

PUBLIC NOTICE

DIVISION OF WASTE MANAGEMENT

PROPOSED ADMINISTRATIVE REGULATION AMENDMENT

The Kentucky Energy and Environment Cabinet filed a proposed amendment to 401 KAR 42:250, along with amendments to material incorporated by reference. The cabinet will conduct a virtual public hearing on October 25, 2023, at 10:00 a.m. (EST). This hearing will be held to receive comments on the following proposed administrative regulation amendment:

401 KAR 42:250, Petroleum Storage Tank Environmental Assurance Fund (PSTEAF) Reimbursement.

The proposed amendment to this administrative regulation will increase the rates for reimbursement to owners and operators for eligible corrective action and amend the re-evaluation process for costs that cannot be completed for the established rates.

401 KAR 42:250 establishes procedures to administer the PSTEAF, payment for third-party claims, financial audits, eligible company and partnership certification, laboratory certification, and facility ranking.

This hearing is open to the public and all interested persons will be given the opportunity to present testimony. The public hearing can be accessed at the following website address:

<https://us02web.zoom.us/j/85955982939?pwd=amxLUFF0UndjTS9mVFcrbFJGQW10QT09> or can be accessed toll free by telephone: 888-475-4499 using Meeting ID code: 859 5598 2939 and Passcode 536933. To assure that all comments are accurately recorded, the cabinet requests that oral comments presented at the hearing are also provided in written form, if possible. It is not necessary that the hearing be held or attended for persons to comment on the proposed administrative regulation. If no request for a public hearing is received by five workdays prior to the hearing, the hearing may be cancelled, and notice of the cancellation will be posted at <https://eec.ky.gov/Environmental-Protection/Waste/Pages/Proposed-DWM-Regulations.aspx>. Written comments should be sent to the contact person and must be received by October 31, 2023, to be considered part of the public record.

Please note that registration is required to participate in this hearing. You must either email your name and mailing address to Louanna.Aldridge@ky.gov or mail this information to Louanna Aldridge, Department for Environmental Protection, Office of the Commissioner, 300 Sower Building, 2nd Floor, Frankfort, KY 40601. Please put "401 KAR 42:250" as the subject line, and state in the body of the message if you plan to speak during the hearing.

The Energy and Environment Cabinet does not discriminate based on race, color, national origin, sex, age, religion, or disability and provides, upon request, reasonable accommodation including auxiliary aids and services necessary to afford an individual with a disability an equal opportunity to participate in all services, programs, and activities.

The full text of the proposed administrative regulations is available for public inspection and copying during regular business hours (8:00 a.m. to 4:30 p.m., local time) at the Department for Environmental Protection, Office of the Commissioner, 300 Sower Boulevard, 2nd Floor, Frankfort, Ky. Any individual requiring copies may submit a request to the Department for Environmental Protection, Office of Commissioner, in writing, by telephone, by FAX, or e-mail. Requests for copies should be directed to the contact person. The proposed administrative regulation amendment will be able to be accessed at: <https://apps.legislature.ky.gov/law/kar/titles/401/042/>. In addition, the cabinet will provide access to the proposed amendment along with the proposed amended forms during the comment period at <https://eec.ky.gov/Environmental-Protection/Waste/Pages/Proposed-DWM-Regulations.aspx>.

CONTACT PERSON: Louanna Aldridge, Department for Environmental Protection, Office of the Commissioner, 300 Sower Boulevard, Frankfort, Kentucky 40601. The phone number is (502) 782-0863, FAX number is (502) 564-4245, and e-mail address is Louanna.Aldridge@ky.gov.