



MATTHEW G. BEVIN
GOVERNOR

**ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

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November 14, 2019

Dear Concerned Citizen:

Pursuant to public notification requirements established in KRS Chapter 13A, the Kentucky Division of Water (the "Division") submits for your information the filing of the following proposed administrative regulation:

- 401 KAR 5:091 - Repeal of 401 KAR 5:090 (Control of water pollution from oil and gas facilities)

Due to replacement and enhancement of program oversight, 401 KAR 5:090 is no longer necessary and would conflict with other regulatory protections that have been promulgated for the same purpose. The remainder of administrative regulations contained in 401 KAR Chapter 5, the Division of Oil and Gas administrative regulations 805 KAR 1:110, 1:170, 1:180, and 1:190, and the Division of Waste Management administrative regulations contained in 401 KAR Chapters 45, 47, and 48 provide appropriate coverage for oil and gas facilities.

The Division filed the proposed regulation with the Legislative Research Commission on November 14, 2019 and anticipates that the proposed amended regulation will be published in the Kentucky Administrative Register on December 1, 2019. The proposed administrative regulation will be available on the LRC website at <https://apps.legislature.ky.gov/law/kar/TITLE401.HTM> once it is published, and on the Division of Water website at <https://eec.ky.gov/Environmental-Protection/Water/Regs/Pages/default.aspx>. Both websites can be accessed through public libraries or any device with Internet access.

A public hearing to receive comments regarding the proposed regulation is scheduled for Thursday, January 23, 2020 at 6 p.m. at the Department of Environmental Protection, Training Room B, 300 Sower Blvd, Frankfort, KY 40601. The Division requests that attendees submit a written copy of their comments made at the public hearing. Written comments will be accepted through January 31, 2020, and will receive the same consideration as those made verbally at the public hearing.

Send written comments to: Carole Catalfo, Internal Policy Analyst
Division of Water, 3 NW WK 36

300 Sower Blvd
Frankfort, KY 40601

or email to:

water@ky.gov with the subject line "401 KAR 5:091".

Sincerely,

A handwritten signature in black ink, appearing to read "Peter T. Goodman", with a stylized flourish at the end.

Peter T. Goodman, Director
Division of Water

PTG/cjc