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NOTICE

To: Underground Storage Tank Owners/Operators and Contractors
From: Dawn Baase, UST Branch Manager
Date: October 13, 2020
Subject: Kentucky UST State Program Approval

The Environmental Protection Agency (EPA) has granted final approval for Kentucky's Underground Storage Tank (UST) State Program Approval (SPA) application. EPA has established that Title 401 Kentucky Administrative Regulations Chapter 42 is no less stringent and regulates the same tank universe as the Federal UST regulations. The Kentucky Department for Environmental Protection will be the lead implementing agency for the UST Program in the Commonwealth.

This is good news for Kentucky's UST tank owners and operators, as they will be able to operate under one set of statutes and regulations. Obtaining SPA allows Kentucky's UST Program to operate in lieu of the Federal UST Program. It also provides for the legal authority and ability to enforce both the State and Federal UST Program.

Kentucky's UST SPA was published in the Federal Register and became effective September 16, 2020. EPA's final determination of the Commonwealth of Kentucky: Final Approval of State Underground Storage Tank Program can be found at <https://www.govinfo.gov/content/pkg/FR-2020-09-16/pdf/2020-18567.pdf>.

For more information on UST SPA visit <https://www.epa.gov/ust/state-underground-storage-tank-ust-programs>.