

405 KAR 30:230. Air resources protection.

RELATES TO: KRS 350.600

STATUTORY AUTHORITY: KRS 224.033, 350.028, 350.050, 350.600

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 350.600 requires the Environmental and Public Protection Cabinet to develop administrative regulations for oil shale operations to minimize and prevent their adverse effects on the citizens and the environment of the Commonwealth. This administrative regulation sets forth requirements for the control and monitoring of air pollution from oil shale operations, with specific measures for the control of fugitive dust.

Section 1. Fugitive Dust Control. Each permittee shall plan and employ fugitive dust control measures as an integral part of an oil shale operation.

Section 2. Control Measures During Mining and Reclamation Operations. The fugitive dust control measures to be used shall include, as necessary, but not limited to:

- (1) Periodic watering of unpaved roads;
- (2) Chemical stabilization of unpaved roads with proper application of nontoxic soil cement or dust palliatives;
- (3) Paving of roads;
- (4) Prompt removal of necessary dust-forming debris from roads and frequent scraping and compaction of unpaved roads to stabilize the road surface;
- (5) Revegetating, mulching, or otherwise stabilizing the surface of all areas adjoining roads that are sources of fugitive dust;
- (6) Restricting the travel of vehicles on other than established roads;
- (7) Minimizing the area of disturbed land;
- (8) Prompt revegetation or other stabilization of disturbed lands including disposal sites; and
- (9) Planting of special windbreak vegetation at critical points in the permit area.

Section 3. Additional Measures. Where the cabinet determines that application of fugitive dust control measures listed in Section 2 of this administrative regulation is inadequate, the cabinet may require additional measures and practices as necessary.

Section 4. Each permittee shall comply with all applicable requirements of 401 KAR Chapters 50 through 65.

(405 KAR 030:230. 8 Ky.R. 114; eff. 3-1-1982; TAm eff. 8-9-2007; Crt eff. 7-3-2018; Crt eff. 6-30-2025.)