

ENERGY AND ENVIRONMENT CABINET
Department for Environmental Protection
Division of Waste Management
(Amendment)

401 KAR 45:250. Special waste permit fees.

RELATES TO: KRS 224.40

STATUTORY AUTHORITY: KRS 224.10-100, 224.40-305, 224.50-760

NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-100(20) states that the cabinet may provide by administrative regulation for a reasonable schedule of fees for the cost of processing applications for permits, exemptions, and partial exemptions. This chapter establishes standards for special waste sites or facilities. This administrative regulation establishes a fee schedule for the issuance and modification of special waste site or facility permits.

Section 1. Applicability.

- (1) The provisions of this administrative regulation shall apply to the owner or operator of each special waste site or facility required to apply for a permit, permit renewal, permit modification, or permit transfer, except publicly-owned facilities.
- (2) The provisions of this administrative regulation shall also apply to special waste site or facility permit applications for the land application of biosolids.

Section 2. Filing Fees.

- (1) Each permit application shall be accompanied by an appropriate filing fee determined as follows:

Application	Fee
(a) Notice of intent	\$500
(b) Request for alternate specification to design criteria or variance from regulatory requirements	\$500
(c) Formal application and modifications to expand the facility horizontally	\$5,000
(d) Construction/operation permit	\$500
(e) Renewal	\$500
(f) Permit modifications other than horizontal expansions:	
1. Vertical expansions	\$1,000
2. Modification to closure plan	\$500
3. Receipt of waste from new source	\$50
4. Change of ownership or transfer of an existing permitted facility	\$500
5. Cabinet mandated increase in financial assurance	\$0
6. Closure of a facility that is not under a current special waste facility permit	\$1,000
7. Modifications not otherwise specified	\$500
(g) Emergency permit	\$500
(h) Research, development and demonstration permit	\$2,500

- (2) A filing fee shall be in the form of a check or money order and made payable to the Kentucky State Treasurer. Filing fees shall not be refundable.

REBECCA GOODMAN, Secretary

APPROVED BY AGENCY: August 24, 2023

FILED WITH LRC: August 24, 2023 at 4:00 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 21, 2023, at 5:30 p.m. (Eastern Time) in Training Room C of the Energy and Environment Cabinet at 300 Sower Blvd, Frankfort, Kentucky 40601. The public hearing can also be accessed at the following website address <https://us02web.zoom.us/j/86146637051> or can be accessed toll free by telephone: 833-548-0282 using Meeting ID code: 861 4663 7051 and Passcode 139147. Please note that registration is required to participate in this hearing. You must either email your name and mailing address to Michael.Mullins@ky.gov or mail this information to Michael Mullins, Department for Environmental Protection, Office of the Commissioner, 300 Sower Boulevard, Frankfort, Kentucky 40601. Please put "Land Application of Biosolids" as the subject line, and state in the body of the message if you plan to speak during the hearing. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through November 30, 2023. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

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