

224.1-514 Voluntary Environmental Remediation Program -- Application for entry.

- (1) A Voluntary Environmental Remediation Program is established and shall be administered by the cabinet in accordance with KRS 224.1-510 to 224.1-532.
- (2) Any person may apply to enter a property in the program, unless:
 - (a) The property is part of or contains a site which is on the National Priorities List established by the United States Environmental Protection Agency;
 - (b) The property is part of or contains a hazardous waste treatment, storage, or disposal facility for which a permit has been issued, or the site is otherwise the subject of hazardous waste closure or corrective action pursuant to KRS 224.46-520 or KRS 224.46-530;
 - (c) The property or site is the subject of state or federal environmental enforcement action relating to the release, for which the application is submitted; or
 - (d) The property or site presents an environmental emergency, as defined in KRS 224.1-400.
- (3) To apply to enter the voluntary environmental remediation program, an applicant shall:
 - (a) Complete an application provided by the cabinet;
 - (b) Identify any hazardous substance and any petroleum released or believed to be released to the environment at the site and provide a site characterization plan for the releases or threatened releases adequate to comply with KRS 224.1-400, 224.1-405, 224.1-510 to 224.1-532, and any administrative regulations promulgated pursuant thereto;
 - (c) Submit a five thousand dollar (\$5,000) nonrefundable application fee; and
 - (d) Publish the notice of application in the newspaper of largest circulation in the county in which the site is located. The notice shall include a reference to the local public library where pertinent documents related to the application may be found and reviewed by the public.
- (4) Fees collected under KRS 224.1-510 to 224.1-532 shall be deposited in the hazardous waste management fund set out in KRS 224.46-580(13). The cabinet shall use the fees to administer the voluntary environmental remediation program.
- (5) The cabinet shall notify the Department for Public Health when the cabinet receives an application with information pertaining to an actual or threatened release of a hazardous substance over which the Department for Public Health has regulatory authority.
- (6) Copies of the following documents shall be transmitted by the applicant, as they become available, to the local public library:
 - (a) Characterization plan;
 - (b) Characterization report;
 - (c) Corrective action plan;

- (d) Corrective action completion report;
- (e) Any notices of deficiency and any responses thereto; and
- (f) Corrective action liability agreement.

Effective: July 14, 2018

History: Amended 2018 Ky. Acts ch. 98, sec. 2, effective July 14, 2018. -- Created 2001 Ky. Acts ch. 128, sec. 3, effective June 21, 2001.

Formerly codified as KRS 224.01-514.