

CHAPTER 86

(SB 70)

AN ACT relating to environmental protection.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 224.1-530 is amended to read as follows:

- (1) ***Notwithstanding any provision of law or administrative regulation to the contrary***, the numerical values contained in ***the most current version of*** the document titled "***Regional Screening Level (RSL) Table***" [~~"Region 9 Preliminary Remediation Goals,"~~] published by the United States Environmental Protection Agency's Region 3 ***as of the effective date of this Act*** [9], are hereby established as screening levels and shall be used by the cabinet in conformance with the guidance set out in the ***Risk-Based Concentration Table User's Guide*** [~~Region 9 Preliminary Remediation Goals~~]. It is not the intent of this section to establish these levels as the cleanup standards for individual contaminants that may be present at any site.
- (2) Within one (1) year from June 21, 2001, the cabinet shall promulgate regulations establishing standards under KRS 224.01-400 and 224.01-405 with respect to hazardous substances, pollutants, contaminants, petroleum, or petroleum products, that are protective of human health, safety, and the environment.
- (3) Within one (1) year from June 21, 2001, the cabinet shall promulgate a regulation defining tiered remediation management options that account for the following:
 - (a) Current and proposed land use;
 - (b) Zoning, if applicable, of the property and surrounding properties; and
 - (c) The nature and extent of the contamination.
- (4) ***The cabinet may promulgate administrative regulations that adopt and incorporate updated versions of the Regional Screening Level (RSL) Table to be used under this section.***
- (5) Nothing in this section shall affect or impair the ability of the cabinet to implement and enforce the provisions of KRS 224.01-400 and 224.01-405.
- (6) [5] Nothing in this section shall be construed to limit the options available to the applicant under KRS 224.01-400(18) to 224.01-400(21).

Signed by Governor March 17, 2011.

Legislative Research Commission Note. As enacted, Section 1 of this Act directed that "KRS 224.1-530" be amended. The correct citation for that statute is "KRS 224.01-530," and the Reviser of Statutes has corrected that manifest clerical or typographical error in this publication.