401 KAR 4:020. General permit procedure exemptions.

RELATES TO: KRS Chapter 151
STATUTORY AUTHORITY: KRS 151.250(1), 224.10-100(17)
CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: This administrative regulation is necessary to exempt from the permitting requirements of KRS 151.250 those dams, embankments and other obstructions in and along streams of the Commonwealth which are not of such size or type as to require approval by the Environmental and Public Protection Cabinet in the interest of safety or retention of water supply. This administrative regulation exempts only those activities which have been approved by the United States Department of the Army pursuant to the specific criteria set forth in its General Permit procedures.

Section 1. No permit shall be required pursuant to KRS 151.250 for those activities in and along the streams of the Commonwealth of Kentucky which are approved by the United States Department of the Army in accordance with its General Permit procedures as set out in Title 33 C.F.R. 209.120(i)(2)(ix), and as published in the Federal Register of 25 July, 1975, Volume 40, Number 144.

(401 KAR 004:020. 3 Ky.R. 767; eff. 7-6-1977; Crt eff. 8-9-2018; Crt eff. 7-22-2025.)