

224.60-138 Reduction of contamination levels by corrective action or closure -- Request for final determination -- Hearing -- Effect.

- (1) If corrective action for a release from or closure of a petroleum storage tank reduces levels of contamination to less than the standards established pursuant to the administrative regulations adopted under KRS 224.60-137, then the cabinet shall approve the corrective action or closure and issue a notice to the owner or operator that no further action is required to address the petroleum contamination. This notice shall indicate that the property is not subject to any additional actions under KRS 224.1-400 or 224.1-405.
- (2) A person who submits a corrective action proposal to the cabinet may request in writing a final determination on the proposal no sooner than thirty (30) days after its submission. When a final determination on the proposal is requested, the cabinet shall make its final determination within sixty (60) working days from the date the request is received by the cabinet. After a final determination has been made, the person requesting the final determination may request a hearing pursuant to the provisions of KRS 224.10-420. Nothing in this subsection shall relieve any person of any obligations imposed by law during an environmental emergency, nor shall it require the cabinet to approve a proposal which would violate this chapter or the administrative regulations promulgated pursuant thereto.

Effective: July 12, 2012

History: Amended 2012 Ky. Acts ch. 105, sec. 3, effective July 12, 2012. -- Created 1994 Ky. Acts ch. 419, sec. 3, effective April 11, 1994.