224.10-210 Records open to public inspection -- Confidential nature of certain data.

Any record or other information furnished to or obtained by the cabinet shall be open to reasonable public inspection except that any record or information, not relating to emission or effluent data, which constitutes a trade secret or confidential business information and is designated as such by the cabinet, upon a satisfactory showing by the owner or operator in accordance with the rules and regulations of the cabinet shall be confidential and for the use only of the cabinet and other departments, agencies, and officers of the Commonwealth in the performance of their duties. No record or information designated by the owner to be either a trade secret or confidential business information but not designated as such by the cabinet due to the failure of the owner to make a satisfactory showing of confidentiality shall be released to the public or to any other agency, department, or officer of the Commonwealth without providing the owner fifteen (15) days written notice. Nothing herein shall be construed to prevent the use of such records or information by any department, agency, or officer of the Commonwealth in compiling or publishing reports, analyses, or summaries relating to the general condition of the natural environment, nor shall anything herein prevent the disclosure of any record or other information to any agency or representative of the United States or to any subdivision of the Commonwealth for the purposes of administration or enforcement of any federal or local pollution control law. No such report, analysis, or summary shall, directly or indirectly, reveal information otherwise confidential under this section.

Effective: July 14, 1992

History: Amended 1992 Ky. Acts ch. 302, sec. 1, effective July 14, 1992. -- Amended 1978 Ky. Acts ch. 257, sec. 6, effective June 17, 1978. -- Created 1972 (1st Extra. Sess.) Ky. Acts ch. 3, sec. 20, effective January 1, 1973.

Formerly codified as KRS 224.035.