

353.6605 Disclosure of trade secret information to assist in responding to emergency spill or discharge.

- (1) The director shall direct a vendor, service provider, or operator, as applicable, to immediately disclose information regarding the concentration or mixture of a chemical claimed to be a trade secret to the extent that the disclosure is necessary to assist in responding to an emergency spill or discharge, except that the individuals receiving the information shall not disseminate the information further. In addition, the director upon request may disclose the specific information concerning the volume of a chemical or relative concentration of chemicals, or both, which are claimed to be a trade secret for the purpose of responding to an emergency spill or discharge if request is made by letter or electronic mail from:
 - (a) The Kentucky Department for Environmental Protection;
 - (b) The Kentucky Department for Natural Resources;
 - (c) The Kentucky Department for Public Health; or
 - (d) A local public health department.
- (2) Any information disclosed under this section shall not be construed as publicly available by virtue of the disclosure to any entity listed in this section, and release of the information under this section shall not be construed as a waiver of a trade secret claim by the party who has asserted that claim.

Effective: June 24, 2015

History: Created 2015 Ky. Acts ch. 21, sec. 9, effective June 24, 2015.