 30, 2026. Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to the contact person.

The public hearing is accessible to any person with disabilities. Reasonable accommodation, including auxiliary aids and services necessary to participate in the hearing may be made to the contact person at least five (5) working days prior to the hearing.

Contact Person:

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