

211.976 Application, filing and contents -- Conditions of bond.

- (1) All persons proposing to engage in business for the purposes of this chapter shall file an application for licensing on forms provided by the cabinet with information specifying that waste hauling is restricted to household sewage or sludge only; commercial or industrial sanitary sewage or sludge only; grease trap sewage or sludge only; or combinations of the above. Other information deemed necessary, as well as the required fee, shall accompany the application. The secretary may establish a fee schedule according to authorization in the state budget document.
- (2) If the cabinet, after any investigation it deems necessary, finds that the applicant has the qualifications, experience, reputation, and approved site for disposal necessary to perform the service in an acceptable manner and not detrimental to the environment or to public health, it shall issue or cause to be issued a license for the said business. This license is not transferable. The application for license shall be made to the cabinet prior to March 1 of each year, and shall be accompanied by a surety bond tendered by a company registered in the Commonwealth of Kentucky, to indemnify persons for whom service and maintenance work is performed, if faulty, and to guarantee disposal of sewage sludge in an approved manner; or with sureties, form and sufficiency acceptable to the cabinet. Bonds shall be in the amount of two thousand dollars (\$2,000). The cabinet shall be the obligee, and the bond shall be for the benefit and purpose to protect all persons and the environment damaged by faulty workmanship in the servicing or maintaining of sewage pretreatment units, grease traps, or holding tanks, or in the disposal of sewage sludge, and shall guarantee the appearance of the licensee to answer any summons within thirty (30) days of notice to the bonding company of the issuance of summons. Bonds shall be conditioned upon the performance of the services in a workmanlike manner, and in a manner which will not create a public health hazard nor damage the environment.

Effective: July 14, 1992

History: Amended 1992 Ky. Acts ch. 248, sec. 6, effective July 14, 1992. -- Amended 1974 Ky. Acts ch. 74, Art. III, sec. 13(8). -- Amended 1972 (1st Extra. Sess.) Ky. Acts ch. 3, sec. 16, effective January 1, 1975. -- Created 1968 Ky. Acts ch. 82, sec. 3.

Formerly codified as KRS 224.227.