401 KAR 50:066. Conformity of transportation plans, programs, and projects.


STATUTORY AUTHORITY: KRS 224.10-100(5), 224.20-100, 224.20-110, 42 U.S.C. 7506(c)(4)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-100(5) authorizes the Environmental and Public Protection Cabinet to promulgate administrative regulations for the prevention, abatement, and control of air pollution. EO 2008-507 and 2008-531, effective June 16, 2008, abolish the Environmental and Public Protection Cabinet and establish the new Energy and Environment Cabinet. This administrative regulation adopts the Federal Transportation Conformity Rules as codified in 40 C.F.R. Part 93 Subpart A and incorporates a guidance document that establishes criteria and procedures for the interagency consultation process used in demonstrating conformity of federal transportation plans to the Kentucky State Implementation Plan.

Section 1. All transportation plans, transportation improvement plans, and projects subject to 40 C.F.R. 93, Subpart A, shall be found to conform to the Kentucky State Implementation Plan before they shall be implemented. This finding of conformity shall be done in accordance with the consultation procedures outlined in the document, Transportation Conformity: A Guide for Interagency Consultation.


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(24 Ky.R. 800; 1244; eff. 11-12-1997; TAM eff. 8-9-2007; 35 Ky.R. 188, 941; 1185; eff. 11-12-2008; TAM eff. 9-16-2013; TAM eff. 7-8-2016; CRT eff. 11-21-2018.)