

1 ENERGY AND ENVIRONMENT CABINET

2 Department for Environmental Protection

3 Division of Water

4 (Repealer)

5 401 KAR 6:211. Repeal of 401 KAR 6:200.

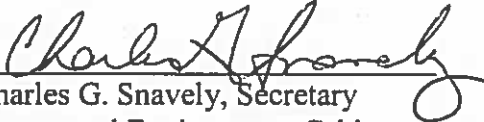
6 RELATES TO: KRS 223.170, 223.180, 223.190, 223.210, 224.10-110

7 STATUTORY AUTHORITY: KRS 223.200, 224.10-110

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-110 authorizes the  
9 Secretary of the Cabinet to promulgate administrative regulations for the regulation and control  
10 of the purification of water for public and semipublic use. This administrative regulation is being  
11 repealed because the materials incorporated by reference are no longer relevant, and the  
12 administrative regulation does not comply with KRS 13A.224 and 13A.2251.

13 Section 1. 401 KAR 6:200 is hereby repealed.

401 KAR 6:211 Repeal of 401 KAR 6:200 is approved for filing.

  
\_\_\_\_\_  
Charles G. Snavely, Secretary  
Energy and Environment Cabinet

7/9/2019  
\_\_\_\_\_  
Date

**PUBLIC HEARING AND PUBLIC COMMENT PERIOD:** A public hearing on this administrative regulation shall be held on Thursday, August 22, 2019 at 6:00 p.m. Eastern Standard Time at the Department for Environmental Protection, Training Room B, 300 Sower Boulevard, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by 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 canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through August 31, 2019. Send written notification of intent to be heard at the public hearing, or written comments on the proposed administrative regulation, to the contact person.

Contact person: Carole J. Catalfo  
Internal Policy Analyst, RPPS,  
Division of Water, 3<sup>rd</sup> Floor  
300 Sower Boulevard  
Frankfort, Kentucky 40601  
Phone (502) 564-3410  
Fax (502) 564-9003  
Email: water@ky.gov (Subject line: "Chapter 6 regulations")

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

401 KAR 6:211

Contact Person: Carole J. Catalfo  
Phone: (502) 782-6914  
Email: water@ky.gov (Subject Line: "Chapter 6 regulations")

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation repeals 401 KAR 6:200 Documents incorporated by reference relative to public and semipublic water supplies and swimming pools.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to repeal 401 KAR 6:200 which refers to documents that are no longer relevant, and does not comply with KRS Chapter 13A.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 224.10-110 authorizes the cabinet to adopt and enforce administrative regulations for the purification of water for public and semipublic use. This authority is implemented through regulations contained in 401 KAR Chapter 8.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation will repeal 401 KAR 6:200 which refers to documents that are no longer relevant.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This is a repeal of, rather than an amendment to, an existing regulation.

(b) The necessity of the amendment to this administrative regulation: This is a repeal of, rather than an amendment to, an existing regulation.

(c) How this administrative regulation conforms to the content of the authorizing statutes: This is a repeal of, rather than an amendment to, an existing regulation.

(d) How the amendment will assist in the effective administration of the statutes: This is a repeal of, rather than an amendment to, an existing regulation.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This administrative regulation repeals 401 KAR 6:200 which refers to documents that are no longer relevant.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: This repeal will not require any additional or different action by regulated entities.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): This repeal will not impose any new costs.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): This repeal will prevent confusion regarding the administrative regulations that apply to water purification for public and semipublic use.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: This repeal will have no impact on costs.

(b) On a continuing basis: This repeal will have no impact on costs.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: This repeal will have no impact on funding for implementation or enforcement.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: This repeal will not require an increase in fees or funding.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This repeal does not establish fees or directly or indirectly increase fees.

(9) TIERING: Is tiering applied? (Explain why or why not) Tiering is not applied to this repealer administrative regulation.

## FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

401 KAR 6:211

Contact Person: Carole J. Catalfo  
Phone: (502) 782-6914  
Email: water@ky.gov (Subject Line: "Chapter 6 regulations")

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? This administrative regulation formerly applied to public and semipublic water systems. Some units of state or local governments own a public water system.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 224.10-110.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This repeal will not generate revenue.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This repeal will not generate revenue.

(c) How much will it cost to administer this program for the first year? This repeal will not result in additional costs.

(d) How much will it cost to administer this program for subsequent years? This repeal will not result in additional costs.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): NA

Expenditures (+/-): NA

Other Explanation: This repeal will not generate revenue or result in additional costs.