224.1-516 Action on application -- Reapplication.

- (1) The cabinet shall notify an applicant for the voluntary environmental remediation program within forty-five (45) working days of receipt of the application as to whether the application is accepted or denied.
- (2) The cabinet shall deny an application if:
 - (a) The cabinet determines the property is ineligible to participate in the program under KRS 224.1-510 to 224.1-532;
 - (b) The cabinet withdraws from agreed order negotiations pursuant to KRS 224.1-518; or
 - (c) The application is not complete.
- (3) If the cabinet denies an application, the cabinet shall notify the applicant in writing, stating the reasons for the denial. If the reason for denial is incompleteness, the cabinet shall inform the applicant of the information needed to make the application complete.
- (4) The applicant may submit, within ninety (90) working days of receipt of the initial denial notice, a completed or revised application without incurring an additional fee.
- (5) Within forty-five (45) working days of resubmittal, the cabinet shall review any revised or completed application and notify the applicant in writing of its determination to accept or deny the application. If the cabinet denies the application again for incompleteness, the cabinet shall again inform the applicant of the information needed to make the application complete. The cabinet may assess a new application fee for the resubmittal.
- (6) If the applicant's second revised application fails to provide the information necessary to address all the concerns of the cabinet, the applicant and the cabinet may meet to clarify the cabinet's expectations and concerns.

Effective: June 21, 2001

History: Created 2001 Ky. Acts ch. 128, sec. 4, effective June 21, 2001.

Formerly codified as KRS 224.01-516.