

401 KAR 68:200. Other requirements.

RELATES TO: KRS 224.10-100, 224.20-100, 224.20-110, 224.20-120, 40 C.F.R. 68.200-68.220, 42 U.S.C. 7412(r), Pub.L. 106-40 August 5, 1999

STATUTORY AUTHORITY: KRS 224.10-100, 224.20-100, 224.20-110, 224.20-120, 40 C.F.R. 68.200-68.220, 42 U.S.C. 7412(r), Pub.L. 106-40, August 5, 1999

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-100 requires the Environmental and Public Protection Cabinet to prescribe administrative regulations for the prevention, abatement, and control of air pollution. The federal regulation incorporated by reference in this administrative regulation establishes the recordkeeping, public information, permitting, and audit requirements pursuant to the federal program for chemical accident prevention and risk management.

Section 1. Release of Off-site Consequences Analysis (OCA) Information.

(1) Risk Management Plans (RMP's) required under 401 KAR 68:150 shall not be made available to the public except as provided in 42 U.S.C. 7412(r)(7)(H), as amended by Pub.L. 106-40, Section 3, enacted August 5, 1999.

(2) Stationary sources that are required to submit RMP's under 401 KAR 68:010 shall meet the requirements of 42 U.S.C. 7412(r)(7)(H), as amended by Pub.L. 106-40, Section 4, enacted August 5, 1999.

(3) Stationary sources employing only Program 1 processes, as provided in 401 KAR 68:010, shall be exempt from subsection (2) of this section.

Section 2. Incorporation by Reference.

(1) 40 C.F.R. 68.200 to 68.220, effective July 1, 1998, is incorporated by reference.

(2) This material incorporated by reference may be inspected, copied, or obtained at the following offices of the Division for Air Quality, Monday through Friday, 8 a.m. to 4:30 p.m.:

(a) The Division for Air Quality, 300 Sower Boulevard, Frankfort, Kentucky 40601, (502) 573-3382;

(b) Ashland Regional Office, 1550 Wolohan Drive, Suite 1, Ashland, Kentucky 41102-8942, (606) 929-5285;

(c) Bowling Green Regional Office, 2642 Russellville Road, Bowling Green, Kentucky 42101, (270) 746-7475;

(d) Florence Regional Office, 8020 Veterans Memorial Drive, Suite 110, Florence, Kentucky 41042, (859) 525-4923;

(e) Frankfort Regional Office, 300 Sower Boulevard, Frankfort, Kentucky 40601, (502) 564-3358;

(f) Hazard Regional Office, 233 Birch Street, Suite 2, Hazard, Kentucky 41701, (606) 435-6022;

(g) London Regional Office, 875 S. Main Street, London, Kentucky 40741, (606) 330-2080;

(h) Owensboro Regional Office, 3032 Alvey Park Drive, W., Suite 700, Owensboro, Kentucky 42303, (270) 687-7304; or

(i) Paducah Regional Office, 130 Eagle Nest Drive, Paducah, Kentucky 42003, (270) 898-8468.

(3) Copies of the Code of Federal Regulations (C.F.R.) are available for sale from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(401 KAR 068:200. 25 Ky.R. 1757; 2409; 2860; 26 Ky.R. 999; eff. 10-13-1999; TAm eff. 8-9-2007; TAm eff. 9-16-2013; TAm eff. 7-8-2016; Crt eff. 9-12-2018; Crt eff. 9-9-2025.)