

ENERGY AND ENVIRONMENT CABINET
Department for Environmental Protection
Division for Air Quality
(New Administrative Regulation)

401 KAR 61:016. Repeal of 401 KAR 61:011 and 401 KAR 61:013.

RELATES TO: KRS 224.20-100, 224.20-110, 224.20-120

STATUTORY AUTHORITY: KRS 224.10-100,

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-100 authorizes the Cabinet to promulgate administrative regulations for the prevention, abatement, and control of air pollution. These administrative regulations are no longer necessary as there are now federal regulations in place for any facilities that may have triggered applicability requirements. At this time, the Division has no facilities to which either of these administrative regulations apply.

Section 1. The following administrative regulations are hereby repealed:

(1) 401 KAR 061:011, Existing medical waste incinerators; and

(2) 401 KAR 061:013, Existing municipal solid waste incinerators.

COMPILER'S NOTE: 2025 RS HB 6, enacted by the General Assembly on March 27, 2025, altered the information to be provided at the time an administrative regulation is filed. Aside from formatting changes necessary to upload the regulation into the LRC's publication application, this regulation has been published as submitted by the agency.

401 KAR 061:016 approved for filing.

JOHN S. LYONS, Secretary

APPROVED BY AGENCY: September 11, 2026

FILED WITH LRC: September 14, 2026 at 2:40 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 23rd, 2026, at 10 a.m. (Eastern Time) / 9 a.m. (Central Time). Individuals interested in being heard at this hearing shall notify this agency in writing by November 16th, 2026, 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 cancelled. 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 30th, 2026. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person. The hearing facility is accessible to person with disabilities. Requests for reasonable accommodations, including auxiliary aids and services necessary to participate in the hearing may be made to the contact person at least five (5) workdays prior to the hearing.

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