

# Administrative Register of Kentucky

LEGISLATIVE RESEARCH COMMISSION  
FRANKFORT, KENTUCKY

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UNLESS WRITTEN NOTIFICATION OF INTENT TO ATTEND  
A PUBLIC HEARING IS RECEIVED BY THE PROMULGATING  
AGENCY AT LEAST FIVE (5) DAYS BEFORE THE HEARING  
DATE, THE HEARING MAY BE CANCELLED.

MEETING NOTICE: The next meeting of the Administrative Regulation Review Subcommittee is January 12 and 13, 1987. See tentative agenda on pages 1217-1218 of this Administrative Register.

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**KENTUCKY ADMINISTRATIVE REGULATIONS** are codified according to the following system and are to be cited by Title, Chapter and Regulation number, as follows:

| Title                                   | Chapter                                | Regulation             |
|---|--|------------------------|
| 806                                     | KAR                                    | 50 : 155               |
| Cabinet, Department,<br>Board or Agency | Bureau, Division,<br>or Major Function | Specific<br>Regulation |

#### ADMINISTRATIVE REGISTER OF KENTUCKY

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ADMINISTRATIVE REGISTER - 1217

ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE  
TENTATIVE AGENDA  
January 12, 1987  
(Rm. 110, Capitol Annex @ 2 p.m.)

REVENUE CABINET

**Ad Valorem Tax; Administration**

103 KAR 5:130. Annual expense allowances and travel expenses.

**Sales and Use Tax; Service and Professional Occupations**

103 KAR 26:050. Common carriers.

**Sales and Use Tax; Miscellaneous Retailer Occupations**

103 KAR 27:180. Vending machines.

**Sales and Use Tax; General Exemptions**

103 KAR 30:020. Prescription medicines, prosthetic devices and physical aids.

GENERAL GOVERNMENT CABINET

**Board of Dentistry**

201 KAR 8:005. Advertising of dental services. (Not Amended After Hearing) (Agency requests deferral until May)

**Board of Medical Licensure**

201 KAR 9:016. Restrictions on use of amphetamine and amphetamine-like anorectic controlled substances.

201 KAR 9:031. Examinations.

201 KAR 9:041. Fee schedule.

201 KAR 9:083. Certification and supervision of physician assistants. (Amended After Hearing)

201 KAR 9:151. Contracts for support services; establish a fee schedule; and establish a paramedic advisory committee.

**Board of Registration for Professional Engineers and Land Surveyors**

201 KAR 18:040. Fees.

201 KAR 18:050. Branches of professional engineering.

201 KAR 18:070. Examinations.

**Athletic Commission**

201 KAR 27:015. Prompt payment of fees, fines, and forfeitures required. (Amended After Hearing)

201 KAR 27:044. Appointment of officials. (Not Amended After Hearing)

**Board of Occupational Therapy**

201 KAR 28:010. Definitions and abbreviations.

201 KAR 28:020. General provisions.

201 KAR 28:030. Exemptions from licensing.

201 KAR 28:040. Waiver of examination.

201 KAR 28:050. Special licensure requirements.

201 KAR 28:060. Regular licensure requirements/temporary permits of L.O.T.R.s and L.O.T.A.s

201 KAR 28:070. Examination.

201 KAR 28:080. Licenses.

201 KAR 28:090. Renewals.

201 KAR 28:100. Late renewal of licenses.

201 KAR 28:110. Fees.

201 KAR 28:120. Applications by foreign trained O.T.R.s and O.T.A.s.

201 KAR 28:130. Supervision of occupational therapy assistants and occupational therapy aides.

201 KAR 28:140. Grounds for probation, suspension or revocation of license.

201 KAR 28:150. Disciplinary proceedings.

201 KAR 28:160. Administrative hearings.

TOURISM CABINET

**Department of Fish and Wildlife Resources: Fish**

301 KAR 1:055. Angling; limits and seasons.

COMMERCE CABINET

**Department of Agriculture: Livestock Sanitation**

302 KAR 20:056 & E. Qualifications and eligibility requirements on state brucellosis indemnity payments for negative exposed cattle.

302 KAR 20:057 & E. Brucellosis quarantine requirements.

302 KAR 20:065 & E. Sale and exhibition of livestock in Kentucky.

302 KAR 20:180. Restrictions equine viral arteritis.

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET

**Department for Environmental Protection: Division of Waste Management: Solid Waste Facilities**

401 KAR 47:070. Operator certification. (Amended After Hearing)

**Division of Air Quality: General Standards of Performance**

401 KAR 63:040. Certification of asbestos abatement entities.

CORRECTIONS CABINET

**Office of the Secretary**

501 KAR 6:020 & E. Corrections policies and procedures.

501 KAR 6:040. Kentucky State Penitentiary.

501 KAR 6:060. Northpoint Training Center.

501 KAR 6:090 & E. Frankfort Career Development Center.

501 KAR 6:110 & E. Roederer Farm Center.

501 KAR 6:120. Blackburn Correctional Complex.

ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE  
TENTATIVE AGENDA  
January 13, 1987  
(Rm. 110, Capitol Annex @ 10 a.m.)

EDUCATION AND HUMANITIES CABINET  
Department of Education  
Office of Local Services

General Administration

702 KAR 1:025. Extended employment.

Office of Instruction

Instructional Services

704 KAR 3:304. Required program of studies. (Not Amended After Hearing)

Elementary and Secondary Education Act

704 KAR 10:022. Elementary, middle and secondary schools standards.

PUBLIC PROTECTION AND REGULATION CABINET  
Department of Alcoholic Beverage Control

Advertising Malt Beverages

804 KAR 2:007. Inside signs.

Licensing

804 KAR 4:290. Malt beverage sales.

Department of Insurance

Rates and Rating Organizations

806 KAR 13:100. Motor vehicle comprehensive insurance rate discounts for anti-theft devices.

Health Insurance Contracts

806 KAR 17:080. Long-term health care insurance.

Department of Financial Institutions

Securities

808 KAR 10:210. Registration exemptions - Federal Regulation D.

State Racing Commission

Thoroughbred Racing Rules

810 KAR 1:013. Entries, subscriptions and declarations. (Amended After Hearing)

Harness Racing Commission

Harness Racing Rules

811 KAR 1:055. Declaration to start; drawing horses.

811 KAR 1:070. Licensing; owners, drivers, trainers, grooms and agents.

Department of Housing, Buildings and Construction

Boilers and Pressure Vessels

815 KAR 15:020. Administrative procedures; requirements.

815 KAR 15:080. Fees for licensing new boiler and pressure vessel contractors.

Hazardous Materials

815 KAR 30:050. Fireworks; approval of exempted novelties.

CABINET FOR HUMAN RESOURCES

Department for Health Services

Hospitalization of Mentally Ill and Mentally Retarded

902 KAR 12:080. Policies and procedures for mental health/mental retardation facilities.

State Health Plan

902 KAR 17:010. State health plan.

Certificate of Need and Licensure

902 KAR 20:008. License procedures and fee schedule.

902 KAR 20:026 & E. Operations and services; skilled nursing facilities.

902 KAR 20:048 & E. Operations and services; nursing homes.

902 KAR 20:051 & E. Operations and services; intermediate care.

Social Security Act

902 KAR 25:010. Section 1122 review.

Department for Employment Services

Unemployment Insurance

903 KAR 5:260. Unemployment insurance procedures.

Department for Social Insurance

Public Assistance

904 KAR 2:140. Supplementary policies for programs administered by the Department for Social Insurance.

904 KAR 2:170. Incorporation by reference of materials relating to the Child Support Program.

Food Stamp Program

904 KAR 3:090. Incorporation by reference of materials relating to Food Stamp Program.

Department for Social Services

Child Welfare

905 KAR 1:180 & E. DSS policy and procedures manual.

Aging Services

905 KAR 8:110 & E. Homecare fee schedule for the elderly.

905 KAR 8:120 & E. Homecare policy manual for the elderly.

Office of Inspector General

Office of Inspector General

907 KAR 1:013 & E. Payments for acute care and mental hospital inpatient services.



## REGULATION REVIEW PROCEDURE

### Filing and Publication

Administrative bodies shall file with the Regulations Compiler all proposed administrative regulations, including public hearing information (described below), the tiering statement required by KRS 13A.210, the regulatory impact analysis as required by KRS 13A.240, the fiscal note required by KRS 13A.250, and the federal mandate comparison required by KRS 13A.245.

All proposed administrative regulations received by the deadline required in KRS 13A.050, as well as the information required above, shall be published in the Administrative Register.

Following publication in the Administrative Register, all proposed administrative regulations shall be referred by the Legislative Research Commission to the appropriate committee or subcommittee for review.

### Public Hearing

The administrative body shall schedule a public hearing on proposed administrative regulations, proposed amendments to administrative regulations, and proposed repeal of administrative regulations to be held not less than twenty (20) nor more than thirty (30) days following publication of the administrative regulation. The time, date, and place of the hearing and the name and address of the agency contact person shall be included on the last page of the administrative regulation when filed with the Compiler's office.

Any person interested in attending the scheduled hearing must submit written notification of such to the administrative body at least five (5) days before the scheduled hearing. If no written notice is received at least five (5) days before the hearing, the administrative body may cancel the hearing.

If the hearing is cancelled, the administrative body shall notify the Compiler immediately by telephone of the cancellation with a follow-up letter and the Compiler will place the letter of cancellation in the file of the original administrative regulation. If the hearing is held, the administrative body shall submit within fifteen (15) days following the hearing a statement of consideration summarizing the comments received at the hearing and the administrative body's responses to the comments.

No transcript of the hearing need be taken unless a written request for a transcript is made, and the person requesting the transcript shall have the responsibility of paying for same. A recording may be made in lieu of a transcript.

If an administrative body has several proposed administrative regulations published at the same time, the proposed administrative regulations may be grouped at the convenience of the administrative body for purposes of hearings.

### Review Procedure

If a proposed administrative regulation is amended as a result of the public hearing, the amended version shall be published in the next Administrative Register; and following publication shall be sent to the appropriate committee for review at its next meeting. If a proposed administrative regulation is not amended as a result of the hearing or if the hearing is cancelled, the regulation shall be sent to the appropriate committee for review at its next meeting. The administrative regulation shall be considered as adopted and in effect as of adjournment on the day the subcommittee meets.

## EMERGENCY REGULATIONS NOW IN EFFECT

(NOTE: Emergency regulations expire 90 days from publication or upon replacement or repeal.)

### STATEMENT OF EMERGENCY

The amendment to 302 KAR 31:010 further clarifies and defines the hearing procedure before the Pest Control Advisory Board and the Commissioner of Agriculture. This amendment is necessary in order to schedule further hearings in the near future. An ordinary regulation will take too long to promulgate and therefore an emergency regulation is needed. This regulation will be replaced by an ordinary regulation.

MARTHA LAYNE COLLINS, Governor  
DAVID E. BOSWELL, Commissioner

### DEPARTMENT OF AGRICULTURE

302 KAR 31:010E. Hearings upon denial, suspension, modification, or revocation of licenses.

RELATES TO: KRS Chapter 217B

PURSUANT TO: KRS Chapter 217B, 217B.050

EFFECTIVE: December 3, 1986

NECESSITY AND FUNCTION: To clarify procedures for the license hearings held pursuant to KRS 217B.103, 217B.540, or 217B.545.

Section 1. Commencement of Action. [Hearings.]

(1) The department, prior to a license hearing, shall prepare a detailed report outlining the allegations against a licensee. The report shall be in the form of an administrative complaint which shall allege facts constituting violations and contain a prayer for relief. [When conducting license hearings under KRS 217B.103, 217B.540 or 217B.545, the pest control advisory board shall have the authority to:]

- [(a) Administer oaths according to law;]
- [(b) Issue subpoenas authorized by law;]
- [(c) Rule upon offers of proof and receive relevant evidence;]
- [(d) Take or cause depositions to be taken whenever the ends of justice would be service thereby;]

- [(e) Regulate the course of the hearing; and]
- [(f) Make recommendations and issue orders.]

(2) An action shall be deemed commenced when a true copy of the administrative complaint has been served upon the licensee or his registered agent for service of process. [The department, prior to a license hearing, will prepare a detailed report in the form of an administrative complaint concerning the denial, suspension, modification, or revocation. Copies of the report will be presented to the board prior to the actual hearing. A copy of the report will be sent to the licensee at least fifteen (15) days prior to the actual hearing so that he may be apprised of all the allegations therein. Every party shall have the right to present his case or defense by oral or documentary evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts.]

(3) Service of process shall be made by either personal delivery by an agent of the department or any law enforcement agency or by certified mail, return receipt requested. [The transcript of testimony and exhibits, together with all papers and requests filed in the proceeding, shall constitute the exclusive record for decision. Where the decision rests upon official notice of a material fact not appearing in the evidence in the record, any party shall on timely request be afforded an opportunity to show the contrary.]

(4) If the licensee intends to contest the allegations contained in the complaint, the licensee shall have twenty (20) days from the date of service of process to answer the complaint by delivering his written response thereto to the department and shall have ten (10) days from the date of service of process to request a hearing before the board.

(5) No hearing before the Pest Control Advisory Board (hereinafter board) shall be scheduled sooner than twenty-five (25) days after service of process upon the licensee. At least fifteen (15) days prior to that portion of the hearing set before the board for presentation of evidence by both parties, a true copy of the administrative complaint, shall be sent to each member of the board by the prosecuting attorney. The licensee's answer and any motions or requests shall be delivered to each member of the board prior to that portion of the hearing set for presentation of the evidence by both parties.

Section 2. Counsel. (1) An attorney from the department's general counsel office shall act as prosecuting attorney in any disciplinary proceeding unless he shall decline to prosecute.

then the board may appoint a special prosecuting attorney in its discretion.

(2) The licensee shall have the right to appear with counsel of his own choosing at all stages of a proceeding against him.

(3) There shall be no ex parte communications between counsel and any member of the board after commencement of a proceeding against a licensee concerning the merits of the allegations or proposed discipline. Counsel shall divulge to his opposing counsel as soon as practicable after any ex parte communications with board members are made the substance of any communication concerning procedural aspects of the proceeding.

(4) The non-voting member of the board from the Attorney General's Office shall serve as advisory counsel to the board during any proceeding and shall be the sole arbitrator of the admissibility of evidence sought to be introduced at hearing.

Section 3. Discovery. (1) Either party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the proceeding at any time after commencement of an action by any of the following methods:

(a) Oral deposition, which may be entered of record in lieu of further testimony by the witness upon motion to the board, and which shall be conducted under the applicable rules of civil procedure used by courts of law in the Commonwealth;

(b) Requests for production of names of witnesses, documents, and other demonstrative evidence;

(c) Requests for synopsis of testimony of any expert witness expected to be called.

(2) The board may issue protective orders as necessary.

(3) Interrogatories shall not be used as a form of discovery.

Section 4. Prehearing Conferences. Upon motion of either party or upon its own initiative, the board may order that a prehearing conference be held. The prehearing conference may be a forum for consideration of any matter properly before the board including all motions, discovery, stipulations, identification of issues, dates of future proceedings and objections.

Section 5. Hearings. (1) Hearings shall be conducted in accordance with the rules of examination applicable in the courts of the Commonwealth. The burden of proof shall be upon the department to show substantial evidence of the violations alleged in the complaint. The rules of evidence applicable in courts of law in the Commonwealth shall not apply. All relevant evidence shall be admitted, including hearsay evidence, that is probative of a fact in issue; except if the prejudicial effect of the evidence outweighs its probative value, then it shall be excluded. Any evidence which is excluded may be entered into the record by offer of proof or avowal. The board shall rule upon all motions or objections and may require the submission of briefs regarding any issues. The board may allow opening and closing statements by either party.

(2) When a hearing will be expedited and the interests of the parties will not be prejudiced substantially, all or part of the evidence may be received in written form upon agreement of

the parties. Copies may be introduced if the original documents are not readily available. Upon request, each party must be given the opportunity to compare the copy to the original.

(3) Official notice may be taken of judicially noticeable facts. Notice may be taken also of generally recognized technical or scientific facts within the board's specific knowledge. Each party shall have the opportunity to contest the facts so noticed.

(4) In the conduct of license hearings, the board shall also have authority to administer oaths, issue subpoenas, and subpoenas duces tecum.

(5) The board shall be responsible for compiling a written record of the hearing which shall contain all evidence introduced at the hearing, all motions, responses, pleadings, briefs, rulings, verbatim transcripts, exceptions and any other documents comprising part of the record.

Section 6. Recommendations of the Board. (1) Within thirty (30) days after concluding that portion of the hearing set before the board for presentation of evidence by both parties, the board shall deliberate and make preliminary findings of fact, conclusions of law, and recommendations for disposition of the allegations against the licensee.

(2) Prior to the board rendering preliminary findings, conclusions and recommendations, any party to the proceedings may move the board to allow briefs to be filed with the board. The board may grant the motion and set a time for submission of briefs if it believes that such a procedure would substantially aid the board in its deliberation. The board may also order briefs or proposed findings, conclusions, and recommendations to be submitted by each party upon its own initiative.

(3) The chairman of the board shall serve upon each party a copy of the board's preliminary findings, conclusions, and recommendations at least twenty (20) days prior to the date set for its final determination.

(4) Each party shall have the right to file exceptions to the board's preliminary findings of fact, conclusions of law, and recommendations. Exceptions shall be filed with the board at least seven (7) days prior to the board's final determination.

(5) The board may grant leave to any party to present oral argument upon exceptions properly filed if it believes that such arguments would aid the board in reaching its final determination.

(6) The board shall draft a final version of its findings of fact, conclusions of law, and recommendations for disposition to submit to the commissioner after having considered the whole record, including any briefs or exceptions to its preliminary findings, conclusions of law, and recommendations. The board shall set a date to meet and vote upon the final version which must be approved by a simple majority of the board members and endorsed by the chairman before submission to the commissioner.

(7) The endorsement and submission of the final version of its findings, conclusions, and recommendations to the commissioner shall be the board's final determination of the allegations against the licensee and shall finally conclude the hearing.

(8) Each party may submit exceptions to the

board's final determination by tendering exceptions in writing to the commissioner within ten (10) days after the board's findings, conclusions, and recommendations have been submitted to the commissioner for action.

Section 7. Action Upon Recommendations. (1) The commissioner shall either accept or reject the board's findings, conclusions, and recommendations after reviewing the whole record, including any exceptions filed by any party directly with him.

(2) If the commissioner orders suspension, revocation, or modification of the license, he shall issue to the licensee a written order specifying the terms and conditions of the suspension, revocation, or modification, its effective date, and notice of the licensee's right to appeal his order to the Franklin Circuit Court. If the commissioner rejects the board's findings, conclusions, and recommendations, he shall issue to the licensee a written order dismissing the complaint(s).

(3) The issuance of the commissioner's order shall be the final administrative action in the proceeding and the time for appeal therefrom shall begin when the licensee is served with a true copy of the order.

DAVID E. BOSWELL, Commissioner

APPROVED BY AGENCY: November 24, 1986

FILED WITH LRC: December 3, 1986 at 3 p.m.

#### STATEMENT OF EMERGENCY

The proposed regulation, 302 KAR 31:011, further clarifies and defines the hearing procedure before the Pest Control Advisory Board and the Commissioner of Agriculture. This regulation is necessary in order to schedule further hearings in the near future. An ordinary regulation will take too long to promulgate and therefore an emergency regulation is needed. This regulation will be replaced by an ordinary regulation.

MARTHA LAYNE COLLINS, Governor

DAVID E. BOSWELL, Commissioner

#### DEPARTMENT OF AGRICULTURE

##### 302 KAR 31:011E. Informal proceedings.

RELATES TO: KRS Chapter 217B

PURSUANT TO: KRS Chapter 217B, 217B.050

EFFECTIVE: December 3, 1986

NECESSITY AND FUNCTION: To establish rules regarding informal proceedings for the settlement of administrative complaints brought pursuant to KRS 217B.545.

Section 1. Commencement of Informal Proceedings. At any time after the service of an administrative complaint upon a licensee and before hearing, the responding licensee may seek an informal dispensation of any pending allegation upon signing a waiver that states that the licensee waives his right to raise any constitutional, statutory, or common law objection should the Pest Control Advisory Board reject the informal proposal or if informal proceedings are curtailed by the department's general counsel. The general counsel shall have complete discretion to negotiate with the

responding licensee concerning stipulations of fact, conclusions of law, and proposed discipline or dismissal of complaints. The general counsel shall also have discretion to reject any or all offers of informal dispensation and may commence informal proceedings on his own initiative.

Section 2. Presentation of Proposal to Board. Whenever the general counsel believes that an appropriate informal dispensation has been negotiated he shall cause to be presented to the board the responding licensee's signed waiver, stipulations of fact, proposed conclusions of law, and proposed written recommendations for disposition of the complaints, including proposed suspension, revocation or modification of the license. The documents shall include a line for the signature of the chairman of the board and shall become effective upon being accepted by the board, signed by the chairman, and forwarded to the commissioner for action.

Section 3. Effect of Rejection. If the board rejects an offer of informal dispensation, the matter shall continue to proceed as a formal proceeding; or upon the joint request of the parties, the offer shall be submitted directly to the commissioner for decision along with the board's reasons for rejecting the offer and a recommendation from the board that the commissioner not approve the offer. The commissioner shall accept or reject the offer after reviewing the whole record. He may allow oral argument on the proposed offer before he makes a decision if either party moves for it and it appears that such argument would substantially contribute to the decision-making process. If the commissioner approves the offer, he shall enter an appropriate order in conformance with the proposal. If the commissioner rejects the offer, the matter shall continue to proceed as a formal proceeding. Rejection shall not be taken as a finding or determination of any kind on behalf of the board and no orders or other pleadings shall be filed in regard to any rejected proposal.

Section 4. Action by the Commissioner. If the commissioner approves of the board's recommendation, or a joint request by the parties for informal dispensation after rejection by the board, then he shall enter an order setting out the terms of the discipline against the licensee or dismissing the complaint in whole or in part. If the commissioner rejects the recommendations the matter shall continue to proceed as a formal proceeding.

DAVID E. BOSWELL, Commissioner

APPROVED BY AGENCY: November 24, 1986

FILED WITH LRC: December 3, 1986 at 3 p.m.

#### STATEMENT OF EMERGENCY

In order to continue to operate the Corrections Cabinet in accordance with KRS Chapter 196, the Corrections Cabinet needs to implement this emergency regulation. An ordinary administrative regulation cannot suffice because the effected cabinet policy must be revised immediately to allow the cabinet to implement emergency Asbestos Abatement Procedures, promulgate policies to alleviate a critical bed

shortage for those inmates in Protective Custody, as well as implement other essential programatic changes. This emergency regulation will be replaced by the ordinary administrative regulation filed with LRC on November 14, 1986 in accordance with KRS Chapter 13A.

MARTHA LAYNE COLLINS, Governor  
GEORGE W. WILSON, Secretary

#### CORRECTIONS CABINET

##### 501 KAR 6:020E. Corrections policies and procedures.

RELATES TO: KRS Chapters 196, 197, 439

PURSUANT TO: KRS 196.035, 197.020, 439.470, 439.590, 439.640

EFFECTIVE: November 17, 1986

NECESSITY AND FUNCTION: KRS 196.035, 197.020, 439.470, 439.590, and 439.640 authorize the secretary to adopt, amend or rescind regulations necessary and suitable for the proper administration of the cabinet or any division therein. These regulations are in conformity with those provisions.

Section 1. Pursuant to the authority vested in the Corrections Cabinet the following policies and procedures are incorporated by reference on November 14 [July 15], 1986 and hereinafter should be referred to as Corrections Policies and Procedures. Copies of the procedures may be obtained from the Office of the General Counsel, Corrections Cabinet, State Office Building, Frankfort, Kentucky 40601.

- 1.1 Legal Assistance for Corrections Staff
- 1.2 News Media
- 1.6 Extraordinary Occurrence Reports
- 1.9 Institutional Duty Officer
- 1.11 Population Counts and Reporting Procedures
- 2.1 Inmate Canteen
- 3.1 Code of Ethics
- 3.2 Inclement Weather and Emergency Conditions Policy
- 3.3 Holding of Second Jobs by Bureau Employees
- 3.7 Employment of Relatives
- 3.10 Staff Clothing and Personal Appearance
- 3.12 Institutional Staff Housing
- 3.14 Corrections Cabinet Payroll Deduction Policy and Procedure
- 4.1 Attendance at Professional Meetings
- 4.2 Staff Training and Development (Amended 11/14/86)
- 4.3 Firearms and Chemical Agents Training (Amended 11/14/86)
- 4.4 Educational Assistance Program
- 6.1 Open Records Law
- 7.2 Asbestos Abatement (Added 11/14/86)
- 8.4 Emergency Preparedness
- 9.1 Use of Force
- 9.3 Transportation of Convicted Offenders
- 9.4 Transportation of Inmates to Funerals or Bedside Visits
- 9.5 Return of Escapees by Automobile
- 9.6 Contraband
- 9.7 Storage, Issue and Use of Weapons Including Chemical Agents
- 9.8 Search Policy (Amended 11/14/86) [(Amended 6/13/86)]
- 9.9 Transportation of Inmates
- 9.10 Security Inspections
- 9.15 Institutional Entry and Exit Policy and Procedures

# ADMINISTRATIVE REGISTER - 1223

- 9.18 Informants
- 10.1 Inmates Serving a Sentence of Death
- 10.2 Special Management Inmates (Amended 11/14/86)
- 10.3 Safekeepers
- 10.4 Special Needs Inmates
- 11.2 Nutritional Adequacy of the Diet for Inmates
- 11.3 Special Diet Procedures
- 12.1 Resident Clothing
- 13.1 Pharmacy Policy and Formulary
- 13.2 Health Maintenance Services
- 13.3 Medical Alert System
- 13.4 Health Program Audits
- 14.2 Personal Hygiene Items
- 14.3 Marriage of Inmates
- 14.4 Legal Services Program
- 14.6 Inmate Grievance Procedures (Amended 11/14/86) [(Added 7/15/86)]
- 15.1 Hair and Grooming Standards
- 15.2 Offenses and Penalties
- 15.3 Meritorious Good Time
- 15.4 Governor's Meritorious Good Time Award
- 15.5 Restoration of Forfeited Good Time
- 15.6 Adjustment Procedures and Programs
- 16.1 General Inmate Visiting Procedure
- 16.2 Inmate Correspondence
- 16.3 Telephone Calls
- 16.4 Inmate Packages (Added 11/14/86)
- 17.1 Inmate Personal Property
- 17.2 Assessment Center Operations
- 17.3 Controlled Intake of Inmates
- 18.4 Classification of the Inmate
- 18.5 Custody/Security Guidelines
- 18.6 Classification Document
- 18.7 Transfers
- 18.8 Guidelines for Transfers Between Institutions
- 18.9 Out-of-State Transfers
- 18.10 Pre-Parole Progress Reports
- 18.11 Kentucky Correctional Psychiatric Center Transfer Procedures
- 18.12 Referral Procedure for Inmates Adjudicated Guilty But Mentally Ill
- 18.13 Population Categories (Amended 11/14/86)
- 18.15 Protective Custody (Added 11/14/86)
- 19.1 Government Services Projects
- 19.2 Community Services Projects
- 20.1 Study Release
- 20.6 Vocational Study Release
- 22.1 Privilege Trips
- 25.1 Gratuities
- 25.2 Public Official Notification of Release of an Inmate
- 25.3 Pre-Release
- 25.4 Inmate Furloughs
- 25.6 Community Center Program
- 25.7 Expedient Release
- 25.8 Extended Furloughs
- 27.1 Supervision: Case Classification
- 27.2 Risk/Needs Administration
- 27.4 Supervision Plan: General
- 27.8 Travel Restrictions
- 27.9 Conditions of Supervision
- 27.10 Preliminary Revocation Procedures
- 27.11 Apprehension and Transportation of Violators of Probation, Parole and Conditional Release
- 27.12 Fugitive Section/Probation and Parole
- 27.13 Supervision Fee
- 27.14 Interstate Compact [(Added 7/15/86)]
- 27.18 Absconder Procedures
- 27.19 Technical Violators
- 27.20 Intensive Supervision (Amended 11/14/86)
- 28.2 Investigations: General

- 28.3 Pre-Sentence Investigations (To the Court)
- 28.4 Pre-Parole (Pre-Sentence) Investigation (To the Institution and State Parole Board)
- 28.5 Special Report to the Parole Board
- 28.7 Out-of-State Investigations [(Amended 7/15/86)]

GEORGE W. WILSON, Secretary

APPROVED BY AGENCY: November 14, 1986

FILED WITH LRC: November 17, 1986 at 9 a.m.

## STATEMENT OF EMERGENCY

In order to continue to operate the Frankfort Career Development Center in accordance with KRS Chapter 196, the Corrections Cabinet needs to implement this emergency regulation. An ordinary administrative regulation cannot suffice because the effected institutional policy must be revised immediately to allow for the institution to have required policy in effect for an upcoming National Accreditation Audit. This emergency regulation will be replaced by the ordinary administrative regulation filed with LRC on November 14, 1986 in accordance with KRS Chapter 13A.

MARTHA LAYNE COLLINS, Governor

GEORGE W. WILSON, Secretary

## CORRECTIONS CABINET

501 KAR 6:090E. Frankfort Career Development Center.

RELATES TO: KRS Chapters 196, 197, 439  
PURSUANT TO: KRS 196.035, 197.020, 439.470, 439.590, 439.640

EFFECTIVE: November 17, 1986

NECESSITY AND FUNCTION: KRS 196.035, 197.020, 439.470, 439.590, and 439.640 authorize the secretary to adopt, amend or rescind regulations necessary and suitable for the proper administration of the cabinet or any division therein. These regulations are in conformity with those provisions.

Section 1. Pursuant to the authority vested in the Corrections Cabinet the following policies and procedures are incorporated by reference on November 14 [September 9], 1986 and hereinafter should be referred to as Frankfort Career Development Center Policies and Procedures. Copies of the procedures may be obtained from the Office of the General Counsel, Corrections Cabinet, State Office Building, Frankfort, Kentucky 40601.

- FCDC 01-04-01 Confidentiality of Information Roles and Services of Consultant, Contract Personnel, Governmental Services Supervisors and Volunteers [(Added 9/9/86)]
- FCDC 02-10-01 Fiscal Management and Control (Amended 11/14/86) [(Amended 9/9/86)]
- FCDC 02-11-01 Fiscal Management: Accounting Procedures
- FCDC 02-12-01 Fiscal Management: Checking Accounts (Amended 11/14/86) [(Amended 9/9/86)]
- FCDC 02-13-01 Purchasing and Receiving [(Amended 9/9/86)]

|                      |   |   |   |
|----------------------|---|---|---|
| FCDC 03-01-02        | Security Manual Part 1: Staff Guidelines  | FCDC 17-02-01                               | Inmate Reception, Orientation, and Discharge ( <u>Amended 11/14/86</u> ) [(Added 9/9/86)] |
| FCDC 03-10-01        | Dress Code  | FCDC 18-01-01                               | Inmate Classification ( <u>Amended 11/14/86</u> ) [(Added 9/9/86)]                        |
| FCDC 03-15-01        | Travel Expense Reimbursement  | FCDC 18-02-01                               | Reclassification Document [(Added 9/9/86)]  |
| FCDC 03-16-01        | Employee Grievance Procedure  | FCDC 18-03-01                               | Instructions for Six Month Review [(Added 9/9/86)]  |
| FCDC 03-21-01        | Time and Attendance   | FCDC 19-01-01                               | Security and Operation of the Governmental Services Program [(Added 9/9/86)]              |
| FCDC 06-02-01        | Inmate Records ( <u>Amended 11/14/86</u> ) [(Added 9/9/86)]   | FCDC 19-02-01                               | Inmate Work Program [(Added 9/9/86)]  |
| FCDC 11-01-01        | Special Diets [(Amended 9/9/86)]  | <u>FCDC 20-01-01</u>                        | <u>Academic and Vocational Education</u> ( <u>Added 11/14/86</u> )                        |
| FCDC 11-03-01        | Food Services ( <u>Amended 11/14/86</u> )   | FCDC 22-01-01                               | Privilege Trips   |
| FCDC 12-03-01        | Laundry, Clothing, Hygiene and Grooming Services ( <u>Amended 11/14/86</u> ) [(Added 9/9/86)]   | FCDC 22-01-02                               | Activity Trips  |
| FCDC 13-01-01        | Use of Pharmaceutical Products  | FCDC 22-02-01                               | Recreation and Inmate Activities [(Added 9/9/86)]   |
| FCDC 13-01-02        | Medical Emergencies [(Added 9/9/86)]  | FCDC 23-01-01                               | Religious Activities [(Added 9/9/86)]   |
| FCDC 13-01-03        | Informed Consent  | FCDC 24-01-01                               | Social Service Program [(Added 9/9/86)]   |
| FCDC 13-02-01        | Inmate Medical Screenings and Health Evaluations ( <u>Amended 11/14/86</u> )  | FCDC 24-02-01                               | Substance Abuse Programs [(Added 9/9/86)]   |
| FCDC 13-03-01        | Psychiatric and Psychological Services [(Added 9/9/86)]   | FCDC 25-01-01                               | Escorted Leaves [(Added 9/9/86)]  |
| FCDC 13-03-02        | Parental Administration of Medications and Use of Psychotropic Drugs  | FCDC 25-02-01                               | Temporary Release/Community Center Program [(Added 9/9/86)]                               |
| FCDC 13-04-01        | Intra-System Transfers of Medical/Psychiatric Problems  | FCDC 25-03-01                               | Release Preparation Program   |
| FCDC 13-06-01        | Chronic and Convalescent Care   |   |   |
| <u>FCDC 13-08-01</u> | <u>Sick Call/Physician's Bi-Monthly Clinic</u> ( <u>Added 11/14/86</u> )  | GEORGE W. WILSON, Secretary                 |   |
| <u>FCDC 13-09-01</u> | <u>Management of Serious and Infectious Diseases</u> ( <u>Added 11/14/86</u> )  | APPROVED BY AGENCY: November 14, 1986       |   |
| FCDC 13-10-01        | Treatment Protocol Regarding First-Aid Procedures, Routine Health Care  | FILED WITH LRC: November 17, 1986 at 9 a.m. |   |
| FCDC 13-11-01        | Health Education: Provision of Special Health Care Needs  |   |   |
| <u>FCDC 13-12-01</u> | <u>Elective Services</u> ( <u>Added 11/14/86</u> )  |   |   |
| FCDC 13-13-01        | Physicians Referrals [(Added 9/9/86)]   |   |   |
| FCDC 13-14-01        | Health Records ( <u>Amended 11/14/86</u> ) [(Amended 9/9/86)]   |   |   |
| FCDC 13-15-01        | Routine and Emergency Dental Appointments [(Amended 9/9/86)]  |   |   |
| FCDC 13-16-01        | Routine and Emergency Eye Examinations  |   |   |
| [FCDC 13-17-01]      | Health Requirements of Food Service Workers (Deleted 11/14/86)]   |   |   |
| FCDC 14-01-01        | Prohibiting Inmate Authority Over Other Inmates   |   |   |
| FCDC 14-02-01        | Inmate Grievance System [(Added 9/9/86)]  |   |   |
| FCDC 14-03-01        | Inmates Are Not Subject to Discrimination Based on Race, Religion, National Origin, Sex, Handicap or Political Beliefs and Are Protected Against Corporal Punishment ( <u>Amended 11/14/86</u> ) [(Added 9/9/86)] |   |   |
| FCDC 14-04-01        | Legal Services Program ( <u>Amended 11/14/86</u> )  |   |   |
| FCDC 15-01-01        | Good Time - Credits (Meritorious, Governor's and Statutory)   |   |   |
| FCDC 15-03-01        | Conduct of Adjustment Committee Hearings (Chairperson) [(Added 9/9/86)]   |   |   |
| FCDC 16-01-01        | Inmate Visiting [(Amended 9/9/86)]  |   |   |
| FCDC 16-02-01        | Mail Policy ( <u>Amended 11/14/86</u> )   |   |   |
| FCDC 16-03-01        | Inmate Access to Telephones ( <u>Amended 11/14/86</u> ) [(Added 9/9/86)]  |   |   |
| FCDC 17-01-01        | Inmate Property Control   |   |   |

GEORGE W. WILSON, Secretary

APPROVED BY AGENCY: November 14, 1986

FILED WITH LRC: November 17, 1986 at 9 a.m.

#### STATEMENT OF EMERGENCY

In order to continue to operate the Roederer Farm Center in accordance with KRS Chapter 196, the Corrections Cabinet needs to implement this emergency regulation. An ordinary administrative regulation cannot suffice because the effected institutional policy must be revised immediately to allow the institution to have required policy in effect for an upcoming National Accreditation Audit. This emergency regulation will be replaced by the ordinary administrative regulation filed with LRC on November 14, 1986 in accordance with KRS Chapter 13A.

MARTHA LAYNE COLLINS, Governor

GEORGE W. WILSON, Secretary

#### CORRECTIONS CABINET

##### 501 KAR 6:110E. Roederer Farm Center.

RELATES TO: KRS Chapters 196, 197, 439  
PURSUANT TO: KRS 196.035, 197.020, 439.470, 439.590, 439.640

EFFECTIVE: November 17, 1986

NECESSITY AND FUNCTION: KRS 196.035, 197.020, 439.470, 439.590, and 439.640 authorizes the secretary to adopt, amend or rescind regulations necessary and suitable for the proper administration of the cabinet or any division therein. These regulations are in conformity with those provisions.

Section 1. Pursuant to the authority vested in the Corrections Cabinet the following policies and procedures are incorporated by reference on November 14 [August 13], 1986 and hereinafter should be referred to as Roederer Farm Center

# ADMINISTRATIVE REGISTER - 1225

Policies and Procedures. Copies of the procedures may be obtained from the Office of the General Counsel, Corrections Cabinet, State Office Building, Frankfort, Kentucky 40601.

RFC 01-04-02 Extraordinary Occurrence Procedure (Added 11/14/86)  
 RFC 01-06-01 Inmate Access to and Communication with RFC Staff (Amended 11/14/86)  
 RFC 01-07-01 Institutional Legal Assistance  
 RFC 01-08-01 Public Information and News Media Access  
 RFC 01-10-01 RFC Cooperation with Outside Bodies Including Courts, Governmental Legislative, Executive, and Community Agencies  
 RFC 01-09-01 Staff Participation in Professional Organization and Conferences; Provisions for Leave and Reimbursement for Expenses  
 RFC 01-12-01 Institutional Duty Officer - Responsibilities  
 RFC 02-01-01 Fiscal Management: Organization  
 RFC 02-01-02 Fiscal Management: Accounting Procedures  
 RFC 02-01-03 Fiscal Management: Agency Funds  
 RFC 02-01-04 Fiscal Management: Insurance [(Added 8/13/86)]  
 RFC 02-02-01 Fiscal Management: Budget [(Added 8/13/86)]  
 RFC 02-02-02 Inmate Control of Personal Funds  
 RFC 02-02-03 Storage and Disposition of Monies received on Weekends, Holidays, and Between 4:00 p.m. and 8:00 a.m. Weekdays [(Amended 8/13/86)]  
 RFC 02-02-04 Inmate Accounts (Amended 11/14/86) [(Added 8/13/86)]  
 RFC 02-03-01 Fiscal Management: Audits [(Added 8/13/86)]  
 RFC 02-04-01 Purchase Orders [(Added 8/13/86)]  
 RFC 02-04-02 Processing of Invoices (Amended 11/14/86) [(Added 8/13/86)]  
 RFC 02-06-01 Property Inventory [(Added 8/13/86)]  
 RFC 03-01-01 General Guidelines for RFC Employees  
 RFC 03-01-02 Service Regulations, Attendance Accumulation and Use of Leave  
 RFC 03-03-01 Employee Grievance Procedures  
 RFC 03-04-01 Personnel Records  
 RFC 03-05-01 Personnel Vacancies: Promotion Board (Amended 11/14/86)  
 RFC 03-06-01 Work Planning: Employee Evaluations and Evaluation Control  
 RFC 03-07-01 Affirmative Action - E.E.O.  
 RFC 03-08-01 Confidentiality of Information, Roles and Services of Consultants, Contract Personnel, and Volunteers  
 RFC 03-09-01 Personnel Manning Review (Amended 11/14/86)  
 RFC 03-10-01 Employee's Handbook  
 RFC 03-11-01 Replacement of Damaged or Destroyed Personal Property  
 RFC 03-12-01 Corrections Cabinet Staff Members Entering the Roederer Farm Center While Being Under the Influence  
 RFC 03-13-01 Staff/Visitor Meals  
 RFC 04-01-01 Employee Training and Development (Amended 11/14/86)  
 RFC 05-01-01 Information System  
 RFC 06-01-01 Offender Records (Amended 11/14/86)  
 RFC 06-02-01 Use of Inmate Records/Security of Inmate Records (Amended 11/14/86)  
 RFC 06-03-01 Records Release of Information

RFC 06-03-02 Storage of Expunged Records (Amended 11/14/86) [(Added 8/13/86)]  
 RFC 06-04-01 Court Trips [(Added 8/13/86)]  
 RFC 06-04-02 Receipt of Order of Appearance [(Added 8/13/86)]  
 RFC 08-01-01 Fire Prevention [(Added 8/13/86)]  
 RFC 08-02-01 Fire Procedures [(Added 8/13/86)]  
 RFC 08-02-02 Fire Extinguishers and Their Use [(Added 8/13/86)]  
 RFC 08-08-01 Guidelines for the Control and Use of Flammable, Toxic, and Caustic Substances (Amended 11/14/86) [(Added 8/13/86)]  
 RFC 09-04-03 Duties and Responsibilities of the Fire/Safety Officer [(Added 8/13/86)]  
 RFC 09-09-02 Drug Abuse Testing [(Added 8/13/86)]  
 RFC 09-09-03 Breathalyzer [(Added 8/13/86)]  
 RFC 10-01-01 Special Management Inmates (Added 11/14/86)  
 RFC 11-01-01 Food Services: General Guidelines (Amended 11/14/86)  
 RFC 11-02-01 Food Service: Security (Amended 11/14/86)  
 RFC 11-03-01 Dining Room Guidelines (Amended 11/14/86)  
 RFC 11-04-01 Food Service: Meals (Amended 11/14/86)  
 RFC 11-04-02 Food Service: Menu, Nutrition and Special Diets (Amended 11/14/86)  
 RFC 11-05-01 Food Service: Kitchen and Dining Room Inmate Work Responsibilities (Amended 11/14/86)  
 RFC 11-05-02 Medical Screening of Food Handlers (Amended 11/14/86)  
 RFC 11-06-01 Food Service: Inspections and Sanitation (Amended 11/14/86)  
 RFC 11-07-01 Food Service: Purchasing, Storage and Farm Products (Amended 11/14/86)  
 RFC 11-08-01 Staff/Visitor Meals [(Added 8/13/86)]  
 RFC 12-01-01 Sanitation, Living Conditions Standards, Clothing Issues (Amended 11/14/86) [(Added 8/13/86)]  
 RFC 12-01-02 Bed Areas - Assignment/Condition Standards (Amended 11/14/86) [(Added 8/13/86)]  
 RFC 12-02-01 Issuance of Clean Laundry and Receiving of Dirty Laundry (Amended 11/14/86) [(Added 8/13/86)]  
 RFC 12-03-01 Personal Hygiene Items: Issuance and Placement Schedule [(Added 8/13/86)]  
 RFC 12-03-02 Barber Shop Services and Equipment Control (Added 11/14/86)  
 RFC 12-04-01 Institutional Inspections [(Added 8/13/86)]  
 RFC 12-05-01 Fire Safety (Amended 11/14/86) [(Added 8/13/86)]  
 RFC 12-05-02 Use of Noncombustible Receptacle [(Added 8/13/86)]  
 RFC 12-06-01 Insect and Vermin Control (Amended 11/14/86) [(Added 8/13/86)]  
 RFC 13-01-01 Organization of Health Services [(Added 8/13/86)]  
 RFC 13-02-01 Health Maintenance Services: Sick Call and Pill Call [(Added 8/13/86)]

# ADMINISTRATIVE REGISTER - 1226

|               |   |              |  |
|---------------|---|--------------|--|
| RFC 13-03-01  | <u>Dental Policy/Sick Call (Amended 11/14/86)</u> [Mental Health/Provision of Psychiatric Services by KCPC (Added 8/13/86)] | RFC 20-01-02 | Testing and Verification Procedure [(Added 8/13/86)]                 |
| [RFC 13-03-02 | Transfer of Inmates to Kentucky Correctional Psychiatric Center (Added 8/13/86)]  | RFC 20-02-01 | Correctional Educator Senior [(Added 8/13/86)]                       |
| RFC 13-04-01  | <u>Inmate Medical Screenings and Health Evaluations (Added 11/14/86)</u>  | RFC 21-01-01 | Library Services ( <u>Amended 11/14/86</u> )                         |
| RFC 13-05-02  | Licensure and Training Standards [(Added 8/13/86)]  | RFC 22-01-02 | Recreational Equipment Check-in/Check-out Procedure                  |
| RFC 13-06-03  | Emergency Medical/Dental Care Services ( <u>Amended 11/14/86</u> ) [(Added 8/13/86)]  | RFC 22-02-01 | Outside Recreation   |
| RFC 13-06-04  | First Aid/CPR Training Program [(Added 8/13/86)]  | RFC 22-02-02 | Entry/Exit Procedure for Inmate Outside Recreation                   |
| RFC 13-07-01  | Health Records [(Added 8/13/86)]  | RFC 22-03-01 | Inmate Clubs and Organizations                                       |
| RFC 13-10-01  | <u>Health Education/Special Health Programs (Added 11/14/86)</u>  | RFC 22-03-02 | Privilege Trips  |
| [RFC 13-11-01 | Dental Policies/Sick Call (Added 8/13/86)]  | RFC 22-04-01 | Conducting Inmate Organizational Meetings and Programs               |
| RFC 13-12-01  | <u>Mental Health/Provision of Psychiatric Services by KCPC (Added 11/14/86)</u>   | RFC 22-05-01 | Woodworking Shop   |
| RFC 13-12-02  | <u>Transfer of Inmates to Kentucky Correctional Psychiatric Center (Added 11/14/86)</u>                                     | RFC 22-06-01 | Playing Cards  |
| RFC 13-15-01  | Medical Restraints [(Added 8/13/86)]  | RFC 23-01-01 | Religious Services   |
| RFC 13-17-01  | Vision Care/Optomety Services [(Added 8/13/86)]   | RFC 23-02-01 | Security Procedures for the Chapel                                   |
| RFC 14-01-01  | Inmate Rights and Responsibilities ( <u>Amended 11/14/86</u> )  | RFC 23-03-01 | Visitors for Religious Programs                                      |
| RFC 14-02-01  | Legal Services Program  | RFC 23-04-01 | Marriage of Inmates  |
| RFC 14-03-01  | Inmate Grievance Procedure  | RFC 24-01-01 | Social Services and Counseling Program                               |
| RFC 14-04-01  | Inmate Participation in Authorized Research   | RFC 25-01-01 | Release Preparation Program Description [(Added 8/13/86)]            |
| RFC 15-01-01  | Due Process/Disciplinary Procedures ( <u>Amended 11/14/86</u> ) [(Added 8/13/86)]   | RFC 25-02-01 | Temporary Release/Community Center Release [(Added 8/13/86)]         |
| RFC 15-02-01  | <u>Hearing Detention (Added 11/14/86)</u>   | RFC 25-03-01 | Furloughs [(Added 8/13/86)]  |
| RFC 16-01-01  | <u>Inmate Visiting (Amended 11/14/86)</u> [(Added 8/13/86)]   | RFC 25-04-01 | Pre-parole Progress Report [(Added 8/13/86)]                         |
| RFC 16-02-01  | Telephone Communications ( <u>Amended 11/14/86</u> ) [(Added 8/13/86)]  | RFC 25-04-02 | Parole Eligibility Dates [(Added 8/13/86)]                           |
| RFC 16-03-01  | Mail Regulations ( <u>Amended 11/14/86</u> ) [(Added 8/13/86)]  | RFC 25-05-01 | Inmate Discharge Procedure [(Added 8/13/86)]                         |
| RFC 16-03-02  | Christmas Packages  | RFC 26-01-01 | Citizen Involvement and Volunteer Services Program [(Added 8/13/86)] |
| RFC 17-01-01  | Assessment/Orientation Procedure  |              |  |
| RFC 17-02-01  | Inmate Reception Process  |              |  |
| RFC 17-03-01  | Inmate Personal Property and Property Control   |              |  |
| RFC 17-04-01  | Unauthorized Items  |              |  |
| RFC 17-05-01  | Inmate Canteen  |              |  |
| RFC 18-01-01  | Institutional Classification Committee [(Added 8/13/86)]  |              |  |
| RFC 18-02-01  | Classification/Security Levels [(Added 8/13/86)]  |              |  |
| RFC 18-03-01  | Classification Process [(Added 8/13/86)]  |              |  |
| RFC 18-03-02  | Classification Program Planning [(Added 8/13/86)]   |              |  |
| RFC 18-03-03  | Honor's Program [(Added 8/13/86)]   |              |  |
| RFC 18-04-01  | <u>Instruction for Six Month Review (Amended 11/14/86)</u> [(Added 8/13/86)]  |              |  |
| RFC 18-05-01  | Transfers to Other Minimum Security Institutions [(Added 8/13/86)]  |              |  |
| RFC 18-06-01  | <u>Classification Document (Amended 11/14/86)</u> [(Added 8/13/86)]   |              |  |
| RFC 19-01-01  | <u>Job Assignments (Added 11/14/86)</u>   |              |  |
| RFC 20-01-01  | Academic Education Program [(Added 8/13/86)]  |              |  |

GEORGE W. WILSON, Secretary  
APPROVED BY AGENCY: November 14, 1986  
FILED WITH LRC: November 17, 1986 at 9 a.m.

## STATEMENT OF EMERGENCY

Under KRS Chapter 13A the administrative body is required to implement this regulation or not have the authority to operate. Therefore, in order to continue to operate the Cabinet for Human Resources in accordance with KRS Chapter 194, the Cabinet for Human Resources needs to implement this emergency regulation. An ordinary administrative regulation cannot suffice because agency policy will not be accurately reflected in a timely manner. This emergency regulation will be replaced by an ordinary administrative regulation in accordance with KRS Chapter 13A.

MARTHA LAYNE COLLINS, Governor  
E. AUSTIN, JR., Secretary

## CABINET FOR HUMAN RESOURCES Department for Medicaid Services

907 KAR 1:250E. Incorporation by reference of materials relating to the Medical Assistance Program.

RELATES TO: KRS 205.520  
PURSUANT TO: KRS 194.050  
EFFECTIVE: November 25, 1986

NECESSITY AND FUNCTION: The Cabinet for Human Resources has responsibility to administer the program of Medical Assistance in accordance with Title XIX of the Social Security Act. KRS 205.520 empowers the cabinet, by regulation, to comply with any requirement that may be imposed,



or opportunity presented, by federal law for the provision of medical assistance to Kentucky's indigent citizenry. This regulation incorporates into regulatory form, by reference, materials used by the cabinet in the implementation of the Medical Assistance Program and is applicable for both the categorically and medically needy.

Section 1. Incorporation by Reference. The cabinet shall incorporate by reference materials used in the implementation of the Medical Assistance Program. In the event of a conflict between material incorporated by reference in this regulation and a specific regulation of the cabinet relating to a particular phase of the Medical Assistance Program the latter shall prevail.

Section 2. Listing of Incorporated Material. The following listed materials are hereby incorporated by reference, effective on the date shown:

(1) Federal Medicaid regulations at 42 CFR Parts 430-456 and 1002-1004, and interim final regulations at 42 CFR Parts 430-456, effective November [August] 1, 1986. The regulations contain federal supplementary policies, interpretations and implementing instructions for the Medical Assistance Program as authorized by Title XIX of the Social Security Act.

(2) Federal "State Medicaid Manual," effective November [August] 1, 1986. The "State Medicaid Manual" contains federal interpretations and clarifications of policy relating to implementation of the Medical Assistance Program.

(3) Federal action transmittals and program memoranda issued by the Health Care Financing Administration as follows: HCFA-AT-79-63, 79-72, 79-98, 80-9, 80-59, 81-23, 81-33, 81-35, 82-1, 82-2, 82-20, 83-1, 83-4, 83-7, 83-8, 83-11, 84-1, 84-2, 84-4, 84-5, 84-10, 84-16, 85-1, and HCFA PM-85-4, 85-10, 85-13, 86-7, 86-8, 86-12, [and] 86-13, 86-15, 86-16 and 86-17 effective November [August] 1, 1986. Action transmittals and program memoranda contain federal instructions relating to implementation of the Medical Assistance Program.

(4) Federal transmittal notices issued by the Health Care Financing Administration as follows: DQC-1-82, 10-82; DPO-76-81, 77-81, 78-81; MCD-46-81, 48-81, 55-81, 61-81, 62-81, 64-81, 67-81, 82-81, 86-81, 87-81, 89-81, 92-81, 1-82, 2-82, 6-82, 7-82, 10-82, 14-82, 16-82, 17-82, 18-82, 19-82, 25-82, 26-82, 28-82, 30-82, 33-82, 34-82, 35-82, 38-82, 41-82, 42-82, 50-82, 52-82, 2-83, 5-83, 9-83, 11-83, 12-83, 13-83, 14-83, 15-83, 19-83, 20-83, 26-83, 28-83, 29-83, 30-83, 35-83, 39-83, 40-83, 42-83, 1-84, 6-84, 7-84, 8-84, 9-84, 11-84, 13-84, 14-84, 15-84, 16-84, 18-84, 20-84, 23-84, 24-84, 25-84, 26-84, 27-84, 29-84, 34-84, 35-84, 36-84, 39-84, 48-84, 50-84, 51-84, 55-84, 2-85, 4-85, 5-85, 6-85, 8-85, 10-85, 11-85, 14-85, 18-85, 19-85, 21-85, 22-85, 23-85, 24-85, 25-85, 27-85, 28-85, 29-85, 30-85, 31-85, 32-85, 33-85, 34-85, 36-85, 37-85, 38-85, 39-85, 41-85, 42-85, 43-85, 44-85, 46-85, 47-85, 01-86, 03-86, 04-86, 05-86, 07-86, 10-86, 11-86, 14-86, 16-86, 17-86, 18-86, 20-86, 21-86 (May 9, 1986), 21-86 (May 27, 1986), 24-86, 25-86, 26-86, 27-86, 32-86, [and] 33-86, 34-86, 35-86, 36-86, 37-86, 38-86, 39-86, 40-86, 41-86, 42-86, 43-86, and 44-86 effective November [August] 1, 1986. Transmittal notices contain federal clarifications of policy relating to implementation of the Medical Assistance Program.

(5) Medicare and Medicaid Guide, Volumes I, II, III, and IV, as published by the Commerce Clearing House, Inc., with the following related new developments transfer binders: 1981-1, 1981-2, 1982, 1983-1, 1983-2, and 1984-1, effective November [August] 1, 1986. The Medicare and Medicaid Guide contains reprints of federal laws and regulations relating to the Medicare and Medicaid programs; reprints of Medicare/Medicaid related court decisions; Medicare principles of reimbursement; summaries of state plan characteristics; and other items of general information relating to the Medicare and Medicaid programs. Although the cabinet is bound by federal Medicaid law regulations and notices in the implementation of the Medical Assistance Program, the Guide is used principally as supplementary material for reimbursement issues in situations where the cabinet's vendor reimbursement system uses the Medicare cost principles in unaddressed areas.

(6) State Medicaid Program policies and procedures manuals and letters issued by the cabinet, and which contain benefit descriptions and operating instructions used by agency staff and participating vendors in the provision of, and billing for, Medical Assistance benefits provided eligible program recipients, as follows:

(a) Home and Community Based Services Waiver Project Adult Day Health Care Services, effective November 1, 1986 [October 1, 1985];

(b) Alternative Intermediate Services/Mental Retardation Project, effective November 1, 1986 [October 1, 1985];

(c) Birthing Center Services, effective May 1, 1986;

(d) Community Mental Health Benefits, effective November 1, 1986 [July 1, 1985];

(e) Dental Benefits, effective November [August] 1, 1986;

(f) Early and Periodic Screening, Diagnosis and Treatment Benefits, effective November [August] 1, 1986;

(g) Family Planning Benefits, effective November [May] 1, 1986;

(h) Hearing Services Benefits, effective November 1, 1986 [October 1, 1985];

(i) Home and Community Based Services Waiver Project, effective November 1, 1986 [October 1, 1985];

(j) Home Health Benefits, effective November [August] 1, 1986;

(k) Hospital Services Benefits, effective November 1, 1986 [October 1, 1985];

(l) Independent Laboratory Services Benefits, effective November [May] 1, 1986;

(m) Intermediate Care Facility Benefits, effective November [August] 1, 1986;

(n) Mental Hospital Services Benefits, effective November [May] 1, 1986;

(o) Nurse Anesthetist Services, effective November [May] 1, 1986;

(p) Nurse Midwife, effective November [May] 1, 1986;

(q) Pharmacy Services, effective November [August] 1, 1986 and updated Outpatient Drug List, including preauthorization list, effective October [July] 1, 1986;

(r) Physician Services Benefits, effective November [August] 1, 1986;

(s) Primary Care Benefits, effective November [May] 1, 1986;

(t) Rural Health Clinic Benefits, effective November [May] 1, 1986;

(u) Skilled Nursing Facility Benefits,

effective November [August] 1, 1986;  
 (v) Ambulance Transportation Benefits, effective November [May] 1, 1986, [as revised];  
 (w) Vision Services Benefits, effective November [August] 1, 1986;  
 (x) Podiatry Services, effective November 1, 1986 [October 1, 1985];  
 (y) Ambulatory Surgical Center Benefits, effective November 1, 1986 [July 1, 1985];  
 (z) Renal Dialysis Center Benefits, effective November 1, 1986 [October 1, 1985];  
 (aa) General Provider Letter A-8 and A-9, effective August 1, 1986;  
 (bb) Medical Director's Letter dated April 26, 1985, effective July 1, 1985;  
 (cc) EDS Federal Hospital Letter (as fiscal agent for the Medicaid Program) dated April 1, 1985, effective July 1, 1985;  
 (dd) Provider letters dated September 20 and 23, 1985 relating to KenPac, effective February

1, 1986; [and]  
 (ee) KenPAC Benefits, effective August 1, 1986;  
 (ff) Hospice Benefits, effective November 1, 1986; and  
 (gg) Transportation Benefits, effective November 1, 1986.

Section 3. All documents included by reference herein may be reviewed during regular working hours in the Office of the Commissioner, Department for Medicaid Services, 275 East Main Street, Frankfort, Kentucky. Copies may be obtained from that office upon payment of an appropriate fee which will not exceed approximate cost.

R. HUGHES WALKER, Commissioner  
 E. AUSTIN, JR., Secretary  
 APPROVED BY AGENCY: November 18, 1986  
 FILED WITH LRC: November 25, 1986 at 11 a.m.

## AMENDED AFTER HEARING

### GENERAL GOVERNMENT CABINET Kentucky Athletic Commission (Amended After Hearing)

201 KAR 27:015. Prompt payment of fees, fines and forfeitures required.

RELATES TO: KRS 229.081, 229.091(1), 229.991  
 PURSUANT TO: KRS 229.180  
 NECESSITY AND FUNCTION: KRS 229.091(1) provides that every licensee shall be subject to such regulations as the commission prescribes. This regulation is intended to insure that licensees pay all fees, fines and forfeitures owed to the Commonwealth in a prompt manner.

Section 1. All compensation agreements shall be in writing and submitted to the commissioner for his approval not less than five (5) days prior to the date of the proposed show.

Section 2. Compensation shall not be paid to any contestant or official in advance unless by prior approval of the commissioner.

Section 3. No promoter shall pay any part of the compensation due to managers, contestants, or their agents, if such manager or contestant or agent owes the Commonwealth of Kentucky any fees, fines, forfeitures, or other funds incurred in conducting, holding, giving, officiating at, or participating in, boxing or sparring matches, wrestling matches or exhibitions.

Section 4. The schedule for compensation to be paid in advance to officials participating in a professional match shall be as follows:

- (1) Announcers - \$50 [\$75].
- (2) Judges (minimum three (3)) - \$50 [\$100] each.
- (3) Timekeeper - \$50 [\$35].
- (4) Physician (less than nine (9) contestants) - \$125.
- (5) Physician (nine (9) or more contestants) - \$150.
- (6) Seconds (minimum two (2)) - \$10 each.
- (7) Referees - \$50 [\$125] each. If there are more than four (4) bouts, a minimum of two

(2) referees is required.

(8) Each official (except seconds) must be paid an additional fifty (50) dollars if the site of the show to which he must travel is located more than fifty (50) miles from the official's principal residence.

FRED H. LAMPSON, Chairman  
 APPROVED BY AGENCY: December 9, 1986  
 FILED WITH LRC: December 9, 1986 at noon

### NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET Department for Environmental Protection Division of Waste Management (Amended After Hearing)

401 KAR 47:070. Operator certification.

RELATES TO: KRS 224.842, 224.844  
 PURSUANT TO: KRS Chapter 13A[.210], 224.017, 224.033(24)

NECESSITY AND FUNCTION: KRS 224.844 [224.882] requires the cabinet to promulgate regulations that establish standards and a certification program for operators of waste disposal sites or facilities. This chapter establishes standards for solid waste sites or facilities. This regulation establishes the program for education, testing, and certification of facility operators of sanitary landfills and landfarming facilities.

Section 1. Applicability. (1) The requirements in this regulation apply to all solid waste sites or facilities except as subsection (2) of this section provides otherwise. Each solid waste site or facility shall have at least one (1) operator certified in accordance with Section 3 (sanitary landfills) or Section 4 (landfarming facilities) of this regulation, as appropriate to the category of solid waste site or facility.

(2) Inert or residual landfills are excluded from the requirements of this regulation, unless the cabinet requires operator certification as a condition of the permit. In deciding whether to require operator certification at an inert or

residual landfill, the cabinet may consider:

- (a) The characteristics of the waste stream;
  - (b) The characteristics of the site, including geology and hydrology; and
  - (c) The experience and qualifications of the operator.
- (3) It shall be the responsibility of the permittee to ensure that the solid waste site or facility complies with the requirements of this regulation.

Section 2. [1.] Definitions. The following are definitions as used in this regulation:

(1) "Category of solid waste site or facility [sanitary landfill]" means inert, residual, residential or contained landfill and [does not] include landfarming facilities.

(2) "Certificate" means a written document [certificate of competency] issued by the cabinet stating that the operator has met all requirements for certification.

(3) "Certified operator" means a solid waste site or facility [landfill] operator who holds a valid certificate. The following are categories of certified operators:

(a) "Landfarming operator" means a certified operator who is the individual responsible for ensuring compliance with all permit conditions at a landfarming facility in accordance with 401 KAR 47:050 (landfarming), and who is reasonably available to the site.

(b) "Landfill operator" means a certified operator who is the individual responsible for the daily operating requirements identified in 401 KAR 47:040 (sanitary landfills).

(c) "Landfill manager" means a certified operator who is the individual with primary responsibility for management and operation of the sanitary landfill to assure compliance with all permit conditions including direct responsibility for providing guidance to the landfill operator and/or the permittee and the authority to commit financial resources allocated for proper operation.

(d) "Interim operator" means the individual identified by the permittee as the replacement landfarming operator, landfill operator, or landfill manager in accordance with Section 12 [11] of this regulation.

[(4) "Landfill operator" means the individual or individuals having primary responsibility for the management and operational decisions about the daily operation of a sanitary landfill.]]

Section 3. [2.] General Provisions for Landfills. (1) Each residential and contained landfill shall have a certified operator(s) who is a landfill operator and a landfill manager. [at least one (1) certified landfill operator.] The requirements of this subsection may be fulfilled by:

(a) One (1) individual who is certified in both categories (provided this individual meets the qualifications in Sections 2(3) and 11 [10] of this regulation for both categories of operator); or

(b) Two (2) individuals who are certified in each category of operator such that one (1) individual is certified as a landfill operator and one (1) individual is certified as a landfill manager.

(2) As provided in Section 1 of this regulation, the cabinet may require that an inert or residual landfill shall have a certified operator who is a landfill operator or

a landfill manager or both a landfill operator and a landfill manager. [landfill operator at inert or residual landfills as a permit condition. The decision to require this permit condition will be based on the characteristics of the waste stream, and the experience and qualifications of the landfill operator.]

(3) In the event the certified operator who is the landfill operator is not physically at the facility during operating hours, either the landfill manager or an interim operator shall be designated responsible for daily site operation and shall be physically located on-site. If an interim operator assumes responsibility for daily operation of the landfill, the requirements in Section 12 [11] of this regulation shall be met. [the operator must leave adequate notice of how contact can be made and be reasonably available.]

(4) In carrying out its responsibilities, the cabinet will examine the qualifications of applicants for certification and maintain records of certification and a register of certified operators.

(5)(a) Except as provided in Section 1 of this regulation, no landfill shall continue operation in the absence of a landfill operator on-site for more than ten (10) consecutive operating days without appointment of a qualified interim operator in accordance with Section 12 [11] of this regulation or written approval from the cabinet.

(b) Except as provided in Section 1 of this regulation, no landfill shall continue operation in the absence of a landfill manager for a period longer than thirty (30) days without appointment of a qualified interim operator in accordance with Section 12 [10] of this regulation or written approval from the cabinet.

Section 4. General Provisions for Landfarming Facilities. (1) Each landfarming facility shall have a landfarming operator certified in accordance with Section 6 of this regulation.

(2) No landfarming facility shall continue operation in the absence of a landfarming operator for a period longer than five (5) consecutive working days without appointment of a qualified interim operator in accordance with Section 12 [11] of this regulation or written approval from the cabinet.

Section 5. [3.] Application for Certification.

(1) An individual [operator] desiring to be certified shall file an application on a form provided by the cabinet at least thirty (30) days before beginning training for a scheduled examination.

(2) The applicant [cabinet] shall submit [assemble] all information needed to determine eligibility of the applicant for examination and certification.

(3) The cabinet shall review applications and supporting documents, determine the eligibility of the applicant for examination and notify the applicant of the determination [notification].

(4) No person shall be eligible for examination for [or] certification unless that person completes the appropriate training class or classes provided by the cabinet, unless an alternative training program is accepted by the cabinet.

Section 6. [4.] Training Classes and Examinations. (1) The cabinet will provide

training classes for the certified [landfill] operator.

(2) Training sessions will be held at least annually at places and times set by the cabinet. The last day of each training session will be set aside for the purpose of examinations to determine the knowledge and ability of the applicant.

(3) Certification shall be conditioned on successful passage of a written examination, unless an alternative examination process is accepted by the cabinet.

(4) Separate examinations will be prepared to cover basic differences in the duties and responsibilities for the operation of each category of solid waste site or facility and each category of certified operator [sanitary landfill].

(5) Applicants who fail to pass an examination may reapply for the examination at a regularly scheduled examination or by appointment with the cabinet. The cabinet shall require the applicant to attend the training session again, if the applicant fails to pass the examination in three (3) attempts.

(6) In the event an applicant fails to meet the requirements for certification, he may petition the cabinet for a one (1) time only "temporary hardship certification." The cabinet will then conduct an informal hearing at which evidence shall be presented by the applicant to support his hardship request. Each temporary hardship certification request shall be considered on a case-by-case basis under the following guidelines:

(a) Failure of the applicant to receive certification would leave a significant area of the state without adequate waste disposal service.

(b) The applicant has shown a good faith effort by attending all required training sessions and met all requirements except the applicant has failed in three (3) attempts to pass the examination [requirement].

(c) The applicant has shown, through cabinet inspections, a capability for satisfactory operation of the solid waste site or facility.

Section 7. Training Course Requirements. (1) All applicants for certification shall be required to attend a training course provided by the cabinet in accordance with KRS 224.844.

(2) The training course provided by the cabinet shall be designed to provide information as appropriate to the category of certified operator. At a minimum, the training course shall provide information which enables the certified operator to perform his duties in a knowledgeable and competent manner.

(3) Landfill managers shall be trained on:

(a) The requirements for permit application for the applicable category of sanitary landfill including ownership, zoning, chapter 109 district boards, geologic and hydrologic information and specific design details;

(b) Characteristics of the waste stream; the physical, chemical and biological reactions including the hydrogeologic interactions of a landfill; and measures that must be employed to meet the environmental performance standards of 401 KAR Chapter 30 and all other regulatory requirements; and

(c) Specific duties expected to be performed by individuals who are wholly responsible for the requirements associated with the operation

of the applicable category of sanitary landfill permitted by the cabinet. These actions include at a minimum, the commitment of resources, oversight of operating personnel, and verification that site operation is in accordance with all provisions of the permit application including technical documents.

(4) Landfill operators shall be trained on the requirements contained in the solid waste regulations as they apply to daily site operation duties. These duties include judging indicators regarding a site's ability to receive wastes; judging waste characteristics for disposal acceptability; employing site equipment to maintain waste compaction, cover, and surface water management on a daily basis; maintaining equipment; maintaining site safety; and generally assuring compliance with the regulations.

(5) Landfarming operators shall be trained on the Kentucky waste management program as it applies to landfarming; wastewater treatment processes; the nature and characteristics of sludges; the physical and chemical properties of sludges; landfarming design and management; environmental considerations; and the Kentucky waste management permit process. The permit process includes requirements for application, conditions for maintaining a permit in compliance with the application and regulations, and amendments to the landfarming activity and associated permit.

(6) The cabinet shall provide the training course to applicants for certification. However, the cabinet may consider alternate training courses provided they are equivalent to the content prescribed by the cabinet's training course. It shall be the applicant's responsibility to submit such documentation as the cabinet requires for an equivalency judgment of the alternate training course.

Section 8. [7.] [5.] Issuance of Certificates. (1) Upon passage of the examination the cabinet will issue a certificate to the applicant which [designating competency. This certificate] will indicate the category of solid waste site or facility and the category of certified operator [sanitary landfill] for which the operator is certified [qualified].

(2) Certified [Landfill] operators shall be recertified every five (5) years.

(3) Certificates will be issued to holders of certificates of another state if the training requirements of the issuing state are deemed comparable and if the operator passes the cabinet's examination.

[(4) Certificates shall be valid only so long as the holder uses reasonable care and judgment in the performance of an operator's duties. No certificate will be valid if obtained through fraud, deceit, or the submission of inaccurate data on qualifications.]

[(4) [(5)] The certificates of operators who terminate their employment at a solid waste site or facility [sanitary landfill] will remain valid until expiration or revocation of the certificate [if recertified].

[(5) [(6)] Certificates [will be of such size and nature that they may be carried in a billfold and] shall be carried on the person of each certified operator during working hours at the facility or prominently displayed on-site.

[(7) Certification of all current operators shall be accomplished within twelve (12) months

of the effective date of these regulations, and certification of operators who are hired after the effective date of this regulation shall be accomplished within one (1) year of assuming the responsibility of landfill operator.]

Section 9. [8.] Compliance Dates. (1) The regulatory requirement to have one (1) certified operator at each residential or contained landfill (and inert or residual landfills with the permit condition to have a certified operator) became effective on February 1, 1982. In accordance with the regulation 401 KAR 2:111 (recodified to 401 KAR 47:070 on March 1, 1983) which became effective on February 1, 1982, each residential and contained landfill in existence on that date was required to have one (1) certified operator by February 3, 1983.

(2) By January 1, 1988, each residential landfill and contained landfill shall have a certified landfill operator and a landfill manager or one (1) individual who is certified as both a landfill operator and landfill manager.

(3) By December 31, 1988, each landfarming facility shall have a certified landfarming operator.

(4) An operator who is not an appropriately certified operator and who assumes the responsibility of a certified operator shall:

(a) Immediately comply with the requirements in Section 12 [11] of this regulation; and

(b) Comply with the requirements in Section 6 of this regulation within fifteen (15) months of assuming the responsibility.

Section 10. [9.] [6.] Revocation of Certificate. (1) The cabinet may revoke the certificate of an operator, following a cabinet hearing, when it determines that the operator has practiced fraud or deception, or that the operator has failed [is incompetent] to perform an operator's duties including, but not limited to, failure to comply with permit conditions.

(2) The cabinet may revoke a certificate whenever the holder fails to use reasonable care and judgement in the performance of an operator's duties. No certificate shall be valid if obtained through fraud, deceit, or the submission of inaccurate data on qualifications.

(3) Individuals who have had their certificate revoked by the cabinet shall be ineligible for future recertification.

Section 11. [10.] [7.] Operator Qualifications: Education and Equivalencies. (1) All applicants [Operators] shall be evaluated [examined] by the cabinet as to education, and experience [knowledge] as related to the appropriate category of solid waste site or facility [sanitary landfill].

(2)(a) Applicants for landfill operator [Landfill operators] shall have completed high school (by graduation or by obtaining an equivalency certificate) and shall have a minimum of one (1) year of experience at a landfill similar to the category of landfill for which certification is sought.

(b) [(3)] If an applicant for landfill operator does not meet the requirements of paragraph (a) of this subsection [(2) of this section] the cabinet may consider the number of years of experience in operating [managing] a [category of sanitary] landfill or experience in a related field (i.e., heavy equipment operator, road construction, surface mining, etc.) in

determining eligibility for examination on a year for year basis.

(3)(a) Applicants for landfill manager shall have completed high school (by graduation or by obtaining an equivalency certificate) and shall have:

1. A minimum of two (2) years administrative experience in a related field (i.e., waste management, wastewater treatment, etc.); or

2. A minimum of two (2) years of post-secondary education; or

3. A minimum of two (2) years of a combination of experience in a related field and post-secondary education.

(b) If an applicant for landfill manager does not meet the requirements of paragraph (a) of this subsection, the cabinet may consider the qualifications of the applicant on a case-by-case basis.

(4)(a) Applicants for landfarming operator shall have completed high school (by graduation or by obtaining an equivalency certificate) and shall have a minimum of one (1) year of experience at a landfarming facility.

(b) If an applicant for landfarming operator does not meet the requirements of paragraph (a) of this subsection, the cabinet may consider the number of years of experience in operating a landfarming facility in determining eligibility for examination on a year for year basis.

(5) Any applicant for recertification who holds a valid certificate shall not be required to resubmit information concerning qualifications. The qualifications of an existing certified operator shall not be considered in determining the applicant's eligibility for recertification for a specific category of certified operator provided, however, the applicant meets the criteria specified in Section 2(3) of this regulation for the specific category of certified operator.

Section 12. [11.] Interim Operators. (1) In accordance with the requirements in subsection (2) of this section, the permittee shall notify the cabinet in writing of the extended absence of a certified operator ten (10) days prior to an anticipated absence and immediately upon discovery of an extended absence due to an emergency or unanticipated circumstances. The notice from the permittee shall provide the cabinet with the following information:

(a) Name and qualifications of the individual intended to replace the certified operator; and

(b) The length of time for which the permittee seeks to have the interim operator fulfill the obligations of the certified operator.

(2) An "extended absence" shall mean:

(a) More than ten (10) consecutive operating days for a landfill operator;

(b) More than thirty (30) consecutive operating days for a landfill manager; and

(c) More than five (5) consecutive operating days for a landfarming operator.

(3) "Consecutive operating days" shall mean any days when:

(a) The solid waste site or facility accepts waste, operates equipment or otherwise performs the business of solid waste management; and

(b) Which days occur in sequence regardless of whether non-operating days such as weekends or holidays fall in between.

(4) The cabinet shall evaluate the qualifications of the designated interim

operator and shall notify the permittee of the cabinet's determination in writing within thirty (30) days of receipt of the permittee's notice. The determination shall:

(a) Approve or deny the permittee's request for designation of the interim operator;

(b) Identify the length of time the interim operator may operate the solid waste site or facility; and

(c) Specify conditions as appropriate to the site and the interim operator's qualifications.

Section 13. [12.] [8.] Permit Condition. As specified in Section 1 of this regulation, every solid waste site or facility [residential and contained landfill] requiring a permit shall be operated by the [an] operator(s) certified pursuant to this regulation. Pursuant to Sections 1 and 3 [2] of this regulation, maintaining the certified operator(s) shall be considered a permit condition, and the [landfill] permit may be revoked, or penalties for permit violations sought as appropriate, upon violation of the requirements and duties established by this regulation.

Section 14. [13.] [9.] Fees. (1) Fees for application for certification shall be:

(a) Fifty (50) dollars for application for certification as a landfill operator;

(b) Fifty (50) dollars for application for certification as a landfill manager;

(c) Seventy-five (75) dollars for application for certification as both a landfill operator and a landfill manager when the application is made for certification for both categories at the same training session; and

(d) Fifty (50) dollars for application for certification as a landfarming operator.

(2) Fees shall accompany applications and will not be returned to those who do not qualify for a certificate.

CHARLOTTE E. BALDWIN, Secretary

APPROVED BY AGENCY: December 15, 1986

FILED WITH LRC: December 15, 1986 at 11 a.m.

**PUBLIC PROTECTION AND REGULATION CABINET**  
**Kentucky State Racing Commission**  
**(Amended After Hearing)**

810 KAR 1:013. Entries, subscriptions and declarations.

RELATES TO: KRS 230.210 to 230.360

PURSUANT TO: KRS 13A.350

NECESSITY AND FUNCTION: To regulate conditions under which thoroughbred racing shall be conducted in Kentucky. The function of this regulation is to outline requirements for entry, subscription and declaration of horses in order to race.

Section 1. Entering Required. No horse shall be qualified to start in any race unless such horse has been and continues to be duly entered therein. Entries or subscriptions for any horse, or the transfer of same, may be refused or cancelled by the association without notice or reason given therefor.

Section 2. Procedure for Making Entries. (1) All entries, subscriptions, declarations, and scratches shall be lodged with the racing

secretary and shall not be considered as having been made until received by the racing secretary who shall maintain a record of time of receipt of same for a period of one (1) year.

(2) Every entry must be in the name of such horse's licensed owner, as completely disclosed and registered with the racing secretary under these rules, and made by the owner, or trainer, or a licensed authorized agent of such owner or trainer.

(3) Every entry must be in writing, except that an entry may be made by telephone to the racing secretary, but must be confirmed in writing should the stewards, the racing secretary, or an assistant to the racing secretary so request.

(4) Every entry shall clearly designate the horse so entered. When entered for the first time during a meeting, every horse shall be designated by name, age, color, sex, sire, and dam, as reflected by such horse's registration certificate.

(a) No horse may race unless correctly identified to the satisfaction of the stewards as being a horse duly entered.

(b) In establishing identity of a horse, responsibility shall be borne by any person attempting to identify such horse as well as the owner of such horse, all such persons being subject to appropriate disciplinary action for incorrect identification.

(c) Every entry shall clearly state any and all medications, drug, or substances which the horse shall receive as pre-race treatment. Medications, drugs, or substances shall be categorized into two (2) sections and shall be designated as follows: NSAID (non-steroidal anti-inflammatory) shall be designated by (B); and any and all bleeder medications shall be designated by (L). Horses racing for the first time with either of the above categories shall be clearly designated with (1).

(5) No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards.

(6) No horse may be entered in two (2) races to be run on the same day.

(7) No horse which has not started in the past ninety (90) days shall be permitted to start unless it has at least one (1) published work-out within twenty (20) days of entry at a distance satisfactory to the stewards of the meeting. In the event that a horse has done the requisite work-out, but through no fault of the trainer, such work-out does not appear in the past performances, the horse shall be permitted to start and the correct work-out announced. No horse which has never started shall be entered until the trained has produced satisfactory evidence to indicate to the starter that it has been adequately schooled from the starting gate.

Section 3. Stabling Requirement. No entry shall be accepted for any horse not stabled on association grounds where such race is to be run, unless its stabling elsewhere has been approved by the commission in its approved off-track stable [farm] list. For purposes of the "rules of racing," off-track stables are considered those stabling horses entered [used] in thoroughbred racing in the Commonwealth of Kentucky and are considered extensions of racing association backside and are subject to all applicable rules.

(1) The fee for an annual license for an



off-track stable shall be \$100 for those with fifty (50) stalls or less and \$250 for those with fifty-one (51) stalls or more. An annual inspection by the commission is required. The license must be displayed to the public.

(2) It shall be the responsibility of the off-track stable to ensure that all personnel on the grounds are licensed by the commission except for those making occasional deliveries of goods. It shall also be the responsibility of the off-track stable to adhere to the "rules of racing." Failure to do either of the aforementioned may result in a fine, a penalty, and/or loss of license.

(3) All off-track stables shall have a training track with an inner rail and a minimum length of one-half (1/2) of a mile.

(4) Each off-track stable shall adhere to the applicable security provisions of Rule VI, Section 21 of the "rules of racing."

Section 4. Limitation as to Spouses. No entry in any race shall be accepted for a horse owned wholly or in part by, or trained by, a person whose husband or wife is under license suspension at time of such entry; except that, if the license of a jockey has been suspended for a routine riding offense, then the stewards may waive this rule as to the duly licensed husband or wife or such suspended jockey.

Section 5. Mutuel Entries. (1) All horses entered in the same race and trained by the same trainer shall be joined as a mutuel entry and single betting interest. All horses entered in the same race and owned wholly, or in part by the same owner or spouse thereof, shall be joined as a mutuel entry and single betting interest.

(2) No more than two (2) horses having common ties through ownership or training as to be joined as a mutuel entry may be entered in a purse race. When making such double entry, a preference for one (1) of the horses must be made.

(3) In no case may two (2) horses having common ties through ownership start in a purse race to the exclusion of a single interest. In races in which the number of starters is limited to ten (10) or less, no two (2) horses having common ties through training may start to the exclusion of a single entry.

Section 6. Subscriptions. (1) Nominations to or entry of a horse in a stakes race is a subscription. Any subscriber to a stakes race may transfer or declare such subscription prior to closing.

(2) Joint subscriptions and entries may be made by any one (1) of the joint owners of a horse, and each such owner shall be jointly and severally liable for all payments due thereon.

(3) Death of a horse, or a mistake in its entry when such horse is eligible, does not release the subscriber or transferee from liability for all stakes fees due thereon. No fees paid in connection with a subscription to a stakes race that is run shall be refunded, "except as otherwise stated in the conditions of a stakes race."

(4) Death of a nominator or original subscriber to a stakes race shall not render void any subscription, entry, or right of entry thereunder. All rights, privileges, and obligations shall attach to the successor owner,

including the legal representatives of the decedent.

(5) When a horse is sold privately, or sold at public auction, or claimed, stakes engagements for such horse shall be transferred automatically with such horse to its new owner; except that, if such horse is transferred to a person whose license is suspended or otherwise unqualified to race or enter such horse, then such subscription shall be void as of the date of such transfer.

(6) All stakes fees paid toward a stakes race shall be allocated to the winner thereof unless otherwise provided by the condition for such stakes race. In the event a stakes race is not run for any reason, all such subscription fees paid shall be refunded.

Section 7. Closing. (1) Entries for purse races and subscriptions to stakes races shall close at the time designated by the association in previously published conditions for such races. If a race is not split, no entry, subscription, or declaration shall be accepted after such closing time; except that in event of an emergency, or if a purse race fails to fill them the racing secretary may, with the approval of a steward, extend such closing time.

(2) If the hour of closing is not specified for stakes races, then subscriptions and declarations therefor may be accepted until midnight of the day of closing; provided, they are received in time for compliance with every other condition of such race.

(3) Entries which have closed shall be complied without delay by the racing secretary and, along with declarations, be posted.

Section 8. Number of Starters in a Race. (1) The maximum number of starters in any race shall be limited to the number of starting positions afforded by the association starting gate and extensions thereof approved by the commission as can be positioned across the width of the track at the starting point for such race; and such maximum number of starters further shall be limited by the number of horses which, in the opinion of the stewards, considering the safety of the horses and riders, and the distance from the start to the first turn, can be afforded a fair and equal start.

(2) At tracks measuring less than a mile in circumference, no more than ten (10) horses may start in any race without consent of the stewards, and no more than twelve (12) horses may start under any circumstance.

(3) Any claiming race in the printed condition book for which eight (8) or more horses representing different betting interests are entered must be run. All other purse races in the printed condition book for which six (6) or more horses representing different betting interests are entered must be run.

(4) If any purse race in the printed condition book fails to fill with the minimum number of entries required by subsection (3) of this section to be run, then the association may cancel or declare off such race. The names of all horses entered therein shall be publicly posted in the office of the racing secretary not later than 1:00 p.m. the same day.

Section 9. Split or Divided Races. (1) In the event a race is cancelled or declared off, the association may split any race programmed for

the same day and which may previously have been closed. Races printed in the condition book shall have preference over substitute and extra races.

(2) When a purse race is split, forming two (2) or more separate races, the racing secretary shall give notice thereof not less than fifteen (15) minutes before such races are closed so as to grant time for the making of additional entries to such split races.

(3) Division of entries upon the splitting of any race shall be made in accordance with the conditions under which entries and subscriptions therefor were made, and in the absence of specific prohibition of such conditions:

(a) Horses originally joined as a mutuel entry may be placed in different divisions of a split race unless the person making such multiple entry, at the time of such entry indicates such coupling of horses is not to be uncoupled when such race is split.

(b) Division of entries in any split stakes race may be made according to age, or sex, or both.

(c) Entries for any split race not divided by any method provided above by this rule, shall be divided by lot so as to provide a number of betting interests as near equal as possible for each division of such split race.

Section 10. Post Positions. Post positions for all races shall be determined by lot, drawn in the presence of those making the entries for such race. Post positions in split races also shall be redetermined by lot in the presence of those making the entries for such split race. The racing secretary shall assign pari-mutuel numbers for each starter to conform with the post position drawn, except when a race included two (2) or more horses joined as a single betting interest.

Section 11. Also-Eligible List. (1) If the number of entries for a race exceeded the number of horses permitted to start in such race as provided by Section 8 of this regulation, then the names of as many as eight (8) horses entered but not drawn into such race as starters shall be posted on the entry sheet as "also-eligible" to start.

(2) After any horses have been excused from a race at scratch time, a new drawing shall be taken as to horses on the also-eligible list, and the starting and post position of such horses drawn from the also-eligible list shall be determined by the sequence drawn, unless otherwise stipulated in published conditions of the race.

(3) Any owner or trainer of any horse on the also-eligible list who does not wish to start such horse in such race shall so notify the racing secretary prior to scratch time for such race and such horse shall forfeit any preference to which it may have been entitled.

(4) Where entries are closed two (2) racing days prior to the running of a race, any horse on an also-eligible list, and which also has been drawn into a race as a starter for the succeeding day, shall not be permitted to run in the race for which it had been listed as also-eligible.

Section 12. Preferred List; Stars. (1) The racing secretary shall maintain a list of horses which were entered but denied an opportunity to

race because eliminated from a race programmed in the printed condition book either by overfilling or failure to fill. The racing secretary shall submit for approval of the commission at least thirty (30) days prior to the opening date of a race meeting a detailed description of the manner in which preference will be allocated.

(2) No preference shall be given a horse otherwise entitled thereto for a race if such horse also is entered for a race on the succeeding day.

Section 13. Arrears. No horse may be entered or raced if the owner thereof is in arrears as to any stakes fees due by such owner; except with the approval of the racing secretary.

Section 14. Declarations. Withdrawal of a horse from a race before closing thereof by the owner or trainer or person deputized by either, such being known as a "declaration," shall be made in the same manner as to form, time, and procedure as provided for the making of entries. Declarations and scratches are irrevocable. No declaration fee shall be required by any licensed association.

Section 15. Scratches. Withdrawal of a horse from a race after closing thereof by owner or trainer or person deputized by either, such being known as a "scratch," shall be permitted only under the following conditions:

(1) A horse may be scratched from a stakes race for any reason at any time up until fifteen (15) minutes prior to post time for the race preceding such stakes race by the filing in writing of such intention with the racing secretary, unless a list of also-eligibles has been drawn, in which case scratches must be filed at the regular scratch time as posted by the racing secretary, and no horse will be excused thereafter without a valid physical reason. Upon receiving a scratch from a stakes race, the racing secretary shall promptly notify the stewards and pari-mutuel manager, and shall cause public announcement of same to be made.

(2) No horse may be scratched from a purse race without approval of the stewards and unless such intention to scratch has been filed in writing with the racing secretary or his assistant at or before the time conspicuously posted as "scratch time." Scratch of one (1) horse coupled in a mutuel entry in a purse race must be made at or before the posted scratch time, unless permission is granted by the stewards to allow both horses to remain in the race until a later appointed scratch time therefor.

(3) In purse races, horses that are physically disabled or sick shall be permitted to be scratched first. Should horses representing more than ten (10) betting interests in either of the two (2) daily double races, or horses representing more than eight (8) betting interests in any other purse race, remain in after horses with physical excuses have been scratched, then owners or trainers may be permitted at scratch time to scratch horses without physical excuses down to such respective minimum numbers for such races, this privilege to be determined by lot if an excessive number of owners or trainers wish to scratch their horses.

(4) Entry of any horse which has been



scratched, or excused from starting by the stewards, because of a physical disability or sickness shall not be accepted until the expiration of three (3) calendar days after such horse was scratched or excused.

Section 16. In determining eligibility, allowances and penalties, the reports, records, and statistics as published in the Daily Racing

Form and the monthly chart books, or corresponding official publications of any foreign county, shall be considered official, but may be corrected until forty-five (45) minutes prior to post time of the race.

MARTHA H. BROADBENT, Chairman

APPROVED BY AGENCY: November 24, 1986

FILED WITH LRC: November 26, 1986 at 3 p.m.

## PROPOSED AMENDMENTS

### FINANCE AND ADMINISTRATION CABINET Kentucky Higher Education Assistance Authority (Proposed Amendment)

11 KAR 5:010. Authority, purpose, name of grant programs

RELATES TO: KRS 164.740 to 164.764, 164.780, 164.785

PURSUANT TO: KRS 13A.100, 164.748(4)

NECESSITY AND FUNCTION: The Kentucky Higher Education Assistance Authority administers grant programs to provide financial assistance to students to attend Kentucky educational institutions. This regulation sets forth the purpose and names of these grant programs.

Section 1. The State Student Incentive Grant Program (SSIG) authorized under KRS 164.740 to 164.764 provides eligible Kentucky residents grant assistance in order to pursue eligible courses of study at Kentucky educational institutions.

Section 2. The Kentucky Tuition Grant Program (KTG) authorized under KRS 164.780 and 164.785 provides qualified Kentucky residents who bear the major costs of attending accredited independent colleges and universities within the Commonwealth a tuition or fees grant as supplementary aid where need exists.

Section 3. Awards from the State Student Incentive Grant Program, the Kentucky Tuition Grant Program, or a combination of the two (2) may be referred to as KHEAA grants.

Section 4. Participants in the KHEAA grant programs shall comply [are administered in accordance] with procedures and requirements established by the authority and delineated in the 1986-87 KHEAA Grant Manual, applicable to grants for the 1986-87 academic year and the 1987-88 KHEAA Grant Manual, applicable to grants for the 1987-88 academic year. the text and appendix B of each respectively being incorporated herein by reference. A current copy of the manual shall be maintained on file with the Legislative Research Commission. Copies of the manual may be obtained upon request to the authority. Participating educational institutions shall maintain a current copy of the manual on file and, upon request, make a copy of the manual available for review by students.

PAUL P. BORDEN, Executive Director

APPROVED BY AGENCY: October 21, 1986

FILED WITH LRC: December 12, 1986 at 4 p.m.

PUBLIC HEARING SCHEDULED: A public hearing

regarding this regulation is scheduled to be held at 1050 U.S. 127 South, Frankfort, Kentucky, on Thursday, January 29, 1987, at 10 a.m. Any interested persons wishing to comment or attend the hearing pursuant to KRS Chapter 13A must submit their written comments or statement of intent to attend to: The Executive Director, Kentucky Higher Education Assistance Authority, 1050 U.S. 127 South, Frankfort, Kentucky 40601, no later than Monday, January 26, 1987. Absent such response from the public, the hearing may be cancelled.

### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Richard F. Casey

(1) Type and number of entities affected: An undetermined number of grant applicants and 55 educational institutions in Kentucky.

(a) Direct and indirect costs or savings to those affected: None

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs (note any effects upon competition):

(b) Reporting and paperwork requirements: Minimal

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings: None

1. First year: None

2. Continuing costs or savings: None

3. Additional factors increasing or decreasing costs: None

(b) Reporting and paperwork requirements: None

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: N/A

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments: This amendment incorporates by reference revisions to the 1987-88 KHEAA Grant Manual applicable to grants made for the 1987-88 academic year.

TIERING: Was tiering applied? No. This amendment reflects revisions of program participation standards applicable to all on an equal basis, including changes in calendar deadlines, cost of education established by participating schools, etc.

## FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate: Federal Regulations, 34 Code of Federal Regulations Parts 692 and 668 authorize the administration of the State Student Incentive Grant Program by the various states, utilizing federal funds. The federal regulations prescribe general rules governing the eligibility of students and participating schools, but defer much of the administrative details to be prescribed by the various states, such as application process and deadlines, award criteria and amounts, and disbursement procedures.

2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: No.

3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: N/A

**FINANCE AND ADMINISTRATION CABINET**  
**Kentucky Higher Education Assistance Authority**  
**(Proposed Amendment)**

11 KAR 5:030. Student eligibility requirements.

RELATES TO: KRS 164.740 to 164.764, 164.780, 164.785

PURSUANT TO: KRS 13A.100, 164.748(4)

NECESSITY AND FUNCTION: The Kentucky Higher Education Assistance Authority administers grant programs to provide financial assistance to students to attend Kentucky educational institutions. This regulation sets forth eligibility requirements for KHEAA Grant programs. Capitalized acronyms, words, and phrases have the meaning assigned to them in 11 KAR 5:020.

Section 1. Eligibility of Students. In order to qualify for a KHEAA grant, a student shall:

(1) Be a resident of the Commonwealth of Kentucky;

(2) Be enrolled as a full-time student in an eligible course of study;

(3) Be enrolled in an undergraduate program at an educational institution and not have previously earned a first baccalaureate or professional degree;

(4) Be determined by the authority, in accordance with procedures delineated in the KHEAA Grant Program Manual, to have established financial need for the KHEAA grant program assistance;

(5) Have remaining eligibility. A student enrolled in a two (2) year institution shall be limited to four (4) semesters or six (6) quarters of grant eligibility. A student enrolled in a four (4) year institution shall be limited to eight (8) semesters or twelve (12) quarters of KHEAA grant program eligibility. An exception may be granted by the executive director if the bachelor's program leads to a first degree and is designed to be completed in a ten (10) semester period, in which case the eligibility may be extended for cause by the executive director to ten (10) semesters. A student enrolled in an eligible course of study

of a duration not otherwise covered by this regulation shall have the same number of semesters or quarters of KHEAA grant program eligibility as are normally required for a student to complete that eligible course of study;

(6) Not receive financial assistance to meet educational expenses in excess of need;

(7) Maintain satisfactory progress in an eligible course of study according to the published standards and practices of the educational institution at which the student is enrolled; and

(8) Satisfy all financial obligations to the authority and to any educational institution. Ineligibility under this subsection may be waived for cause by the executive director;

(9) Be a citizen of the United States or an eligible noncitizen. For purposes of this section, an eligible noncitizen shall mean an individual who is either:

(a) A U.S. national;

(b) A U.S. permanent resident with an Alien Registration Receipt Card (I-151 or I-551);

(c) A permanent resident of the Northern Mariana Islands;

(d) A permanent resident of the Trust Territory of the Pacific Islands; or

(e) A person with a Departure Record (I-94) from the U.S. Immigration and Naturalization Service showing any one of the following designations:

1. "Refugee:"

2. "Asylum granted:"

3. "Indefinite parole" and/or "humanitarian parole:"

4. "Cuban-Haitian entrant."

Students who are in the U.S. on an F1 or F2 student visa only or a J1 or J2 exchange visitor visa only or a G series visa only are not eligible for KHEAA grant assistance; and

[Other eligible noncitizens who must have one of the following documents from the U.S. Immigration and Naturalization Service:]

[1. Arrival-Departure Record (I-94) showing:]

[a. "Refugee", or]

[b. "Adjustment applicant", or]

[c. "Conditional entrant", or]

[d. "Indefinite parole".]

[2. An official statement that the applicant has been granted asylum in the U.S.]

Students who are in the U.S. on an F1 or F2 student visa only or a J1 or J2 exchange visitor visa only are not eligible for KHEAA Grant assistance.]

(10) Meet the federal selective service registration compliance requirement if receiving State Student Incentive Grant funds. Those receiving Kentucky Tuition Grant (KTG) funds only do not have to meet this requirement.

Section 2. A KHEAA grant recipient, who, on the basis of information submitted on the KHEAA grant application, is potentially eligible for a Pell grant must apply for the Pell grant prior to disbursement of the spring semester portion of the KHEAA grant. Recipients subject to this regulation will be notified by the authority in advance of cancellation of the undisbursed portion of the KHEAA grant. If within a reasonable time following such notification the student fails to provide documentation of filing for a Pell grant, the undisbursed portion of the KHEAA grant shall be cancelled.

Section 3. (1) A student who fails to enroll, withdraws or changes enrollment status may owe a repayment of cash disbursements made to the student for educationally related expenses. If the student received financial aid, a portion of the repayment is due to the financial aid programs.

(2) The amount of the repayment shall be determined in accordance with the institution's refund and/or repayment policies relative to financial aid funds. If, however, a KHEAA grant recipient officially or unofficially withdraws from an institution before the first day of classes of the award period, or the student's enrollment is terminated with no assessment of tuition and fees by the institution, then the award shall be deemed an overaward and a full refund or repayment of the KHEAA grant shall be required, notwithstanding any institutional policy to the contrary.

(3) If, under the institution's financial aid repayment policy or this regulation, the student owes a repayment, the KHEAA grant or a portion thereof must be repaid to the authority by the student. The institution must calculate the amount of repayment due to the authority and notify the student and the authority in a timely fashion regarding the amount due to the authority.

PAUL P. BORDEN, Executive Director

APPROVED BY AGENCY: October 21, 1986

FILED WITH LRC: December 12, 1986 at 4 p.m.

PUBLIC HEARING SCHEDULED: A public hearing regarding this regulation is scheduled to be held at 1050 U.S. 127 South, Frankfort, Kentucky, on Thursday, January 29, 1987, at 10 a.m. Any interested persons wishing to comment or attend the hearing pursuant to KRS Chapter 13A must submit their written comments or statement of intent to attend to: The Executive Director, Kentucky Higher Education Assistance Authority, 1050 U.S. 127 South, Frankfort, Kentucky 40601, no later than Monday, January 26, 1987. Absent such response from the public, the hearing may be cancelled.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Richard F. Casey

(1) Type and number of entities affected: An undetermined number of grants applicants.

(a) Direct and indirect costs or savings to those affected: None

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs (note any effects upon competition):

(b) Reporting and paperwork requirements: Negligible

(2) Effects on the promulgating administrative body: None

(a) Direct and indirect costs or savings:

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs:

(b) Reporting and paperwork requirements: Negligible

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: N/A

(5) Identify any statute, administrative regulation or government policy which may be in

conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments: Regulation sets forth student eligibility requirements for KHEAA State Grant program. Existing regulation amended to conform to changes in federal program participation requirement.

TIERING: Was tiering applied? No. No burden is imposed by this regulation; regulation sets forth program participation eligibility requirements. This amendment conforms the definition of "eligible noncitizen" to recent changes made in federal state student incentive grant program requirements.

#### FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate: Federal Regulations, 34 Code of Federal Regulations Parts 692 and 668 authorize the administration of the State Student Incentive Grant Program by the various states, utilizing federal funds. The federal regulations prescribe general rules governing the eligibility of students and participating schools, but defer much of the administrative details to be prescribed by the various states, such as application process and deadlines, award criteria and amounts, and disbursement procedures.

2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: No.

3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: N/A

#### FINANCE AND ADMINISTRATION CABINET Kentucky Higher Education Assistance Authority (Proposed Amendment)

##### 11 KAR 6:010. Commonwealth Work Study Program.

RELATES TO: KRS 164.744(2), 164.748(4), 164.753(6)

PURSUANT TO: KRS 13A.100, 13A.110, 164.748(4)  
NECESSITY AND FUNCTION: The Kentucky Higher Education Assistance Authority ("Authority") is empowered to administer student financial assistance programs in the form of work-study. The purpose of this regulation is to name the authority's program, and set forth the procedures under which it will be administered.

Section 1. There is hereby established a program of student financial assistance known as the Commonwealth Work Study Program, which may be cited as the KHEAA-CWSP or merely as CWSP.

Section 2. The Commonwealth Work Study Program is operated under provisions of Kentucky Revised Statutes 164.740 to 164.765 and Title 11 of the Kentucky Administrative Regulations.

Section 3. Participants in the Commonwealth Work Study Program shall comply with procedures

and requirements established by the Authority, delineated in the "Commonwealth Work Study Program Manual of Procedures and Guidelines, 1986-87 [1985] Edition" incorporated herein by reference. A current copy of this manual shall be maintained on file with the Legislative Research Commission. Copies of the manual may be obtained upon request to the Authority. Participating educational institutions shall maintain a current copy on file and, upon request, make a copy of the manual available for review by students and employers.

PAUL P. BORDEN, Executive Director

APPROVED BY AGENCY: October 21, 1986

FILED WITH LRC: December 12, 1986 at 4 p.m.

PUBLIC HEARING SCHEDULED: A public hearing regarding this regulation is scheduled to be held at 1050 U.S. 127 South, Frankfort, Kentucky, on Thursday, January 29, 1987, at 10 a.m. Any interested persons wishing to comment or attend the hearing pursuant to KRS Chapter 13A must submit their written comments or statement of intent to attend to: The Executive Director, Kentucky Higher Education Assistance Authority, 1050 U.S. 127 South, Frankfort, Kentucky 40601, no later than Monday, January 26, 1987. Absent such response from the public, the hearing may be cancelled.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Richard F. Casey

(1) Type and number of entities affected:

(a) Direct and indirect costs or savings to those affected: None

1. First year: None

2. Continuing costs or savings: None

3. Additional factors increasing or decreasing costs (note any effects upon competition): N/A

(b) Reporting and paperwork requirements: No change.

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings: None

1. First year: None

2. Continuing costs or savings: None

3. Additional factors increasing or decreasing costs: None

(b) Reporting and paperwork requirements: None

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: There are no viable alternatives.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict: N/A

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions: N/A

(6) Any additional information or comments: This regulation incorporates revisions of a nonsubstantive nature, i.e., updating of calendar deadlines, changes in format, corrections, etc.

TIERING: Was tiering applied? No. Tiering is not relevant to this situation. This amendment reflects changes in the program manual such as calendar deadline revisions and other modifications applicable to all participants on an equal basis.

#### DEPARTMENT OF AGRICULTURE (Proposed Amendment)

302 KAR 31:010. Hearings upon denial, suspension, modification, or revocation of licenses.

RELATES TO: KRS Chapter 217B

PURSUANT TO: KRS Chapter 217B, 217B.050

NECESSITY AND FUNCTION: To clarify procedures for the license hearings held pursuant to KRS 217B.103, 217B.540, or 217B.545.

Section 1. Commencement of Action. [Hearings.]

(1) The department, prior to a license hearing, shall prepare a detailed report outlining the allegations against a licensee. The report shall be in the form of an administrative complaint which shall allege facts constituting violations and contain a prayer for relief. [When conducting license hearings under KRS 217B.103, 217B.540 or 217B.545, the pest control advisory board shall have the authority to:]

[(a) Administer oaths according to law;]

[(b) Issue subpoenas authorized by law;]

[(c) Rule upon offers of proof and receive relevant evidence;]

[(d) Take or cause depositions to be taken whenever the ends of justice would be service thereby;]

[(e) Regulate the course of the hearing; and]

[(f) Make recommendations and issue orders.]

(2) An action shall be deemed commenced when a true copy of the administrative complaint has been served upon the licensee or his registered agent for service of process. [The department, prior to a license hearing, will prepare a detailed report in the form of an administrative complaint concerning the denial, suspension, modification, or revocation. Copies of the report will be presented to the board prior to the actual hearing. A copy of the report will be sent to the licensee at least fifteen (15) days prior to the actual hearing so that he may be apprised of all the allegations therein. Every party shall have the right to present his case or defense by oral or documentary evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts.]

(3) Service of process shall be made by either personal delivery by an agent of the department or any law enforcement agency or by certified mail, return receipt requested. [The transcript of testimony and exhibits, together with all papers and requests filed in the proceeding, shall constitute the exclusive record for decision. Where the decision rests upon official notice of a material fact not appearing in the evidence in the record, any party shall on timely request be afforded an opportunity to show the contrary.]

(4) If the licensee intends to contest the allegations contained in the complaint, the licensee shall have twenty (20) days from the date of service of process to answer the complaint by delivering his written response thereto to the department and shall have ten (10) days from the date of service of process to request a hearing before the board.

(5) No hearing before the Pest Control Advisory Board (hereinafter board) shall be scheduled sooner than twenty-five (25) days after service of process upon the licensee. At least fifteen (15) days prior to that portion of

the hearing set before the board for presentation of evidence by both parties, a true copy of the administrative complaint, shall be sent to each member of the board by the prosecuting attorney. The licensee's answer and any motions or requests shall be delivered to each member of the board prior to that portion of the hearing set for presentation of the evidence by both parties.

Section 2. Counsel. (1) An attorney from the department's general counsel office shall act as prosecuting attorney in any disciplinary proceeding unless he shall decline to prosecute, then the board may appoint a special prosecuting attorney in its discretion.

(2) The licensee shall have the right to appear with counsel of his own choosing at all stages of a proceeding against him.

(3) There shall be no ex parte communications between counsel and any member of the board after commencement of a proceeding against a licensee concerning the merits of the allegations or proposed discipline. Counsel shall divulge to his opposing counsel as soon as practicable after any ex parte communications with board members are made the substance of any communication concerning procedural aspects of the proceeding.

(4) The non-voting member of the board from the Attorney General's Office shall serve as advisory counsel to the board during any proceeding and shall be the sole arbitrator of the admissibility of evidence sought to be introduced at hearing.

Section 3. Discovery. (1) Either party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the proceeding at any time after commencement of an action by any of the following methods:

(a) Oral deposition, which may be entered of record in lieu of further testimony by the witness upon motion to the board, and which shall be conducted under the applicable rules of civil procedure used by courts of law in the Commonwealth;

(b) Requests for production of names of witnesses, documents, and other demonstrative evidence;

(c) Requests for synopsis of testimony of any expert witness expected to be called.

(2) The board may issue protective orders as necessary.

(3) Interrogatories shall not be used as a form of discovery.

Section 4. Prehearing Conferences. Upon motion of either party or upon its own initiative, the board may order that a prehearing conference be held. The prehearing conference may be a forum for consideration of any matter properly before the board including all motions, discovery, stipulations, identification of issues, dates of future proceedings and objections.

Section 5. Hearings. (1) Hearings shall be conducted in accordance with the rules of examination applicable in the courts of the Commonwealth. The burden of proof shall be upon the department to show substantial evidence of the violations alleged in the complaint. The rules of evidence applicable in courts of law in the Commonwealth shall not apply. All relevant

evidence shall be admitted, including hearsay evidence, that is probative of a fact in issue; except if the prejudicial effect of the evidence outweighs its probative value, then it shall be excluded. Any evidence which is excluded may be entered into the record by offer of proof or avowal. The board shall rule upon all motions or objections and may require the submission of briefs regarding any issues. The board may allow opening and closing statements by either party.

(2) When a hearing will be expedited and the interests of the parties will not be prejudiced substantially, all or part of the evidence may be received in written form upon agreement of the parties. Copies may be introduced if the original documents are not readily available. Upon request, each party must be given the opportunity to compare the copy to the original.

(3) Official notice may be taken of judicially noticeable facts. Notice may be taken also of generally recognized technical or scientific facts within the board's specific knowledge. Each party shall have the opportunity to contest the facts so noticed.

(4) In the conduct of license hearings, the board shall also have authority to administer oaths, issue subpoenas, and subpoenas duces tecum.

(5) The board shall be responsible for compiling a written record of the hearing which shall contain all evidence introduced at the hearing, all motions, responses, pleadings, briefs, rulings, verbatim transcripts, exceptions and any other documents comprising part of the record.

Section 6. Recommendations of the Board. (1) Within thirty (30) days after concluding that portion of the hearing set before the board for presentation of evidence by both parties, the board shall deliberate and make preliminary findings of fact, conclusions of law, and recommendations for disposition of the allegations against the licensee.

(2) Prior to the board rendering preliminary findings, conclusions and recommendations, any party to the proceedings may move the board to allow briefs to be filed with the board. The board may grant the motion and set a time for submission of briefs if it believes that such a procedure would substantially aid the board in its deliberation. The board may also order briefs or proposed findings, conclusions, and recommendations to be submitted by each party upon its own initiative.

(3) The chairman of the board shall serve upon each party a copy of the board's preliminary findings, conclusions, and recommendations at least twenty (20) days prior to the date set for its final determination.

(4) Each party shall have the right to file exceptions to the board's preliminary findings of fact, conclusions of law, and recommendations. Exceptions shall be filed with the board at least seven (7) days prior to the board's final determination.

(5) The board may grant leave to any party to present oral argument upon exceptions properly filed if it believes that such arguments would aid the board in reaching its final determination.

(6) The board shall draft a final version of its findings of fact, conclusions of law, and recommendations for disposition to submit to the commissioner after having considered the whole

record, including any briefs or exceptions to its preliminary findings, conclusions of law, and recommendations. The board shall set a date to meet and vote upon the final version which must be approved by a simple majority of the board members and endorsed by the chairman before submission to the commissioner.

(7) The endorsement and submission of the final version of its findings, conclusions, and recommendations to the commissioner shall be the board's final determination of the allegations against the licensee and shall finally conclude the hearing.

(8) Each party may submit exceptions to the board's final determination by tendering exceptions in writing to the commissioner within ten (10) days after the board's findings, conclusions, and recommendations have been submitted to the commissioner for action.

Section 7. Action Upon Recommendations. (1) The commissioner shall either accept or reject the board's findings, conclusions, and recommendations after reviewing the whole record, including any exceptions filed by any party directly with him.

(2) If the commissioner orders suspension, revocation, or modification of the license, he shall issue to the licensee a written order specifying the terms and conditions of the suspension, revocation, or modification, its effective date, and notice of the licensee's right to appeal his order to the Franklin Circuit Court. If the commissioner rejects the board's findings, conclusions, and recommendations, he shall issue to the licensee a written order dismissing the complaint(s).

(3) The issuance of the commissioner's order shall be the final administrative action in the proceeding and the time for appeal therefrom shall begin when the licensee is served with a true copy of the order.

DAVID E. BOSWELL, Commissioner

APPROVED BY AGENCY: November 24, 1986

FILED WITH LRC: December 2, 1986 at 1 p.m.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on January 23, 1987 at 1:30 p.m. in Room 713 of the Capital Plaza Tower, Frankfort, Kentucky. Those interested in attending this hearing shall contact: Thomas M. Troth, General Counsel, Department of Agriculture, Room 705, Capital Plaza Tower, Frankfort, Kentucky 40601. Unless written notification of intent to attend a public hearing is received by the promulgating agency at least five (5) days before the hearing date, the hearing may be cancelled.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Mike Stivers

(1) Type and number of entities affected:

(a) Direct and indirect costs or savings to those affected: None

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs (note any effects upon competition): N/A

(b) Reporting and paperwork requirements: None

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings: None

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs: N/A

(b) Reporting and paperwork requirements: Department must provide report to licensee and to hearing board.

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: Chosen method is most efficient way to run hearings.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict: N/A

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions: N/A

(6) Any additional information or comments: None

TIERING: Was tiering applied? No. Hearing procedures must apply to entire pesticide industry.

#### NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET Department for Environmental Protection Division of Air Pollution (Proposed Amendment)

401 KAR 50:015. Documents incorporated by reference.

RELATES TO: KRS 224.320, 223.330, 224.340

PURSUANT TO: KRS 224.033

NECESSITY AND FUNCTION: KRS 224.033 requires the Natural Resources and Environmental Protection Cabinet to prescribe regulations for the prevention, abatement, and control of air pollution. This regulation provides for the incorporation by reference of documents referred to within these regulations.

Section 1. Code of Federal Regulations. (1) The following documents from the "Code of Federal Regulations" which are in effect as of November [July] 1, 1986, are incorporated herein by reference:

(a) 40 CFR 50:

1. Appendix A: Reference Method for the Determination of Sulfur Dioxide in the Atmosphere (Pararosaniline Method).

2. Appendix B: Reference Method for the Determination of Suspended Particulates in the Atmosphere (High Volume Method).

3. Appendix C: Measurement Principle and Calibration Procedure for the Continuous Measurement of Carbon Monoxide in the Atmosphere (Non-Dispersive Infrared Spectrometry).

4. Appendix D: Measurement Principle and Calibration Procedure for the Measurement of Ozone in the Atmosphere.

5. Appendix E: Reference Method for the Determination of Hydrocarbons Corrected for Methane.

6. Appendix F: Measurement Principle and Calibration Procedure for the Measurement of Nitrogen Dioxide in the Atmosphere (Gas Phase Chemiluminescence).

7. Appendix G: Reference Method for the Determination of Lead in Suspended Particulate Matter Collected from Ambient Air.

8. Appendix H: Interpretation of the National Ambient Air Quality Standards for Ozone.

(b) 40 CFR 58: Appendix B: Quality Assurance Requirements for Prevention of Significant Deterioration (PSD) Air Monitoring.

(c) 40 CFR 60:

1. Appendix A: Reference Methods:

a. Method 1 - Sample and Velocity Traverses for Stationary Sources.

b. Method 2 - Determination of Stack Gas Velocity and Volumetric Flow Rate (Type S Pitot Tube).

c. Method 2A - Direct Measurement of Gas Volume through Pipes and Small Ducts.

d. Method 2B - Determination of Exhaust Gas Volume Flow Rate from Gasoline Vapor Incinerators.

e. Method 3 - Gas Analysis for Carbon Dioxide, Oxygen, Excess Air, and Dry Molecular Weight.

f. Method 3A - Determination of Oxygen and Carbon Dioxide Concentrations in Emissions from Stationary Sources (Instrumental Analyzer Procedure).

g. [f.] Method 4 - Determination of Moisture Content in Stack Gases.

h. [g.] Method 5 - Determination of Particulate Emissions from Stationary Sources.

i. [h.] Method 5A - Determination of Particulate Emissions from the Asphalt Processing and Asphalt Roofing Industry.

j. [i.] Method 5D - Determination of Particulate Matter Emissions from Positive Pressure Fabric Filters.

k. [j.] Method 5E - Determination of Particulate Emissions from the Wool Fiberglass Insulation Manufacturing Industry.

l. [k.] Method 6 - Determination of Sulfur Dioxide Emissions from Stationary Sources.

m. [l.] Method 6A - Determination of Sulfur Dioxide, Moisture, and Carbon Dioxide Emissions from Fossil Fuel Combustion Sources.

n. [m.] Method 6B - Determination of Sulfur Dioxide and Carbon Dioxide Daily Average Emissions from Fossil Fuel Combustion Sources.

o. Method 6C - Determination of Sulfur Dioxide Emissions from Stationary Sources (Instrumental Analyzer Procedure).

p. [n.] Method 7 - Determination of Nitrogen Oxide Emissions from Stationary Sources.

q. [o.] Method 7A - Determination of Nitrogen Oxide Emissions from Stationary Sources -- Ion Chromatographic Method.

r. [p.] Method 7B - Determination of Nitrogen Oxide Emissions from Stationary Sources (Ultraviolet Spectrophotometry).

s. [q.] Method 7C - Determination of Nitrogen Oxide Emissions from Stationary Sources -- Alkaline - Permanganate/Colorimetric Method.

t. [r.] Method 7D - Determination of Nitrogen Oxide Emissions from Stationary Sources -- Alkaline - Permanganate/Ion Chromatographic Method.

u. Method 7E - Determination of Nitrogen Oxides Emissions from Stationary Sources (Instrumental Analyzer Procedure).

v. [s.] Method 8 - Determination of Sulfuric Acid Mist and Sulfur Dioxide Emissions from Stationary Sources.

w. [t.] Method 9 - Visual Determination of the Opacity of Emissions from Stationary Sources.

x. [u.] Method 10 - Determination of Carbon Monoxide Emissions from Stationary Sources.

y. [v.] Method 11 - Determination of Hydrogen Sulfide Content of Fuel Gas Streams in Petroleum Refineries.

z. [w.] Method 12 - Determination of Inorganic Lead Emissions from Stationary Sources.

aa. [x.] Method 13A - Determination of Total Fluoride Emissions from Stationary Sources - SPADNS Zirconium Lake Method.

bb. [y.] Method 13B - Determination of Total Fluoride Emissions from Stationary Sources - Specific Ion Electrode Method.

cc. [z.] Method 14 - Determination of Fluoride Emissions from Potroom Roof Monitors of Primary Aluminum Plants.

dd. [aa.] Method 15 - Determination of Hydrogen Sulfide, Carbonyl Sulfide, and Carbon Disulfide Emissions from Stationary Sources.

ee. [bb.] Method 16 - Semicontinuous Determination of Sulfur Emissions from Stationary Sources.

ff. [cc.] Method 16A - Determination of Total Reduced Sulfur Emissions from Stationary Sources (Impinger Technique).

gg. [dd.] Method 17 - Determination of Particulate Emissions from Stationary Sources (Instack Filtration Method).

hh. [ee.] Method 18 - Measurement of Gaseous Organic Compound Emissions by Gas Chromatography.

ii. [ff.] Method 19 - Determination of Sulfur Dioxide Removal Efficiency and Particulate, Sulfur Dioxide and Nitrogen Oxides Emission Rates from Electric Utility Steam Generators.

jj. [gg.] Method 20 - Determination of Nitrogen Oxides, Sulfur Dioxide, and Diluent [Oxygen] Emissions from Stationary Gas Turbines.

kk. [hh.] Method 21 - Determination of Volatile Organic Compounds Leaks.

ll. [ii.] Method 22 - Visual Determination of Fugitive Emissions from Material Processing Sources.

mm. [jj.] Method 24 - Determination of Volatile Matter Content, Water Content, Density, Volume Solids, and Weight Solids of Surface Coatings.

nn. [kk.] Method 24A - Determination of Volatile Matter Content and Density of Printing Inks and Related Coatings.

oo. [ll.] Method 25 - Determination of Total Gaseous Nonmethane Organic Emissions as Carbon.

pp. [mm.] Method 25A - Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer.

qq. [nn.] Method 25B - Determination of Total Gaseous Organic Concentration Using a Nondispersive Infrared Analyzer.

rr. [oo.] Method 27 - Determination of Vapor Tightness of Gasoline Delivery Tank Using Pressure-Vacuum Test.

2. Appendix B: Performance Specifications:

a. Performance Specification 1 - Specifications and test procedures for opacity continuous emission monitoring systems in stationary sources.

b. Performance Specification 2 - Specifications and test procedures for sulfur dioxide and nitric oxides continuous emission monitoring systems in stationary sources.

c. Performance Specification 3 - Specifications and test procedures for oxygen and carbon dioxide continuous emission monitoring systems in stationary sources.

d. Performance Specification 4 - Specifications and test procedures for carbon monoxide continuous emission monitoring systems in stationary sources.

e. Performance Specification 5 - Specifications and test procedures for TRS continuous emission monitoring systems in stationary sources.

3. Appendix C: Determination of Emission Rate



Change.

(d) 40 CFR 61.

1. Appendix B: Test Methods:

a. Method 101 - Determination of particulate and gaseous mercury emissions from chlor-alkali plants (air streams).

b. Method 101A - Determination of particulate and gaseous mercury emissions from sewage sludge incinerators.

c. Method 102 - Determination of particulate and gaseous mercury emissions from chlor-alkali plants (hydrogen streams).

d. Method 103 - Beryllium screening method.

e. Method 104 - Reference method for determination of beryllium emissions from stationary sources.

f. Method 105 - Method for determination of mercury in wastewater treatment plant sewage sludges.

g. Method 106 - Determination of vinyl chloride from stationary sources.

h. Method 107 - Determination of vinyl chloride content of inprocess wastewater samples, and vinyl chloride content of polyvinyl chloride resin, slurry, wet cake, and latex samples.

i. Method 107A - Determination of vinyl chloride content of solvents, resin-solvent solution, polyvinyl chloride resin, resin slurry, wetresin, and latex samples.

j. Method 108 - Determination of particulate and gaseous arsenic emissions.

k. Method 108A - Determination of arsenic content in ore samples from nonferrous smelters.

1. Method 111 - Determination of polonium - 210 emissions from stationary sources.

2. Appendix C: Quality Assurance Procedures:

a. Procedure 1 - Determination of adequate chromatographic peak resolution.

b. Procedure 2 - Procedures for field auditing GC analysis.

(2) Copies may be obtained from: Office of the Federal Register, National Archives and Records Service, 8th and Pennsylvania Avenue, NW, Washington, D.C. 20408; Phone (202) 523-5215.

Section 2. Association of Official Analytical Chemists. The following document from the Association of Official Analytical Chemists is incorporated herein by reference:

(1) Method 9 - Spectrophotometric Molybdovanadophosphate from "Official Method of Analysis" of the Association of Official Analytical Chemists, 11th Edition.

(2) Copies may be obtained from: Association of Official Analytical Chemists, Box 540, Benjamin Franklin Station, Washington, D.C. 20014; Phone (202) 245-1191.

Section 3. American Society for Testing and Materials. The following documents from the appropriate "Book of ASTM Standards" in which the standard appears from the American Society for Testing and Materials are incorporated herein by reference:

(1) ASTM Standards:

(a) A 99-66(71) Standard Specification for Ferromanganese.

(b) A 100-69(74) Standard Specification for Ferrosilicon.

(c) A 101-73 Standard Specification for Ferrochromium.

(d) A 482-66(71) Standard Specification for Ferrochrome-Silicon.

(e) A 483-64(74) Standard Specification for

Silicomanganese.

(f) A 495-64(70) Standard Specification for Calcium-Silicon and Calcium-Manganese-Silicon.

(g) D 86-82 Standard Method for distillation of Petroleum Products.

(h) D 240-76 Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter.

(i) D 322-67(77) Standard Test Method for Gasoline Diluent in Used Gasoline Engine Oils by Distillation.

(j) D 388-66(72) Standard Specification for Classification of Coals by Rank.

(k) D 737-75 Standard Test Method for Air Permeability of Textile Fabrics.

(l) D 1072-80 Standard Method for Total Sulfur in Fuel Gases.

(m) D 1137-53(75) Standard Method for Analysis of Natural Gases and Related Types of Gaseous Mixtures by the Mass Spectrometer.

(n) D 1475-60(80) Standard Test Method for Density of Paint, Varnish, Lacquer, and Related Products.

(o) D 1644-75 Standard Test Methods for Nonvolatile Content of Varnishes.

(p) D 1826-64(75) Standard Test Method for Calorific Value of Gases in Natural Gas Range by Continuous Recording Calorimeter.

(q) D 1945-64(73) Standard Method for Analysis of Natural Gas by Gas Chromatography.

(r) D 1946-67(72) Standard Method for Analysis of Reformed Gas by Gas Chromatography.

(s) D 2015-66(72) Standard Test Method for Gross Calorific Value of Solid Fuel by the Adiabatic Bomb Calorimeter.

(t) D 2267-83 Standard Test Method for Aromatics in Light Naphthas and Aviation Gasolines by Gas Chromatography.

(u) D 2369-73 Standard Test Method for Volatile Content of Paints.

(v) D 2382-83 Standard Test Method for Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High-Precision Method).

(w) D 2504-83 Standard Test Method for Noncondensable Gases in C<sub>3</sub> and Lighter Hydrocarbon Products by Gas Chromatography.

(x) D 2584-68(79) Standard Test Method for Ignition Loss of Cured Reinforced Resins.

(y) D 2880-78 Standard Specification for Gas Turbine Fuel Oils.

(z) D 2879-83 Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperatures of Liquids by Isoteniscope.

(aa) D 3031-81 Standard Test Method for Total Sulfur in Natural Gas by Hydrogenation.

(bb) D 3176-74 Standard Method for Ultimate Analysis of Coal and Coke.

(cc) D 3178-73 Standard Test Methods for Carbon and Hydrogen in the Analysis Sample of Coal and Coke.

(dd) D 3246-81 Standard Method for Sulfur in Petroleum Gas by Oxidative Microcoulometry.

(ee) D 4084-82 Standard Method for Analysis of Hydrogen Sulfide in Gaseous Fuels (Lead Acetate Reaction Rate Method).

(ff) E 123-78 Standard Specification for Apparatus for Determination of Water by Distillation.

(gg) E 168-67(77) Standard Recommended Practices for General Techniques of Infrared Quantitative Analysis.

(hh) E 169-63(81) Standard Recommended Practices for General Techniques of Ultraviolet Quantitative Analysis.



(ii) E 260-73 Standard Recommended Practice for General Gas Chromatography Procedures.

(2) Copies may be obtained from: American Society for Testing Materials, 1916 Race Street, Philadelphia, Pennsylvania 19103; Phone (215) 299-5400.

Section 4. Technical Association of the Pulp and Paper Industry. The following document from the Technical Association of the Pulp and Paper Industry (TAPPI) is incorporated herein by reference:

(1) T624 os-68 - Analysis of Soda and Sulfate - White and Green Liquors. This reference is also numbered ANSI P3.6-1970 (American National Standards Institute).

(2) Copies may be obtained from: TAPPI, 1 Dunwood Park, Atlanta, Georgia 30341.

Section 5. EPA. The following documents from the U. S. EPA are incorporated herein by reference:

(1)(a) Guideline on Air Quality Models (Revised), EPA-450/2-78-027R, OAQPS No. 1.2-080R, July, 1986 [April, 1978].

(b) Workbook for Comparison of Air Quality Models, EPA-450/2-78-028a, OAQPS No. 1.2-097, May, 1978.

(c) Control of Volatile Organic Compound Leaks from Petroleum Refinery Equipment, Appendix B, EPA-450/2-78-036, OAQPS No. 1.2-111, June, 1978.

(d) Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems, EPA-450/2-78-051, OAQPS No. 1.2-119, December, 1978.

(e) Control of Hydrocarbons from Tank Truck Gasoline Loading Terminals, EPA-450/2-77-026, OAQPS No. 1.2-082, October, 1977.

(f) Guidelines for Use of Fluid Modeling to Determine Good Engineering Practice Stack Height, EPA 450/4-81-003, PB 82-145327, July, 1981.

(g) Guidelines for Fluid Modeling of Atmospheric Diffusion, EPA-600/8-81-009, PB 81-201410, April, 1981.

(2) Copies may be obtained from: U. S. EPA, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina 27711 and the U.S. Department of Commerce, National Technical Information Service, Springfield, Virginia 22161.

Section 6. American Association of State Highway and Transportation Officials. The following document from the American Association of State Highway and Transportation Officials (AASHTO) is incorporated herein by reference:

(1) AASHTO T 59-78 Standard Method of Test for Testing Emulsified Asphalt.

(2) Copies may be obtained from: American Association of State Highway and Transportation Officials, 444 N. Capitol Avenue, Washington, D.C. 20001.

Section 7. Federal Test Method Standard. The following document from the Federal Test Standard is incorporated herein by reference:

(1) Federal Test Method Standard No. 141a, Method 4082.1, "Water in Paints and Varnishes (Karl Fischer Titration Method)."

(2) Single copies may be obtained from:

(a) General Services Administration Regional Offices; or

(b) Superintendent of Documents, U. S. Government Printing Office, Washington, D.C.

20402.

Section 8. Kentucky Division of Air Pollution. The following documents from the Kentucky Division of Air Pollution are incorporated herein by reference:

(1)(a) Kentucky Method 50: Kentucky Division of Air Pollution Control Reference Method 50, "Determination of Total Particulate Emissions from Stationary Sources."

(b) Kentucky Method 90: Kentucky Division of Air Pollution Control Reference Method 90, "Determination of Total Gaseous Organic Emissions from Stationary Sources."

(c) Kentucky Method 91: Kentucky Division of Air Pollution Control Reference Method 91, "Alternate Test Method for the Determination of Total Gaseous Organic Emissions from Stationary Sources."

(d) Kentucky Method 95: Kentucky Division of Air Pollution Control Reference Method 95, "Determination of Gasoline Vapor Emissions from Bulk Terminals."

(e) Kentucky Method 130: Kentucky Division of Air Pollution Control Reference Method 130, "Determination of Gaseous Fluoride Emissions from Stationary Sources."

(f) Kentucky Method 150(F-1): Kentucky Division of Air Pollution Control Reference Method 150(F-1), "Visual Determination of Intermittent Opacity Emissions from Stationary Sources."

(2) Copies may be obtained from: Division of Air Pollution, Technical Services, Department for Environmental Protection, Fort Boone Plaza, 18 Reilly Road, Frankfort, Kentucky 40601.

Section 9. American National Standards Institute. The following document from the American National Standards Institute is incorporated herein by reference:

(1) Voluntary Product Standard PS 59-73 - Prefinished Hardboard Paneling. This reference is also numbered ANSI A135.5-1973 (American National Standards Institute).

(2) Copies may be obtained from: American National Standards Institute, 1430 Broadway, New York, New York 10018.

Section 10. American Public Health Association. The following document from the American Public Health Association, American Water Works Association and Water Pollution Control Federation is incorporated herein by reference:

(1) Standard Methods for the Examination of Water and Wastewater, 15th Edition, 1980:

(a) Method 209A. Total Residue Dried at 103-105C.

(b) Method 209C. Total Filtrable Residue Dried at 103-105C.

(2) Copies may be obtained from: American Public Health Association, 1015 Fifteenth Street, N.W., Washington, D.C. 20005.

Section 11. Availability. Copies of the material incorporated by reference in this regulation shall be available for public review at the following offices of the Division of Air Pollution Control:

(1) Director's Office, Division of Air Pollution Control, Fort Boone Plaza, 18 Reilly Road, Frankfort, Kentucky 40601, (502) 564-3382;

(2) Ashland Regional Office, 3700 Thirteenth Street, Ashland, Kentucky 41101, (606) 325-8569;

(3) Bowling Green Regional Office, 1508 Western Avenue, Bowling Green, Kentucky 42101, (502) 842-8131;

(4) Florence Regional Office, 7964 Kentucky Drive, Suite 8, Florence, Kentucky 41042, (606) 371-0598;

(5) Hazard Regional Office, 233 Birch Street, Hazard, Kentucky 41701, (606) 439-2391;

(6) Owensboro Regional Office, 311 West Second Street, Owensboro, Kentucky 42301, (502) 686-3304; and

(7) Paducah Regional Office, 1390 Irvin Cobb Drive, Paducah, Kentucky 42001, (502) 444-8295.

CHARLOTTE E. BALDWIN, Secretary

APPROVED BY AGENCY: December 15, 1986

FILED WITH LRC: December 15, 1986 at noon

PUBLIC HEARING SCHEDULED: A public hearing to receive comments on this proposed amendment will be conducted on January 27, 1987, at 10 a.m. (EST) in Room G-2 of the Capital Plaza Tower, Frankfort, Kentucky. Those persons interested in attending this public hearing shall contact, in writing at least five days prior to the hearing, Mr. William S. Coakley, Manager, Program Development Branch, Division of Air Pollution Control, 18 Reilly Road, Fort Boone Plaza, Frankfort, Kentucky 40601.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Roger B. McCann

(1) Type and number of entities affected: This regulation incorporates by reference the methods required for demonstrating compliance with the regulations of the Division of Air Pollution. This regulation is being amended to add methods as required in the regulations which are already promulgated, are being proposed by the Division, or will be proposed in the near future. In addition, the division is amending the date of one of the documents on air quality models that was published by the U.S. Environmental Protection Agency (EPA), and which has been recently revised. The U.S. EPA has revised "Guideline on Air Quality Models (Revised)," EPA-450/2-78-027R (OAQPS 1.2-080R), as of July 1986, and the Division is adopting by reference the new version. Simply incorporating these methods does not affect any sources or other entities. Any impact would occur in the individual regulation where the methods are required.

(a) Direct and indirect costs or savings to those affected: None

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs (note any effects upon competition): N/A

(b) Reporting and paperwork requirements: None. Any requirements appear in the individual regulations.

(2) Effects on the promulgating administrative body: None

(a) Direct and indirect costs or savings: N/A

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs: N/A

(b) Reporting and paperwork requirements: None

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: No alternatives were considered since this regulation is merely

incorporating the methods for determining compliance which are required in other regulations.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict: N/A

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions: N/A

(6) Any additional information or comments: This regulation is being amended to add reference methods that are required in the federal regulations on New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP), that the division has adopted, or will soon be adopting, by reference. In addition, the division is adopting by reference the U.S. EPA's new document on air quality models, "Guideline on Air Quality Models (Revised)," EPA-450/2-78-027R (OAQPS 1.2-080R), July 1986.

TIERING: Was tiering applied? No. Tiering was not applied because this regulation adopts by reference those methods for determining compliance which are required by other regulations. Tiering is not applicable in this regulation.

#### FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate: This regulation adopts by reference the methods that are used to demonstrate compliance with the federal regulations, which the division has already promulgated, or is adopting by reference. Therefore, the state's requirements are the same as the federal requirements.

2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: No

3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: N/A

#### CORRECTIONS CABINET (Proposed Amendment)

501 KAR 6:020. Corrections policies and procedures.

RELATES TO: KRS Chapters 196, 197, 439

PURSUANT TO: KRS 196.035, 197.020, 439.470, 439.590, 439.640

NECESSITY AND FUNCTION: KRS 196.035, 197.020, 439.470, 439.590, and 439.640 authorize the secretary to adopt, amend or rescind regulations necessary and suitable for the proper administration of the cabinet or any division therein. These regulations are in conformity with those provisions.

Section 1. Pursuant to the authority vested in the Corrections Cabinet the following policies and procedures are incorporated by reference on December 15 [November 14], 1986 and hereinafter should be referred to as Corrections Policies and Procedures. Copies of the procedures may be obtained from the Office of the General Counsel.

# ADMINISTRATIVE REGISTER - 1245

Corrections Cabinet, State Office Building,  
Frankfort, Kentucky 40601.

- 1.1 Legal Assistance for Corrections Staff
- 1.2 News Media
- 1.6 Extraordinary Occurrence Reports
- 1.9 Institutional Duty Officer (Amended 12/15/86)
- 1.11 Population Counts and Reporting Procedures
- 1.12 Operation of Motor Vehicles by Corrections Cabinet Employees (Added 12/15/86)
- 2.1 Inmate Canteen
- 2.10 Surplus Property (Added 12/15/86)
- 3.1 Code of Ethics
- 3.2 Inclement Weather and Emergency Conditions Policy
- 3.3 Holding of Second Jobs by Bureau Employees
- 3.7 Employment of Relatives
- 3.10 Staff Clothing and Personal Appearance
- 3.12 Institutional Staff Housing
- 3.14 Corrections Cabinet Payroll Deduction Policy and Procedure
- 4.1 Attendance at Professional Meetings
- 4.2 Staff Training and Development [(Amended 11/14/86)]
- 4.3 Firearms and Chemical Agents Training [(Amended 11/14/86)]
- 4.4 Educational Assistance Program
- 6.1 Open Records Law
- 7.2 Asbestos Abatement [(Added 11/14/86)]
- 8.4 Emergency Preparedness
- 9.1 Use of Force
- 9.3 Transportation of Convicted Offenders
- 9.4 Transportation of Inmates to Funerals or Bedside Visits
- 9.5 Return of Escapees by Automobile
- 9.6 Contraband
- 9.7 Storage, Issue and Use of Weapons Including Chemical Agents
- 9.8 Search Policy (Amended 12/15/86) [(Amended 11/14/86)]
- 9.9 Transportation of Inmates
- 9.10 Security Inspections
- 9.11 Tool Control (Added 12/15/86)
- 9.15 Institutional Entry and Exit Policy and Procedures
- 9.18 Informants
- 10.1 Inmates Serving a Sentence of Death
- 10.2 Special Management Inmates [(Amended 11/14/86)]
- 10.3 Safekeepers
- 10.4 Special Needs Inmates
- 11.2 Nutritional Adequacy of the Diet for Inmates
- 11.3 Special Diet Procedures
- 12.1 Resident Clothing
- 13.1 Pharmacy Policy and Formulary
- 13.2 Health Maintenance Services
- 13.3 Medical Alert System
- 13.4 Health Program Audits
- 14.2 Personal Hygiene Items
- 14.3 Marriage of Inmates
- 14.4 Legal Services Program
- 14.6 Inmate Grievance Procedures [(Amended 11/14/86)]
- 15.1 Hair and Grooming Standards
- 15.2 Offenses and Penalties
- 15.3 Meritorious Good Time
- 15.4 Governor's Meritorious Good Time Award
- 15.5 Restoration of Forfeited Good Time
- 15.6 Adjustment Procedures and Programs
- 16.1 General Inmate Visiting Procedure
- 16.2 Inmate Correspondence
- 16.3 Telephone Calls

- 16.4 Inmate Packages [(Added 11/14/86)]
- 17.1 Inmate Personal Property
- 17.2 Assessment Center Operations
- 17.3 Controlled Intake of Inmates
- 18.4 Classification of the Inmate
- 18.5 Custody/Security Guidelines
- 18.6 Classification Document
- 18.7 Transfers
- 18.8 Guidelines for Transfers Between Institutions
- 18.9 Out-of-State Transfers
- 18.10 Pre-Parole Progress Reports
- 18.11 Kentucky Correctional Psychiatric Center Transfer Procedures
- 18.12 Referral Procedure for Inmates Adjudicated Guilty But Mentally Ill
- 18.13 Population Categories [(Amended 11/14/86)]
- 18.15 Protective Custody [(Added 11/14/86)]
- 19.1 Government Services Projects
- 19.2 Community Services Projects
- 20.1 Study Release
- 20.6 Vocational Study Release
- 22.1 Privilege Trips
- 25.1 Gratuities
- 25.2 Public Official Notification of Release of an Inmate
- 25.3 Pre-Release
- 25.4 Inmate Furloughs
- 25.6 Community Center Program
- 25.7 Expedient Release
- 25.8 Extended Furloughs
- 27.1 Supervision: Case Classification
- 27.2 Risk/Needs Administration
- 27.4 Supervision Plan: General
- 27.8 Travel Restrictions
- 27.9 Conditions of Supervision
- 27.10 Preliminary Revocation Procedures
- 27.11 Apprehension and Transportation of Violators of Probation, Parole and Conditional Release
- 27.12 Fugitive Section/Probation and Parole
- 27.13 Supervision Fee
- 27.14 Interstate Compact
- 27.18 Absconder Procedures
- 27.19 Technical Violators
- 27.20 Intensive Supervision [(Amended 11/14/86)]
- 28.2 Investigations: General
- 28.3 Pre-Sentence Investigations (To the Court)
- 28.4 Pre-Parole (Pre-Sentence) Investigation (To the Institution and State Parole Board)
- 28.5 Special Report to the Parole Board
- 28.7 Out-of-State Investigations

GEORGE W. WILSON, Secretary

APPROVED BY AGENCY: December 15, 1986

FILED WITH LRC: December 15, 1986 at noon.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for January 23, 1987 at 9 a.m. on the 10th floor, Room 4471 in the State Office Building. Those interested in attending this hearing shall notify in writing: Barbara Jones, Office of General Counsel, 5th Floor, State Office Building, Frankfort, Kentucky 40601.

## REGULATORY IMPACT ANALYSIS

Agency Contact Person: Barbara W. Jones

(1) Type and number of entities affected: 2,043 employees of the Corrections Cabinet, 5,260 inmates, 10,447 parolees and probationers, and all visitors to state correctional institutions.

(a) Direct and indirect costs or savings to

those affected:

1. First year: None
2. Continuing costs or savings: None
3. Additional factors increasing or decreasing costs (note any effects upon competition): None
- (b) Reporting and paperwork requirements: None
- (2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings:

1. First year: None. All of the costs involved with the implementation of the regulation are included in the operational budget.

2. Continuing costs or savings: Same as (2)(a)1.

3. Additional factors increasing or decreasing costs: Same as (2)(a)1.

(b) Reporting and paperwork requirements: Monthly submission of policy revisions.

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: None

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments: None

Tiering:

Was tiering applied? No. All policies are administered in a uniform manner.

#### CORRECTIONS CABINET (Proposed Amendment)

#### 501 KAR 6:030. Kentucky State Reformatory.

RELATES TO: KRS Chapters 196, 197, 439

PURSUANT TO: KRS 196.035, 197.020, 439.470, 439.590, 439.640

NECESSITY AND FUNCTION: KRS 196.035, 197.020, 439.470, 439.590, and 439.640 authorize the secretary to adopt, amend or rescind regulations necessary and suitable for the proper administration of the cabinet or any division therein. These regulations are in conformity with those provisions.

Section 1. Pursuant to the authority vested in the Corrections Cabinet the following policies and procedures are incorporated by reference on December [October] 15, 1986 and hereinafter should be referred to as Kentucky State Reformatory Policies and Procedures. Copies of the procedures may be obtained from the Office of the General Counsel, Corrections Cabinet, State Office Building, Frankfort, Kentucky 40601.

- KSR 01-00-09 Public Information and News Media Relations
- KSR 01-00-10 Entry Authorization for All Cameras and Tape Recorders. Brought into the Institution
- KSR 01-00-14 Extraordinary Occurrence Report
- KSR 01-00-15 Cooperation and Coordination with Oldham County Court
- KSR 01-00-19 Personal Service Contract Personnel
- KSR 01-00-20 Consent Decree Notification to Inmates

- KSR 02-00-01 Inmate Canteen
- KSR 02-00-03 Screening Disbursements from Inmate Personal Accounts
- KSR 02-00-11 Inmate Personal Accounts
- KSR 02-00-12 Institutional Funds and Issuance of Checks
- KSR 03-00-01 Shift Assignment/Reassignment
- KSR 03-00-02 Employee Dress and Personal Appearance
- KSR 03-00-05 Intra-Agency Promotional Opportunity Announcements
- KSR 03-00-06 Employee Time and Attendance
- KSR 03-00-07 Travel Expense Reimbursement
- KSR 03-00-08 Employee Tuition Assistance Reimbursement
- KSR 03-00-10 Workers' Compensation
- KSR 03-00-11 Equal Employment Opportunity Complaints
- KSR 03-00-12 Employee Grievance Procedure
- KSR 03-00-14 Prohibited Employee Conduct, Disciplinary Actions, and Appeal Process
- KSR 03-00-15 Affirmative Action Program
- KSR 03-00-16 Confidentiality of Personnel Records
- KSR 03-00-19 Establishment of Personnel Records and Employee Right to Challenge Information Contained Therein
- KSR 03-00-20 Personnel Selection, Retention and Promotion
- KSR 03-00-21 Equal Employment Opportunities for Institutional Job Assignments and Job Classification Promotions
- KSR 03-00-23 Work Planning and Performance Review (WPPR)
- KSR 03-00-24 Inclement Weather and Employee Work Attendance
- KSR 03-00-25 Medical Examination Requirements for New Employees
- KSR 04-00-02 Staff Training and Development
- KSR 05-00-02 Research Activities
- KSR 05-00-03 Management Information Systems
- KSR 06-00-01 Inmate Master File
- KSR 06-00-02 Records Audit
- KSR 06-00-03 Kentucky Open Records Law
- KSR 07-00-02 Institutional Tower Room Regulations
- KSR 07-00-03 Guidelines for Contractors
- KSR 07-00-04 Handling of PCB Articles and Containers (Added 12/15/86)
- KSR 08-00-07 Inmate Family Emergency - Life Threatening Illness or Death in Inmate's Immediate Family
- KSR 08-00-08 Notification of Inmate Family in Case of Serious Injury, Critical Medical Emergency, Major Surgery, or Death of an Inmate
- KSR 08-00-09 Emergency Preparedness Training
- KSR 09-00-04 Horizontal Gates/Box 1 Entry and Exit Procedure
- KSR 09-00-05 Gate I Entrance and Exit Procedure [(Amended 10/15/86)]
- KSR 09-00-14 Use of Force
- KSR 09-00-21 Crime Scene Camera
- KSR 09-00-22 Collection, Preservation, and Identification of Physical Evidence
- KSR 09-00-23 Drug Abuse Testing (Amended 12/15/86)
- KSR 09-00-25 Inmate Motor Vehicle Operator's License
- KSR 09-00-26 Contraband Outside Institutional Perimeter
- KSR 10-00-02 Special Management Inmates Operations, Rules and Regulations for Unit D (Amended 12/15/86)

# ADMINISTRATIVE REGISTER - 1247

|              |   |              |  |
|--------------|---|--------------|--|
| KSR 10-00-03 | Special Needs Unit  | KSR 18-00-05 | Transfer of Residents to Kentucky Correctional Psychiatric Center        |
| KRS 10-00-04 | Unit D Admission/Release Ticket   | KSR 18-00-06 | Classification   |
| KSR 11-00-01 | Meal Planning for the General Population                                      | KSR 18-00-07 | Special Notice Form  |
| KSR 11-00-02 | Special Diets   | KSR 19-00-01 | Inmate Work Incentives   |
| KSR 11-00-03 | Food Service Inspections  | KSR 19-00-02 | On-the-Job Training Program  |
| KSR 11-00-04 | Dining Room Dress Code for Inmates  | KSR 19-00-03 | Safety Inspections of Inmate Work Assignment Locations                   |
| KSR 11-00-06 | Health Standards/Regulations for Food Service Employees                       | KSR 20-00-01 | Vocational School Referral and Release Process                           |
| KSR 11-00-07 | Early Chow Line Passes for Medically Designated Inmates                       | KSR 20-00-03 | Academic School Programs   |
| KSR 12-00-01 | Inmate Summer Dress Regulations   | KSR 20-00-04 | Criteria for Participation in Jefferson Community College Program        |
| KSR 12-00-02 | Sanitation and General Living Conditions                                      | KSR 20-00-08 | Integration of Vocational and Academic Education Programs                |
| KSR 12-00-03 | State Items Issued to Inmates   | KSR 21-00-01 | Legal Aide Office and Law Library Services and Supervision               |
| KSR 12-00-07 | Regulations for Inmate Barbershop   | KSR 21-00-02 | Inmate Library Services  |
| KSR 13-00-01 | Identification of Mentally Retarded Inmates                                   | KSR 21-00-03 | Library Services for Unit D  |
| KSR 13-00-02 | Regulations for Hospital Patients   | KSR 22-00-03 | Inmate Organizations   |
| KSR 13-00-03 | Medication for Inmates Leaving Institution Grounds                            | KSR 23-00-02 | Chaplain's Responsibility and Inmate Access to Religious Representatives |
| KSR 13-00-04 | Dental Care for Inmates   | KSR 23-00-03 | Religious Programming  |
| KSR 13-00-05 | Medical and Dental Sick Call  | KSR 25-00-01 | Discharge of Residents to Hospital or Nursing Home                       |
| KSR 13-00-07 | Referral of Inmates Considered to Have Severe Emotional Disturbances          | KSR 25-00-02 | Violations of Law or Code of Conduct by Inmates on Parole Furlough       |
| KSR 13-00-08 | Institutional Laboratory Procedures   | KSR 25-00-03 | Pre-Parole Progress Report   |
| KSR 13-00-09 | Institutional Pharmacy Procedures   |              |  |
| KSR 13-00-10 | Requirements for Medical Personnel  |              |  |
| KSR 13-00-11 | Preliminary Health Evaluation and Establishment of Inmate Medical Record      |              |  |
| KSR 13-00-12 | Vision Care/Optomety Services   |              |  |
| KSR 13-00-14 | Periodic Health Examinations for Inmates                                      |              |  |
| KSR 13-00-15 | Medical Alert System  |              |  |
| KSR 13-00-16 | Suicide Prevention and Intervention Program                                   |              |  |
| KSR 14-00-01 | Inmate Rights   |              |  |
| KSR 14-00-02 | A/C Center and Unit D Inmate Access to Legal Aide Services                    |              |  |
| KSR 14-00-04 | Inmate Grievance Procedure  |              |  |
| KSR 15-00-01 | Operational Procedures and Rules and Regulations for Unit A, B, and C         |              |  |
| KSR 15-00-02 | Regulations Prohibiting Inmate Control or Authority Over Other Inmate(s)      |              |  |
| KSR 15-00-03 | Governor's Meritorious Good Time Award  |              |  |
| KSR 15-00-04 | Restoration of Forfeited Good Time  |              |  |
| KSR 15-00-05 | Differential Status for SU (QUIT) Inmates                                     |              |  |
| KSR 15-00-06 | Inmate I.D. Cards   |              |  |
| KSR 15-00-07 | Inmate Rules and Discipline - Adjustment Committee Procedures                 |              |  |
| KSR 15-00-08 | Firehouse Living Area   |              |  |
| KSR 16-00-01 | Visiting Regulations  |              |  |
| KSR 16-00-02 | Inmate Correspondence and Mailroom Operations                                 |              |  |
| KSR 16-00-03 | Inmate Access to Telephones   |              |  |
| KSR 17-00-01 | Housing Unit Assignment   |              |  |
| KSR 17-00-03 | Notifying Inmates' Families of Admission and Procedures for Mail and Visiting |              |  |
| KSR 17-00-04 | Assessment/Classification Center Operations, Rules and Regulations            |              |  |
| KSR 17-00-05 | Dormitory 10 Operations   |              |  |
| KSR 17-00-06 | Identification Department Admission and Discharge Procedures                  |              |  |
| KSR 17-00-07 | Inmate Personal Property ( <u>Amended 12/15/86</u> )                          |              |  |
| KSR 18-00-01 | Special Management Inmates - Unit D Classification                            |              |  |
| KSR 18-00-04 | Returns from Other Institutions   |              |  |

GEORGE W. WILSON, Secretary

APPROVED BY AGENCY: December 15, 1986

FILED WITH LRC: December 15, 1986 at noon

PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for January 23, 1987 at 9 a.m., on the 10th Floor, Room 4471 in the State Office Building. Those interested in attending this hearing shall notify in writing: Barbara Jones, Office of General Counsel, 5th Floor, State Office Building, Frankfort, Kentucky 40601.

## REGULATORY IMPACT ANALYSIS

Agency Contact Person: Barbara Jones

(1) Type and number of entities affected: 499 employees of the Kentucky State Reformatory 1451 inmates, and all visitors to state correctional institutions.

(a) Direct and indirect costs or savings to those affected:

1. First year: None

2. Continuing costs or savings: None

3. Additional factors increasing or decreasing costs (note any effects upon competition): None

(b) Reporting and paperwork requirements: None

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings:

1. First year: None - all of the costs involved with the implementation of the regulations are included in the operational budget.

2. Continuing costs or savings: Same as 2(a)1.

3. Additional factors increasing or decreasing costs: Same as 2(a)1.

(b) Reporting and paperwork requirements: Monthly submission of policy revisions.

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: None

(5) Identify any statute, administrative regulation or government policy which may be in

conflict, overlapping, or duplication: None  
 (a) Necessity of proposed regulation if in conflict:  
 (b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:  
 (6) Any additional information or comments: none  
 TIERING: Was tiering applied? No. All policies are administered in a uniform manner.

**CORRECTIONS CABINET  
 (Proposed Amendment)**

**501 KAR 6:040. Kentucky State Penitentiary.**

RELATES TO: KRS Chapters 196, 197, 439  
 PURSUANT TO: KRS 196.035, 197.020, 439.470, 439.590, 439.640

NECESSITY AND FUNCTION: KRS 196.035, 197.020, 439.470, 439.590, and 439.640 authorize the secretary to adopt, amend or rescind regulations necessary and suitable for the proper administration of the cabinet or any division therein. These regulations are in conformity with those provisions.

Section 1. Pursuant to the authority vested in the Corrections Cabinet the following policies and procedures are incorporated by reference on December 15 [November 14], 1986 and hereinafter should be referred to as Kentucky State Penitentiary Policies and Procedures. Copies of the procedures may be obtained from the Office of the General Counsel, Corrections Cabinet, State Office Building, Frankfort, Kentucky 40601.

KSP 000000-06 Administrative Regulations  
 KSP 010000-04 Public Information and Media Communication  
 KSP 020000-01 General Guidelines for KSP Employees  
 KSP 020000-02 Service Regulations, Attendance, Hours of Work, Accumulation and Use of Leave  
 KSP 020000-03 Work Planning and Performance Review (WPPR)  
 KSP 020000-04 Employee Disciplinary Procedure  
 KSP 020000-05 Proper Dress for Uniformed and Non-Uniformed Personnel  
 KSP 020000-06 Employee Grievance Procedure  
 KSP 020000-07 Personnel Registers and Advertisements  
 KSP 020000-09 Maintenance, Confidentiality, and Informational Challenge of Material Contained in Personnel Files  
 KSP 020000-10 Overtime Policy  
 KSP 020000-15 Legal Assistance  
 KSP 020000-20 Equal Employment Opportunity Complaints  
 KSP 020000-23 Recruitment and Employment of Ex-Offenders  
 KSP 020000-24 Educational Assistance Program  
 KSP 020000-29 Promotional Opportunity Announcement Program  
 KSP 030000-01 Inventory Records and Control  
 KSP 030000-04 Requisition and Purchase of Supplies and Equipment  
 KSP 030000-05 Inmate Personal Funds [(Amended 11/14/86)]  
 KSP 030000-06 Inmate Commissary Program  
 KSP 040000-02 Inmate Records [Section]  
 KSP 040000-08 Inmate Equal Opportunity Policy

KSP 050000-14 Searches and Preservation of Evidence  
 KSP 060000-01 Special Security Unit  
 KSP 060000-02 Operational Procedures for Disciplinary Segregation, Administrative Segregation, Administrative Control and Behavioral Control Units  
 KSP 060000-04 Protective Custody Unit  
 KSP 060000-11 Criteria for Disciplinary Segregation and Incentive Time Reduction Program  
 KSP 060000-12 Maximum Protective Custody  
 KSP 070000-01 Hospital Services  
 KSP 070000-02 Sick Call [(Amended 11/14/86)]  
 KSP 070000-03 Health Evaluations (Amended 12/15/86)  
 KSP 070000-04 Consultations (Amended 12/15/86)  
 KSP 070000-05 Emergency Medical Procedure (Amended 12/15/86)  
 KSP 070000-13 Pharmacy Procedures (Amended 12/15/86)  
 KSP 070000-14 Medical Records (Amended 12/15/86)  
 KSP 070000-16 Psychiatric and Psychological Services  
 KSP 070000-17 Dental Services for Special Management Units  
 KSP 070000-19 Optometric Services  
 KSP 070000-20 Menu Preparation and Planning  
 KSP 070000-24 Food Service, General Sanitation, Safety, and Protection Standards and Requirements  
 KSP 070000-25 Food Service Inspections  
 KSP 070000-30 Therapeutic Diets  
 KSP 090000-01 Inmate Work Programs  
 KSP 090000-03 Correctional Industries (Amended 12/15/86)  
 KSP 100000-02 Visiting Program  
 KSP 100000-03 Disposition of Unauthorized Property  
 KSP 100000-04 Inmate Grooming and Dress Code  
 KSP 100000-05 Procedures for Providing Clothing, Linens and Other Personal Items  
 KSP 100000-06 Mail  
 KSP 100000-07 Inmate Telephone Access [(Amended 11/14/86)]  
 KSP 100000-08 Behavioral Counseling Record  
 KSP 100000-09 Due Process/Disciplinary Procedures  
 KSP 100000-11 Authorized and Unauthorized Property for Inmates (Amended 12/15/86)  
 KSP 100000-14 Property Room: Clothing Storage and Inventory  
 KSP 100000-15 Uniform Cell Standards for Fire Safety, Sanitation and Security [of all Cells] (Amended 12/15/86)  
 KSP 100000-18 Inmate Grievance Committee Hearings  
 KSP 100000-20 Legal Services Program  
 KSP 100000-21 Photocopies for Non-Indigent Inmates with Special Court Deadlines  
 KSP 100000-22 Special Management Unit Legal Services Program  
 KSP 100000-23 Inmate Legal Office/Legal Library  
 KSP 110000-03 Governor's Meritorious Good Time Award Committee  
 KSP 110000-04 Pre-Parole Progress Report  
 KSP 110000-06 General Guidelines of the Classification Committee  
 KSP 110000-07 Statutory Good Time Restoration (Amended 12/15/86)

# ADMINISTRATIVE REGISTER - 1249

KSP 110000-08 Award of Meritorious Good Time  
(Amended 12/15/86)  
KSP 110000-10 Special Needs Inmates  
KSP 110000-11 Classification Committee -  
Transfer Requests  
KSP 110000-12 Classification Committee - Inmate  
Work Assignments  
KSP 110000-13 Classification Document (Amended  
12/15/86)  
KSP 110000-14 Vocational School Placement  
KSP 110000-15 Transfers to Kentucky  
Correctional Psychiatric Center  
(KCPC)  
KSP 110000-16 Consideration of Further  
Treatment Requirements for  
Inmates Prior to Release  
KSP 110000-19 Custody/Security Guidelines  
KSP 120000-04 Academic Education  
KSP 120000-07 Community Center Program  
KSP 120000-08 Inmate Furloughs  
KSP 120000-11 Religious Services - Staffing  
KSP 120000-18 Religious Services - Religious  
Programming  
KSP 120000-20 Marriage of Inmates  
KSP 120000-24 Muslim Services  
KSP 120000-31 Extended Furloughs  
KSP 120000-32 Discharge of Inmates by Shock  
Probation  
KSP 130000-10 Execution Plan

GEORGE W. WILSON, Secretary

APPROVED BY AGENCY: December 15, 1986

FILED WITH LRC: December 15, 1986 at noon

PUBLIC HEARING SCHEDULED: A public hearing on  
this regulation has been scheduled for January  
23, 1987 at 9 a.m. on the 10th floor, Room 4471  
in the State Office Building. Those interested  
in attending this hearing shall notify in  
writing: Barbara Jones, Office of General  
Counsel, 5th Floor, State Office Building,  
Frankfort, Kentucky 40601.

## REGULATORY IMPACT ANALYSIS

Agency Contact Person: Barbara W. Jones

(1) Type and number of entities affected: 309  
employees of the Kentucky State Penitentiary,  
783 inmates, and all visitors to state  
correctional institutions.

(a) Direct and indirect costs or savings to  
those affected:

1. First year: None
2. Continuing costs or savings: None
3. Additional factors increasing or decreasing  
costs (note any effects upon competition): None

(b) Reporting and paperwork requirements: None

(2) Effects on the promulgating administrative  
body:

(a) Direct and indirect costs or savings:

1. First year: None. All of the costs involved  
with the implementation of the regulation are  
included in the operational budget.

2. Continuing costs or savings: Same as  
(2)(a)1.

3. Additional factors increasing or decreasing  
costs: Same as (2)(a)1.

(b) Reporting and paperwork requirements:  
Monthly submission of policy revisions.

(3) Assessment of anticipated effect on state  
and local revenues: None

(4) Assessment of alternative methods; reasons  
why alternatives were rejected: None

(5) Identify any statute, administrative  
regulation or government policy which may be in  
conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in  
conflict:

(b) If in conflict, was effort made to  
harmonize the proposed administrative regulation  
with conflicting provisions:

(6) Any additional information or comments:  
None

Tiering:

Was tiering applied? No. All policies are  
administered in a uniform manner.

## CORRECTIONS CABINET (Proposed Amendment)

501 KAR 6:060. Northpoint Training Center.

RELATES TO: KRS Chapters 196, 197, 439

PURSUANT TO: KRS 196.035, 197.020, 439.470,  
439.590, 439.640

NECESSITY AND FUNCTION: KRS 196.035, 197.020,  
439.470, 439.590, and 439.640 authorize the  
secretary to adopt, amend or rescind regulations  
necessary and suitable for the proper  
administration of the cabinet or any division  
therein. These regulations are in conformity  
with those provisions.

Section 1. Pursuant to the authority vested in  
the Corrections Cabinet the following policies  
and procedures are incorporated by reference on  
December 15 [November 14], 1986 and hereinafter  
should be referred to as Northpoint Training  
Center Policies and Procedures. Copies of the  
procedures may be obtained from the Office of  
the General Counsel, Corrections Cabinet, State  
Office Building, Frankfort, Kentucky 40601.

|              |  |
|--------------|--|
| NTC 01-05-01 | Extraordinary Occurrence Reports   |
| NTC 01-10-01 | Legal Assistance for Staff   |
| NTC 01-11-01 | Political Activities of Merit<br>Employees   |
| NTC 01-15-01 | Establishment of the Warden as<br>Chief Executive Officer  |
| NTC 01-17-01 | Relationships with Public, Media<br>and Other Agencies   |
| NTC 02-01-02 | Fiscal Management: Accounting<br>Procedures  |
| NTC 02-01-03 | Fiscal Management: Checks  |
| NTC 02-01-04 | Fiscal Management: Insurance   |
| NTC 02-03-01 | Fiscal Management: Audits  |
| NTC 02-08-01 | Inmate Canteen   |
| NTC 02-12-01 | Inmate Personal Accounts   |
| NTC 03-01-01 | Employee Dress and Personal<br>Appearance  |
| NTC 03-02-01 | Prohibited Employee Conduct  |
| NTC 03-03-01 | Staff Members Suspected of Being<br>Under the Influence of Intoxicants                               |
| NTC 03-04-01 | Shift Assignments and Transfers  |
| NTC 03-06-01 | Worker's Compensation  |
| NTC 03-07-01 | Merit System Registers and<br>Placement of Advertisements  |
| NTC 03-08-01 | Procedures for New Employees<br>Reporting for Employment   |
| NTC 03-09-01 | Maintenance, Confidentiality and<br>Challenge of Information Contained<br>in Employee Personnel File |
| NTC 03-10-01 | Employment of Ex-Offenders   |
| NTC 03-13-01 | Travel Reimbursement for Official<br>Business and Professional Meetings                              |
| NTC 03-14-01 | Selection, Retention, Promotion,<br>and Lateral Transfer of Merit<br>System Employees                |
| NTC 03-14-02 | Promotional Opportunities  |

# ADMINISTRATIVE REGISTER - 1250

|              |  |              |  |
|--------------|--|--------------|--|
| NTC 03-15-01 | Time and Attendance; Accumulation and Use of Accrued Time                                    | NTC 13-19-03 | Suicide Prevention and Intervention Program [(Amended 11/14/86)] |
| NTC 03-15-02 | Sick Leave Abuse   | NTC 13-20-01 | Infectious Disease   |
| NTC 03-15-03 | Inclement Weather and Emergency Conditions   | NTC 13-21-01 | Vision Care/Optomety Services [(Added 11/14/86)]                 |
| NTC 03-16-01 | Affirmative Action Program and the Promotion of EEO  | NTC 13-22-01 | Informed Consent [(Added 11/14/86)]                              |
| NTC 03-18-01 | Educational Assistance Program   | NTC 13-23-01 | <u>Special Needs Inmates</u> (Added 12/15/86)                    |
| NTC 03-19-01 | Holding of Second Jobs by Employees  | NTC 14-01-01 | Legal Services Program   |
| NTC 04-01-01 | Training and Staff Development   | NTC 14-02-01 | Inmate Grievance Procedure                                       |
| NTC 04-04-01 | Firearms and Chemical Agents Training [(Amended 11/14/86)]                                   | NTC 14-03-01 | Inmate Rights and Responsibilities                               |
| NTC 06-01-01 | Offender Records   | NTC 14-04-01 | Inmate Search Policy [(Added 11/14/86)]                          |
| NTC 06-01-02 | Records - Release of Information   | NTC 15-01-01 | Restoration of Forfeited Good Time                               |
| NTC 06-01-03 | Taking Offender Record Folders onto the Yard   | NTC 15-02-01 | Due Process/Disciplinary Procedures [(Amended 11/14/86)]         |
| NTC 08-05-01 | Duties of Fire and Safety Officer <u>(Amended 12/15/86)</u>                                  | NTC 15-02-02 | Extra Duty Assignments   |
| NTC 08-05-02 | Fire Procedures  | NTC 15-02-03 | Hearing Officer  |
| NTC 08-05-03 | Fire Prevention  | NTC 15-03-01 | Rules for Inmates Assigned to Outside Detail                     |
| NTC 08-05-04 | Storage of Flammables and Dangerous Chemicals and Their Use                                  | NTC 15-03-02 | Rules and Regulations for Dormitories                            |
| NTC 08-05-05 | Control of Flammables, Toxic, Caustic, and Other Hazardous Chemicals and Janitorial Supplies | NTC 15-04-01 | Inmate Identification  |
| NTC 08-06-01 | Safety Officer [(Added 11/14/86)]  | NTC 16-01-01 | Mail Regulations [(Amended 11/14/86)]                            |
| NTC 10-01-01 | Special Management Inmates [(Amended 11/14/86)]  | NTC 16-02-01 | Visiting <u>(Amended 12/15/86)</u>                               |
| NTC 10-01-02 | Legal Aide Visits for Special Management Inmates   | NTC 16-02-02 | Extended and Special Visits [(Amended 11/14/86)]                 |
| NTC 10-02-01 | Security Guidelines for Special Management Inmates [(Added 11/14/86)]                        | NTC 16-02-03 | Honor Dorm Visiting  |
| NTC 11-03-01 | Food Services: General Guidelines  | NTC 16-03-01 | Inmate Furloughs   |
| NTC 11-04-01 | Food Service: Meals  | NTC 16-05-01 | Telephone Use and Control  |
| NTC 11-04-02 | Menu, Nutrition and Special Diets  | NTC 17-01-01 | Personal Property Control  |
| NTC 11-05-02 | Health Standards/Regulations for Food Service Employees                                      | NTC 17-01-02 | Authorized Inmate Personal Property                              |
| NTC 11-06-01 | Inspections and Sanitation   | NTC 17-01-03 | Unauthorized Inmate Property                                     |
| NTC 11-07-01 | Purchasing, Storage and Farm Products  | NTC 17-01-04 | Disposition of Unauthorized Property                             |
| NTC 12-01-01 | Institutional Inspections [(Amended 11/14/86)]   | NTC 17-03-01 | Assessment/Orientation [(Amended 11/14/86)]                      |
| NTC 12-02-01 | Personal Hygiene for Inmates; Clothing and Linens  | NTC 18-01-01 | Pre-Parole Progress Report                                       |
| NTC 12-02-02 | Issuance of Personal Hygiene Products  | NTC 18-01-02 | Parole Eligibility Dates   |
| NTC 13-01-01 | Emergency Medical Care Plan  | NTC 18-02-01 | Classification [(Amended 11/14/86)]                              |
| NTC 13-01-02 | Emergency and Specialized Health Services [(Amended 11/14/86)]                               | NTC 18-02-02 | Classification - 48 Hour Notification                            |
| NTC 13-02-01 | Administration and Authority for Health Services   | NTC 18-03-01 | Special Notice Form  |
| NTC 13-03-01 | Sick Call and Pill Call [(Amended 11/14/86)]   | NTC 18-05-01 | Transfers of Inmates [(Amended 11/14/86)]                        |
| NTC 13-04-01 | Pharmacy [(Amended 11/14/86)]  | NTC 18-05-02 | Transfer of Inmates to Kentucky Correctional Psychiatric Center  |
| NTC 13-05-01 | Dental Services  | NTC 19-01-01 | Inmate Work Program [(Amended 11/14/86)]                         |
| NTC 13-06-01 | Licensure and Training Standards   | NTC 19-01-02 | Restricted Outside Work Crew                                     |
| NTC 13-07-01 | Provisions for Health Care Delivery  | NTC 19-01-03 | Temporary Leave from Job Assignment                              |
| NTC 13-08-01 | Medical and Dental Records [(Amended 11/14/86)]  | NTC 19-02-01 | Correctional Industries [(Added 11/14/86)]                       |
| NTC 13-09-01 | Special Diets  | NTC 20-01-01 | Academic School Program  |
| NTC 13-11-01 | Inmate Health Screening and Evaluation   | NTC 21-01-01 | Library Services   |
| NTC 13-12-01 | Disabled and Infirm Inmates  | NTC 22-03-01 | Conducting Inmate Organizational Meetings and Programs           |
| NTC 13-13-01 | Medical Alert System [(Amended 11/14/86)]  | NTC 23-01-01 | Religious Services <u>(Amended 12/15/86)</u>                     |
| NTC 13-14-01 | Management of Chemically Dependent Inmates   | NTC 23-03-01 | Marriage of Inmates <u>(Amended 12/15/86)</u>                    |
| NTC 13-15-01 | Health Education for Inmates   | NTC 24-04-01 | Honor Status <u>(Amended 12/15/86)</u>                           |
| NTC 13-16-01 | Continuity of Health Care  | NTC 24-05-01 | Unit Management  |
| NTC 13-17-01 | Inmates Assigned to Health Services  | NTC 25-01-01 | Release Preparation Program                                      |
| NTC 13-19-01 | Psychological Services   | NTC 25-01-02 | Temporary Release/Community Center Release                       |
| NTC 13-19-02 | Mentally Retarded Inmates [(Amended 11/14/86)]   | NTC 25-02-01 | Funeral Trips and Bedside Visits                                 |
|              |  | NTC 25-03-01 | Inmate Release Procedure [(Amended 11/14/86)]                    |
|              |  | NTC 26-01-02 | Certification of Volunteers and Guests                           |



GEORGE W. WILSON, Secretary

APPROVED BY AGENCY: December 15, 1986

FILED WITH LRC: December 15, 1986 at noon

PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for January 23, 1987 at 9 a.m., on the 10th Floor, Room 4471 in the State Office Building. Those interested in attending this hearing shall notify in writing: Barbara Jones, Office of General Counsel, 5th Floor, State Office Building, Frankfort, Kentucky 40601.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Barbara W. Jones

(1) Type and number of entities affected: 225 employees of the Northpoint Training Center, 657 inmates, and all visitors to state correctional institutions.

(a) Direct and indirect costs or savings to those affected:

1. First year: None

2. Continuing costs or savings: None

3. Additional factors increasing or decreasing costs (note any effects upon competition): None

(b) Reporting and paperwork requirements: None

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings:

1. First year: None. All of the costs involved with the implementation of the regulation are included in the operational budget.

2. Continuing costs or savings: Same as (2)(a)1.

3. Additional factors increasing or decreasing costs: Same as (2)(a)1.

(b) Reporting and paperwork requirements: Monthly submission of policy revisions.

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: None

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments: None

Tiering:

Was tiering applied? No. All policies are administered in a uniform manner.

#### CORRECTIONS CABINET (Proposed Amendment)

501 KAR 6:080. Corrections Cabinet Manuals.

RELATES TO: KRS Chapters 196, 197, 439

PURSUANT TO: KRS 196.035, 197.020, 439.470, 439.590, 439.640

NECESSITY AND FUNCTION: KRS 196.035, 197.020, 439.470, 439.590, and 439.640 authorize the secretary to adopt, amend or rescind regulations necessary and suitable for the proper administration of the cabinet or any division therein. These regulations are in conformity with those provisions.

Section 1. Pursuant to the authority vested in

the Corrections Cabinet the following policies and procedures are incorporated by reference on December [July] 15, 1986 and hereinafter should be referred to as Corrections Cabinet Manuals. Copies of the procedures may be obtained from the Office of the General Counsel, Corrections Cabinet, State Office Building, Frankfort, Kentucky 40601.

Offender Records Manual - None.

Stock Procedure Manual - None.

Food Services Manual - Yes.

Classification Manual - None.

GEORGE W. WILSON, Secretary

APPROVED BY AGENCY: December 15, 1986

FILED WITH LRC: December 15, 1986 at noon

PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for January 23, 1987 at 9 a.m. on the 10th floor, Room 4471 in the State Office Building. Those interested in attending this hearing shall notify in writing: Barbara Jones, Office of General Counsel, 5th Floor, State Office Building, Frankfort, Kentucky 40601.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Barbara W. Jones

(1) Type and number of entities affected: 2,043 employees of the Corrections Cabinet, 5,260 inmates, 10,447 parolees and probationers, and all visitors to state correctional institutions.

(a) Direct and indirect costs or savings to those affected:

1. First year: None

2. Continuing costs or savings: None

3. Additional factors increasing or decreasing costs (note any effects upon competition): None

(b) Reporting and paperwork requirements: None

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings:

1. First year: None. All of the costs involved with the implementation of the regulation are included in the operational budget.

2. Continuing costs or savings: Same as (2)(a)1.

3. Additional factors increasing or decreasing costs: Same as (2)(a)1.

(b) Reporting and paperwork requirements: Monthly submission of policy revisions.

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: None

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments: None

Tiering:

Was tiering applied? No. All policies are administered in a uniform manner.

**TRANSPORTATION CABINET**  
**Department of Vehicle Regulation**  
**(Proposed Amendment)**

601 KAR 35:020. Transportation plans [, coal cooperative agreements].

RELATES TO: KRS 42.455(8), 177.977 [177.972, 177.976, 177.979, 186.057], 350.060(11), 351.175(6),

PURSUANT TO: KRS 42.455(8), 174.080, 177.977 [177.972, 177.976, 177.977, 177.979, 186.057]

NECESSITY AND FUNCTION: KRS 351.175(6) [and KRS 350.060(11)] requires that mine operators submit with their application for mining licenses a transportation plan certified by the Department of Vehicle Regulation. Further, KRS 350.060(11) requires that mine operators submit with their application for mining licenses a transportation plan certified by the Transportation Cabinet. In conjunction with one another KRS 42.455(8) and KRS 177.977 [177.972] designate the Transportation Cabinet as the agency responsible for [to] the identification of public highways, roads, streets, and bridges that comprise the official coal haul highway system. [KRS 177.976 allows for the operation of vehicles transporting coal in excess of the weights prescribed in KRS 189.222 and allows the Commissioner of Vehicle Regulation to restrict or regulate traffic on the coal transportation system in such a manner as is reasonably necessary to promote the safety and convenience of the traveling public.] This regulation is adopted to provide for and regulate [such hauling, to provide for] the gathering of pertinent information from all coal shippers or owners regarding the movement of coal, and to specify the procedures to be used to obtain a certified transportation plan.

Section 1. Application for Transportation Plan. Every person subject to KRS 351.175, 350.060, 42.455 and 177.977 [177.972] shall apply to the Department of Highways [Vehicle Regulation] for a certified transportation plan for each route [and gross weights for each vehicle type] whereby the applicant proposes to transport materials. Applications may be obtained from any highway district office [or the Transportation Cabinet, Department of Vehicle Regulation, 1001 State Office Building, Frankfort, Kentucky 40622].

Section 2. Form of Application. The application form prescribed and furnished by the Department of Highways [Vehicle Regulation] shall require such information as is necessary to identify the origin of highway transportation and [determine the adequacy of] the roads, streets, and bridges [to carry out weights] requested by the applicant, and to adequately identify the applicant. The application must be accompanied by a map designating the desired route. Copies of maps may be obtained from the Department of Highways, Division of Planning, 419 Ann Street, Frankfort, Kentucky, or from the district highway office of the district in which the roads, streets and bridges are located. The specified form is available from [the Transportation Cabinet, Department of Vehicle Regulation, 1001 State Office Building, Frankfort, Kentucky 40622 and from] any district highway office.

Section 3. Filing of the Application. [(1)] The original and two (2) [three] copies of the application for a certified transportation plan shall be submitted to the Department of Highways district office for the county in which the haul route originates [Vehicle Regulation, 1001 State Office Building, Frankfort, Kentucky 40622. Said transportation plan, upon receipt by the Department of Vehicle Regulation, shall be forwarded to the Department of Highways for the evaluation of all roads, streets and bridges on the proposed route at the requested weights]. A separate application must be filed for each origin and destination between which materials are to be transported.

[(2)] Any transportation plan application filed with the department for extended weight operations, which embrace operations over roads, streets, or bridges not a part of the state maintained system, shall be accompanied by a written statement signed by the chief executive officer of the local governing body having jurisdiction over such roads, streets, or bridges. This statement shall indicate that such local governing body is apprised of the transportation plan application and will undertake to enter into an agreement with the applicant. Further, such statement shall indicate proposed operations by the applicant to transport coal at those extended weights corresponding with the application filed with the department.]

[Section 4. Evaluation of Transportation Plan. (1) The State Highway Engineer shall cause each road, street and bridge listed on the application to be evaluated to determine if the requested weights can be allowed without being unreasonably detrimental to the safety and convenience of the traveling public. Such evaluation may include, but not be limited to, the following:]

[(a) The design and construction of the roads and bridges.]

[(b) The current condition of the roads and bridges.]

[(c) The structural adequacy of the roads and bridges.]

[(d) The types, numbers, and configurations of the vehicles to be used for the hauling of the coal.]

[(e) Proposed improvements to be made to the roads or bridges pursuant to a cooperative agreement.]

[(f) The rate of deterioration and the estimated amount of damage to be sustained by the roads or bridges considering the level of maintenance to be accomplished pursuant to a cooperative agreement and/or normal routine maintenance.]

[(g) The effect of any approved maintenance, construction, or reconstruction of the roads or bridges to be provided by the state or persons other than the state under a cooperative agreement.]

[(h) Historical data of the roads and bridges.]

[(2) After evaluation, the State Highway Engineer shall submit to the Commissioner of Vehicle Regulation in writing his analysis of the proposed transportation plan and his recommendations. The analysis shall be accompanied by reasons setting forth the basis of the evaluation by the State Highway Engineer.]

[Section 5. Notification to Applicant. Upon

receipt of the evaluation from the State Highway Engineer, the Department of Vehicle Regulation shall notify the applicant of the determination of the Department of Vehicle Regulation. If the plan is certified, one (1) original and two (2) copies will be returned to the applicant. If the plan is not certified, the applicant shall be so notified with the reasons as the basis of the rejection set forth. If the plan is certified conditioned upon modification, the applicant will be advised of the required modifications for certification and may make revised application and resubmit it in accordance with Section 3 of this regulation.]

[Section 6. Change in Transportation Plan. No transportation plan may be changed or rerouted without prior approval of the Department of Vehicle Regulation. Requests for changes shall be processed in the same manner as applications for new transportation plans.]

[Section 7. Transportation Plan to Serve as Application for Cooperative Agreement or Ton-Tax License. The application for a transportation plan may be considered as an application for a cooperative agreement or a ton-tax license if the applicant completes the applicable portions of the application. Cooperative agreements and ton-tax licenses are available only for the transportation of coal.]

[Section 8. Suspension of Transportation Plan Under Emergency Conditions. In the event the Commissioner of the Department of Vehicle Regulation determines a condition exists which constitutes an imminent danger to the safety and convenience of the traveling public, the commissioner may immediately suspend without notice the transportation plan of any person. Within fifteen (15) days after such suspension, the commissioner shall notice those affected. Any person whose certified transportation plan has been suspended may, within twenty (20) days after notice, appeal such action. Upon receipt of a proper and timely appeal, the commissioner or a representative of the department designated by the commissioner may conduct a hearing.]

[Section 9. Suspension or Revocation of a Transportation Plan. Any person who holds a coal shipper's license or is a party to a cooperative agreement and fails to comply with the terms, conditions, or requirements of such license or cooperative agreement may have served on him by the Commissioner of the Department of Vehicle Regulation notice to said person of his failure to comply. Said notice shall set forth the reasons for any deficiencies and state a reasonable time in which such deficiencies shall be remedied. Failure to comply with the directions given in the notice shall constitute just cause for immediate revocation or suspension of any applicable certified transportation plan. Any person whose plan has been suspended or revoked may within twenty (20) days after notice, appeal such action. Upon receipt of a proper and timely appeal the Commissioner of Vehicle Regulation or a representative of the department designated by the commissioner shall conduct a hearing. An appeal of the final hearing order may be taken to the circuit court.]

[Section 10. Temporary Authority. The

commissioner may, upon receipt of proper application, grant temporary certification of a transportation plan where it can be adequately demonstrated that, either the routes proposed to be used have been previously approved for weights equal to or in excess of those contained in the proposed transportation plan, or an emergency condition exists which requires the use of alternate routes other than those previously certified and which have been approved for weights equal to or in excess of those previously approved in his transportation plan.]

[Section 11. Limitations. No person shall knowingly load or cause to be loaded, or operate or cause to be operated, any vehicle subject to a transportation plan in excess of the limits specified in the certified transportation plan or in excess of the limits specified on any road, street, or bridge other than those listed on the certified transportation plan. No person shall operate or cause to be operated any vehicle in excess of the posted weight limit of any road or bridge unless specifically authorized by permit, agreement or license.]

Section 4. [12.] Reporting Requirements. Any person issued a transportation plan for coal must file quarterly reports with the Department of Highways pursuant to 603 KAR 5:115. [(1) On or before the 20th day of the month following the interval in which any coal is shipped over public highways, roads, bridges or streets by or on behalf of any holder of a certified transportation plan from a mine mouth or pit to a processing plan, tipple, loading dock, or customer, or from any of the foregoing locations to another of such locations, the holder of the certified transportation plan shall file a report on Form TD 59-100 (Coal Severer and/or Route and Tonnage Report) or other form designated by the cabinet. This report is to be filed with the Kentucky Department of Highways, Division of Planning, and contain information required by the Transportation Cabinet relative to the ton miles of coal transported on the public highways, streets, roads and bridges of each county, in or through which coal was transported. Unless otherwise specified, the reporting interval shall be a calendar year quarter. These forms will be provided by the Transportation Cabinet to each holder of a certified transportation plan on or before the last day of each reporting interval. A copy of the information furnished to the Natural Resources and Environmental Protection Cabinet pursuant to the permitting requirements of KRS Chapter 350 regarding public road transportation plan may, subject to its approval, be submitted to the Transportation Cabinet to satisfy the reporting requirements of this section. The holder of a certified transportation plan is responsible for obtaining and reporting the origin, the destination, the tons and approximate highway mileage on each route or road for all coal transported pursuant to said plan on public highways or streets when the coal is sold by a person or organization, such as a broker, or when the coal is transported by another individual or firm engaged in trucking coal for hire.]

[(2) A holder of a certified transportation plan who is not engaged in the transportation of coal in any way must notify the Department of

Highways of the precise nature of his operations in order that his address may be removed either temporarily or permanently from the mailing list of those firms to which forms are periodically sent. Likewise, a holder of a certified transportation plan who ships no coal during an interval shall inform the department of that fact on or before the due date for that interval's report.]

[Section 13. Annual Updating Required. Certified transportation plans will remain valid unless suspended, revoked, or changed in accordance with this regulation. If there have been no changes, the holder of the certified transportation plan shall annually notify the Department of Vehicle Regulation to that effect.]

[Section 14. Extended Weights. If a certified transportation plan allows for the transporting of coal on state maintained roads, streets, and bridges in vehicles whose gross weights or axle weights exceed the limits designated by the Secretary of Transportation pursuant to KRS 189.222 all vehicles used for the transportation of the coal must be registered for extended weights. In addition, any person as defined in Section 1 of this regulation and transporting coal in vehicles registered as provided for in KRS 186.057(1) must also obtain a coal shipper's license in accordance with 601 KAR 9:074.]

[Section 15. Coal Cooperative Agreements. The provisions of cooperative agreements may be negotiated in conjunction with the Department of Highways concurrently with the evaluation of the transportation plan required by Section 4 of this regulation. Upon receipt of a proposed agreement certified by the State Highway Engineer and recommended by the Commissioner of Highways, the Commissioner of Vehicle Regulation may enter into the cooperative agreement with the applicant.]

[Section 16. Equitable Apportionment. The equitable apportionment of the incremental costs assigned to a person shall be based upon, but not limited to the following factors:]

[(1) The cost of surface design, maintenance, construction and reconstruction.]

[(2) The cost of shoulder design, maintenance, construction and reconstruction.]

[(3) The cost of bridge design, maintenance, construction and reconstruction.]

[(4) The tonnage shipped.]

[(5) The type of vehicles used.]

[(6) The number of vehicles used.]

[(7) Other pertinent factors related to the transportation of coal at extended weights.]

Section 5. Certification of Transportation Plans. The Chief District Engineer for the Department of Highways district in which the haul route originates shall certify the transportation plan on behalf of the Department of Vehicle Regulation and the Transportation Cabinet.

Section 6. Administrative regulations 601 KAR 35:040 and 601 KAR 35:050 are hereby repealed.

Section 7. The effective date of this regulation is April 1, 1987.

JOHN K. PENROD, Commissioner

C. LESLIE DAWSON, Secretary/Commissioner

APPROVED BY AGENCY: December 12, 1986

FILED WITH LRC: December 15, 1986 at noon

PUBLIC HEARING SCHEDULED: A public comment hearing will be held on this proposed administrative regulation on January 22, 1987 at 9 a.m. local prevailing time in the first floor auditorium of the State Office Building located on the corner of High and Clinton Streets in Frankfort, Kentucky. Any person who intends to attend this hearing must, in writing, by January 17, 1987 so notify: Sandra Pullen, Executive's Staff Advisor, Transportation Cabinet, State Office Building, Frankfort, Kentucky 40622.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Sandra Pullen

(1) Type and number of entities affected: All mine operators subject to KRS 350.060 and KRS 351.175.

(a) Direct and indirect costs or savings to those affected: None

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs (note any effects upon competition):

(b) Reporting and paperwork requirements: 1. Filing of applications to obtain certified transportation plans. This is an existing requirement. 2. Quarterly reports of tonnage shipped must be filed with the Department of Highways by coal mine operators. This is an existing requirement. No requirement imposed on other mine operators.

(2) Effects on the promulgating administrative body: None

(a) Direct and indirect costs or savings: None

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs:

(b) Reporting and paperwork requirements: Processing of applications for certified transportation plans.

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: None considered. Transportation plans are required by statute.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments:

TIERING: Was tiering applied? Yes

TRANSPORTATION CABINET  
Department of Highways  
(Proposed Amendment)

603 KAR 5:110. Permits for moving mobile homes.

RELATES TO: KRS 189.270

PURSUANT TO: KRS 189.270

NECESSITY AND FUNCTION: KRS 189.270 authorizes the Department of Highways [Vehicle Regulation] to issue permits for the movement of house

trailers exceeding legal dimensions. This regulation determines requirements necessary in the interest of highway safety.

Section 1. No house trailer of a width greater than eight (8) feet on any highway governed by KRS 189.221, or eight and one-half (8 1/2) feet on any highway governed by KRS 189.222 or with a combined length of house trailer and towing vehicle greater than sixty (60) feet, [one (1) or both,] shall be towed upon any Kentucky highway unless, and until, a special written permit has been issued by the Department of Vehicle Regulation, Division of Motor Carriers.

Section 2. Permits may [will] be issued for single trips on all overdimensional house trailers. At [, or at] the option of owners as set forth in Section 3 of this regulation, an annual permit may [will] be issued to authorize the movement of house trailers not exceeding twelve (12) feet in width. Registration and capacity of towing vehicles for house trailers in excess of the allowed legal width [eight (8) feet wide] shall be the same as noted in Section 3 of this regulation. Single trip permits will be issued for a period of not more than ten (10) calendar days.

Section 3. Annual permits for the movement of house trailers not exceeding twelve (12) feet in width on specified highways as indicated [shown by map] on the permit may [will] be issued only to dealers and manufacturers located within the Commonwealth of Kentucky; to [and] certificated motor carriers who are properly licensed as such by the Department of Vehicle Regulation and; to private owner-residents of Kentucky for movements of their personally owned house trailers. No annual permit will be issued for the movement of a house trailer in excess of twelve (12) feet in width. Each towing vehicle for house trailers greater than the legal width [twelve (12) feet wide] must be registered in Kentucky for a gross weight of not less than 22,000 pounds, have dual wheels on the rear and be rated at least one and one-half (1 1/2) ton capacity. Towing vehicles for house trailers greater than twelve (12) [fourteen (14)] feet wide must have a minimum of 185 horsepower, must have a minimum of two (2) ton capacity, and must be licensed for a gross weight equal to the combined weight of the towing vehicle and the house trailer.

Section 4. The issuance [issue] cost of an annual or a [and] single trip permit, as set forth in KRS 189.270, shall apply to the [for each] towing vehicle and the cost will not be prorated. A permit will not be issued for any unit, including towing vehicle and house trailer combined, which exceeds [exceeding] ninety-five (95) feet in length or [and] fourteen (14) feet in width exclusive of usual and ordinary overhang. [The house trailer itself shall not exceed eighty (80) feet in length.] Single trip permits will specify the highway to be used for a trip.

Section 5. All permits shall be issued by the [Permit Section,] Division of Motor Carriers, Department of Vehicle Regulation, Frankfort, Kentucky.

Section 6. One (1) lead escort vehicle is

required for the movement of house trailers greater than the legal width but not exceeding twelve (12) feet wide on all two (2) lane highways except on sections of toll roads which may be two (2) lanes. Escort vehicles, both front and rear, may be required on some highways where highway conditions [may] dictate the need. Red flags twelve (12) inches by twelve (12) inches square must be displayed on both sides of the front bumper of the lead escort and on both sides of the rear of a following escort. Amber flashing lights may be used on both the escort and towing vehicles. All overdimensional mobile homes shall be marked and lighted in accordance with those requirements set forth in 601 KAR 1:005. [Red lights are prohibited.]

Section 7. All single trip permit forms and requests [for trip permits] shall specify the make of towing vehicle, the vehicle's license number and state of registration [issue], name and address of the owner, dates for travel and the specific routes of travel. Requests and permit forms for annual permits shall specify the make of towing vehicle, rated capacity, serial number, license number, and whether the carrier is a for-hire or private carrier.

Section 8. A duplicate permit which is needed to replace a lost or destroyed annual permit or to transfer the permit to another vehicle may be obtained from the [Permit Section,] Division of Motor Carriers, Frankfort, Kentucky by the payment of [a fee of] ten (10) dollars.

Section 9. Prior departmental approval must be secured from the [Permit Section,] Division of Motor Carriers, Frankfort, Kentucky for any house trailer hauled under an annual permit which deviates from the routes prescribed in the permit issued for the towing vehicle.

Section 10. Permits shall be carried in the towing vehicles at all times and must be presented, upon request, to any law enforcement officer or any authorized personnel of the Department of Vehicle Regulation for inspection.

Section 11. Permits are valid during daylight hours only, from Monday through Saturday noon, except for those periods before, during and after the following holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day. In connection with these holidays, travel is not permitted from noon the preceding day until daylight of the next permissible day. If the holiday occurs on Sunday or Monday the restricted period will extend from noon of the preceding Friday to daylight of the following Tuesday. If satisfactory proof of an emergency is furnished the [Permit Section,] Division of Motor Carriers, [Frankfort, Kentucky, the Permit Section may authorize] moves may be authorized during the restricted hours. The term "daylight hours" means the period from one-half (1/2) hour before sunrise until one-half (1/2) hour after sunset, but it does not include such period or part thereof when atmospheric conditions render visibility lower than is ordinarily the case during such daylight hours.

Section 12. Single trip permits for moves involving house trailers more than twelve (12) [fourteen (14)] feet wide may [will] be issued

by the [Permit Section,] Division of Motor Carriers, Frankfort, Kentucky 40622. The permit fee shall be as described in KRS 189.270.

Section 13. Moves of house trailers more than twelve (12) [fourteen (14)] feet wide will be limited to highways of four (4) or more lanes [highways] and to a reasonable distance of two (2) lane highways to reach the unit's ultimate destination. The definition of a reasonable distance from a four (4) lane highway to the unit's ultimate destination is defined in the sense that the Department of Vehicle Regulation will in its best judgment designate the shortest and best route to be used. The department shall deny movements on any routes deemed unsuitable for move.

Section 14. Moves of house trailers more than twelve (12) [fourteen (14)] feet wide cannot be made on any highway [when the pavement is wet or] when wind velocity exceeds twenty-five (25) MPH or when adverse weather conditions would prohibit such moves. No house trailer greater than twelve (12) feet is permitted to move on any two (2) lane road when the pavement is wet. The current standards of traffic safety, based on traffic volumes, require that moves of [fourteen (14) feet wide] house trailers twelve (12) feet wide or more be permitted only on [during daylight hours,] weekdays during daylight hours [only] with the exception of movement within or through Jefferson, Fayette, Boone, Kenton, and Campbell Counties where [when] movements are to be restricted to [allowed only] between the hours of 9:00 a.m. and 3:00 p.m. and 6:00 p.m. to sundown. [No travel on weekends, holidays or at night.]

Section 15. When house trailers more than twelve (12) [fourteen (14)] feet wide are moved, one (1) escort will be required in the rear on highways with four (4) or more lanes [highways] and one (1) escort vehicle, both front and rear, on other highways. Escort vehicles shall have an amber flashing light on the roof. The house trailer shall be equipped with a four (4) way amber flasher on each side of the towed vehicle spaced not less than six (6) feet above the roadway located near the rear of the vehicle. All running lights must be on while in motion. The number, type, size and design of brake assemblies required to assist the towing vehicle in controlling and stopping a house trailer shall be sufficient to assure that the maximum stopping distance from an initial velocity of twenty (20) miles per hour does not exceed forty (40) feet. House trailers which are not equipped with brakes on all axles shall certify that the towing unit has sufficient brake assemblies to meet the braking distance specified herein. Such certification shall be in the form of a manufacturers statement, documented technical data, or adequate engineering analysis or its equivalent, specifying that the braking distance requirement has been met. Such certificate shall be carried in the towing unit at all times and must be presented upon request, to any law enforcement officer. [All axles on the house trailer shall be equipped with brakes.]

Section 16. The speed limit for the [on] movement of [fourteen (14) feet wide] house trailers greater than twelve (12) feet wide on interstate highways is forty-five (45) MPH. On

other highways the speed limit is thirty-five (35) MPH, unless posted minimum speed exceeds this, then the speed limit [this] may be increased to the minimum posted speed.

C. LESLIE DAWSON, Secretary

APPROVED BY AGENCY: December 12, 1986

FILED WITH LRC: December 15, 1986 at noon

PUBLIC HEARING SCHEDULED: A public comment hearing will be held on this administrative regulation on January 23, 1987 at 10 a.m., local prevailing time in the Fourth Floor Hearing Room of the State Office Building located at the corner of High and Clinton Streets, Frankfort, Kentucky. Any person who intends to attend this hearing must in writing by January 18, 1987 so notify: Sandra G. Pullen, Executive's Staff Advisor, Tenth Floor, State Office Building, Frankfort, Kentucky 40622.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Sandra G. Pullen

(1) Type and number of entities affected: All transporters of mobile homes in Kentucky.

(a) Direct and indirect costs or savings to those affected: Minimal savings by allowing movements on four-lane highways when the weather was adverse.

1. First year: Same as above.

2. Continuing costs or savings: Same as above.

3. Additional factors increasing or decreasing costs (note any effects upon competition): Allows those transporters in Kentucky to be competitive with transporters in other states where such moves are required.

(b) Reporting and paperwork requirements: Requires that brake assembly certification be carried in the vehicle.

(2) Effects on the promulgating administrative body: Allows greater ease in establishing if vehicle has sufficient braking ability.

(a) Direct and indirect costs or savings: None

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs: N/A

(b) Reporting and paperwork requirements: None

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: Considered not amending the regulation but rejected because the mobile home industry in Kentucky was at an economic disadvantage.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None known.

(a) Necessity of proposed regulation if in conflict: N/A

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions: N/A

(6) Any additional information or comments: Required by the U.S. Department of Transportation.

TIERING: Was tiering applied? Yes. Considered allowing movement on two-lane highways when the pavement is wet. This was rejected in the interest of safety to the traveling public.

TRANSPORTATION CABINET  
Department of Highways  
Division of Planning  
(Proposed Amendment)

603 KAR 5:115. Coal-haul highway system; reporting requirements.

RELATES TO: KRS 42.455(8), 177.977

PURSUANT TO: KRS 42.455(8), 174.080, 177.977

NECESSITY AND FUNCTION: KRS 42.455 designates the Kentucky Transportation Cabinet as the agency responsible for the identification of public highways, roads and streets that comprise the official coal-haul highway system. In addition, both KRS 42.455 and KRS 177.977 require the Transportation Cabinet to publish such information in a directory on an annual basis. In order to discharge this responsibility, the cabinet must gather pertinent information from all coal shippers or owners regarding the movement of coal in Kentucky. This regulation specifies the procedures and intervals to be used in reporting this information to the Transportation Cabinet.

Section 1. Definitions. The following are definitions as used in this regulation:

(1) "Owner" means any individual, partnership, joint venture, association or corporation who owns the coal at the time of transport.

(2) "Interval" means a quarterly (three (3) months) reporting period.

Section 2. Reporting Requirements. (1) On or before the twentieth day of the month following the interval in which any coal is shipped over public highways, roads, or streets by or on behalf of any owner from a mine mouth or pit to a processing plant, tipple, loading dock, or customer, or from any of the foregoing locations to another of such locations, the owner shall file a report on [Form TD 59-100 (Coal Severor and/or Route and Tonnage Report) or other] forms designated and furnished by the cabinet. This report is to be filed with the Kentucky Transportation Cabinet, Department of Highways, Division of Planning and contain information required by the cabinet relative to the ton miles of coal transported on the public highways, streets, and roads of each county in or through which coal was transported.

(2) The owner is responsible for obtaining and reporting the origin, the destination, the tons and approximate highway mileage on each route or road for all coal transported on public highways or streets when the coal is sold by a person or organization, such as a broker, or when the coal is transported by another individual or firm engaged in trucking coal for hire.

(3) An owner who is not engaged in the transportation of coal in any way must notify the cabinet of the precise nature of his operations in order that his address may be removed either temporarily or permanently from the mailing list of those firms to which forms are periodically sent. Likewise, owners who ship no coal during an interval shall inform the cabinet of that fact on or before the due date for that interval's report.

Section 3. The Division of Planning in the course of its normal duties may delete duplicate information, reconcile ambiguities, and correct errors prior to finalizing the report. To

accomplish this the division may consider prior year reports and other relevant information concerning coal transportation routes in Kentucky. However, no such corrections may be made to the reported data after it is submitted to the Department for Local Government as required by KRS 42.455.

C. LESLIE DAWSON, Secretary/Commissioner

APPROVED BY AGENCY: December 12, 1986

FILED WITH LRC: December 15, 1986 at noon

PUBLIC HEARING SCHEDULED: A public comment hearing will be held on this proposed administrative regulation on January 22, 1987 at 9 a.m., local prevailing time in the Fourth Floor Hearing Room of the State Office Building located at the corner of High and Clinton Streets, Frankfort, Kentucky. Any person who intends to attend this hearing must in writing by January 17, 1987 so notify: Sandra G. Pullen, Executive's Staff Advisor, Transportation Cabinet, Tenth Floor, State Office Building, Frankfort, Kentucky 40622.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Sandra G. Pullen

(1) Type and number of entities affected: All coal owners transporting coal by highway.

(a) Direct and indirect costs or savings to those affected: None

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs (note any effects upon competition):

(b) Reporting and paperwork requirements: No new reporting or paperwork requirements. However, it does emphasize that corrections cannot be made after report is finalized.

(2) Effects on the promulgating administrative body: None

(a) Direct and indirect costs or savings: None

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs: N/A

(b) Reporting and paperwork requirements: No new.

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: Rejected the alternative of not amending the regulation because with the approaching implementation of House Bill 978, many coal owners have wanted to change their 1985 reports after the data had been sent to Finance.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None known.

(a) Necessity of proposed regulation if in conflict: N/A

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions: N/A

(6) Any additional information or comments:

TIERING: Was tiering applied? No. Reporting requirements should be the same for all coal transporters in order that the final reports can be prepared.



TRANSPORTATION CABINET  
Department of Highways  
(Proposed Amendment)

603 KAR 5:190. Vehicles prohibited on I-75 and I-71.

RELATES TO: KRS 189.231

PURSUANT TO: KRS 189.231

NECESSITY AND FUNCTION: KRS 189.231 authorizes the Secretary of Transportation to restrict or regulate traffic on state-maintained highways in such manner as is reasonably necessary to promote the safety and convenience of the traveling public. The purpose of this administrative regulation is to promote public safety by restricting and regulating the use of a specific portion of a state-maintained highway from certain types of vehicles.

Section 1. Definitions. As used in this regulation, the hereinafter set forth terms shall have the following meaning:

(1) "Truck tractor" means any self-propelled vehicle designed to support and/or to draw the front end of a trailer, semitrailer or mobile home.

(2) "Semitrailer" means a vehicle designed to be attached to and/or have its front end supported by a truck tractor. It is intended to be used for the carrying of freight, cargo, or merchandise and has a load capacity in excess of 1,000 pounds.

(3) "Mobile home" means a movable or portable dwelling in excess of 102 inches, constructed to be towed on its own chassis by a truck tractor, connected to utilities, and designed without a permanent foundation for year-round living.

(4) "Trailer" means any vehicle designed for carrying persons or property and being drawn by a motor vehicle and being so constructed that no part of its weight rests upon the towing vehicle.

Section 2. Prohibition. All truck tractor-mobile home combinations in excess of 102 inches in length, truck tractor-semitrailer combinations, and truck tractor-semitrailer-trailer combinations except as identified in Section 3 of this regulation, are prohibited from operating in a northbound direction on that portion of Interstate Highway 75 and 71 (I-75 and I-71) in Kenton County from the junction of I-75 and I-71 and Interstate Highway 275 (I-275) to the Ohio state line located on the I-75 Brent-Spence Bridge, a distance of seven and one-tenth (7.1) miles.

Section 3. Exceptions. Those truck tractor-mobile home combinations, truck tractor-semitrailer combinations, and truck tractor-semitrailer-trailer combinations having local trips in that portion of the Cincinnati-Northern Kentucky urbanized area located within the perimeter of I-275 or within a two (2) mile arc of I-275 on the northern side of I-275 between U.S. 22 and U.S. 27 may travel upon the restricted-use section of I-75 and I-71 northbound for the purpose of such local trips. Such a vehicle operator shall have in his possession a bill of lading, manifest or other proof showing the necessity for the local trip within the excepted area [perimeter of I-275]. Such proof is subject to inspection by Transportation Cabinet Vehicle Enforcement Officers and other local and state law

enforcement officers.

C. LESLIE DAWSON, Secretary/Commissioner

APPROVED BY AGENCY: December 12, 1986

FILED WITH LRC: December 15, 1986 at noon

PUBLIC HEARING SCHEDULED: A public comment hearing will be held on this proposed administrative regulation on January 23, 1987 at 1 p.m., local prevailing time in the Fourth Floor Hearing Room of the State Office Building located at the corner of High and Clinton Streets, Frankfort, Kentucky. Any person who intends to attend this hearing must in writing by January 18, 1987 so notify: Sandra G. Pullen, Executive's Staff Advisor, Transportation Cabinet, 1003 State Office Building, Frankfort, Kentucky 40622.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Sandra G. Pullen

(1) Type and number of entities affected: Less than 5% of the 1,700 trucks which are diverted onto I-275 each day.

(a) Direct and indirect costs or savings to those affected: Possible savings of fuel and time due to no longer being required to divert around the Cincinnati-Northern Kentucky metropolitan area.

1. First year: Savings to each company or truck will depend on how many trips to the Cincinnati area are made each year.

2. Continuing costs or savings: Same as first year.

3. Additional factors increasing or decreasing costs (note any effects upon competition): The motor carriers whose destination was just north of I-275 but were required to divert around I-275 will once again be economically competitive with those carriers whose destination was just inside I-275.

(b) Reporting and paperwork requirements: None

(2) Effects on the promulgating administrative body: None

(a) Direct and indirect costs or savings: None

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs: N/A

(b) Reporting and paperwork requirements: None

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: A two-mile radius around I-275 was considered and rejected because I-275 would be the preferred route for all but those going to the north arc.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None known.

(a) Necessity of proposed regulation if in conflict: N/A

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions: N/A

(6) Any additional information or comments: Required by the U.S. Department of Transportation.

TIERING: Was tiering applied? Yes.

**TRANSPORTATION CABINET**  
**Department of Highways**  
**(Proposed Amendment)**

**603 KAR 5:200. Vehicles prohibited on I-471.**

RELATES TO: KRS 189.231

PURSUANT TO: KRS 189.231

NECESSITY AND FUNCTION: KRS 189.231 authorizes the Secretary of Transportation to restrict or regulate traffic on state-maintained highways in such manner as is reasonably necessary to promote the safety and convenience of the traveling public. The purpose of this administrative regulation is to promote public safety by restricting and regulating the use of a specific portion of a state-maintained highway from certain types of vehicles.

Section 1. Definitions. As used in this regulation, the hereinafter set forth terms shall have the following meaning:

(1) "Truck tractor" means any self-propelled vehicle designed to support and/or to draw the front end of a trailer, semitrailer or mobile home.

(2) "Semitrailer" means a vehicle designed to be attached to and/or have its front end supported by a truck tractor. It is intended to be used for the carrying of freight, cargo, or merchandise and has a load capacity in excess of 1,000 pounds.

(3) "Mobile home" means a movable or portable dwelling in excess of 102 inches, constructed to be towed on its own chassis by a truck tractor, connected to utilities, and designed without a permanent foundation for year-round living.

(4) "Trailer" means any vehicle designed for carrying persons or property and being drawn by a motor vehicle and being so constructed that no part of its weight rests upon the towing vehicle.

Section 2. Prohibition. All truck tractor-mobile home combinations in excess of 102 inches in length, truck tractor-semitrailer combinations, and truck tractor-semitrailer-trailer combinations except as identified in Section 3 of this regulation, are prohibited from operating in a northbound direction on that portion of Interstate Highway 471 (I-471) in Campbell County from the junction of Interstate Highway 275 (I-275) to the Ohio state line located on the I-471 Daniel Carter Beard Bridge.

Section 3. Exceptions. Those truck tractor-mobile home combinations, truck tractor-semitrailer combinations, and truck tractor-semitrailer-trailer combinations having local trips in that portion of the Cincinnati-Northern Kentucky urbanized area located within the perimeter of I-275 or within a two (2) mile arc of I-275 on the northern side of I-275 between U.S. 22 and U.S. 27 may travel upon the restricted-use section of I-471 northbound for the purpose of such local trips. Such a vehicle operator shall have in his possession a bill of lading, manifest or other proof showing the necessity for the local trip within the excepted area [perimeter of I-275]. Such proof is subject to inspection by Transportation Cabinet Vehicle Enforcement Officers and other local and state law enforcement officers.

C. LESLIE DAWSON, Secretary/Commissioner

APPROVED BY AGENCY: December 12, 1986

FILED WITH LRC: December 15, 1986 at noon

PUBLIC HEARING SCHEDULED: A public comment hearing will be held on this proposed administrative regulation on January 23, 1987 at 1 p.m., local prevailing time in the Fourth Floor Hearing Room of the State Office Building located at the corner of High and Clinton Streets, Frankfort, Kentucky. Any person who intends to attend this hearing must in writing by January 18, 1987 so notify: Sandra G. Pullen, Executive's Staff Advisor, Transportation Cabinet, 1003 State Office Building, Frankfort, Kentucky 40622.

**REGULATORY IMPACT ANALYSIS**

Agency Contact Person: Sandra G. Pullen

(1) Type and number of entities affected: Less than 5% of the 1,700 trucks which are diverted onto I-275 each day.

(a) Direct and indirect costs or savings to those affected: Possible savings of fuel and time due to no longer being required to divert around the Cincinnati-Northern Kentucky metropolitan area.

1. First year: Savings to each company or truck will depend on how many trips to the Cincinnati area are made each year.

2. Continuing costs or savings: Same as first year.

3. Additional factors increasing or decreasing costs (note any effects upon competition): The motor carriers whose destination was just north of I-275 but were required to divert around I-275 will once again be economically competitive with those carriers whose destination was just inside I-275.

(b) Reporting and paperwork requirements: None

(2) Effects on the promulgating administrative body: None

(a) Direct and indirect costs or savings: None

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs: N/A

(b) Reporting and paperwork requirements: None

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: A two-mile radius around I-275 was considered and rejected because I-275 would be the preferred route for all but those going to the north arc.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None known.

(a) Necessity of proposed regulation if in conflict: N/A

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions: N/A

(6) Any additional information or comments: Required by the U.S. Department of Transportation.

TIERING: Was tiering applied? Yes.

**EDUCATION AND HUMANITIES CABINET  
Governor's Commission on Literacy  
(Proposed Amendment)**

**700 KAR 1:010. Adult literacy program fund.**

RELATES TO: KRS 158.795

PURSUANT TO: KRS 158.795

**NECESSITY AND FUNCTION:** The Education and Humanities Cabinet is authorized by KRS 158.795 to administer a statewide adult literacy program. The Governor's Commission on Literacy is authorized by KRS 158.795 to provide advice and counsel to the Education and Humanities Cabinet in administering the statewide adult literacy program and the provision of services in every county. This regulation is necessary to assure uniformity in the administration of literacy program grants under the statewide adult literacy program.

**Section 1. Program Purpose and Announcements.**

(1) The goal for the use of the literacy program grants is to encourage and promote the development and implementation of local literacy programs, or the improvement or supplementation of existing programs, in each county. Except as special circumstances require and as recommended by the Governor's Commission on Literacy, hereinafter referred to as the commission, no more than one (1) grant per county will be awarded each funding cycle.

(2) Funding cycle(s) during which applications will be received for the program will be announced annually. Deadlines for receiving proposals will be established and advertised in each county. More than one (1) funding cycle is anticipated annually, but this will be dependent upon the level of funding available and number of applicants funded during the first funding cycle.

**Section 2. Eligibility Requirements.** (1) The following may apply for funding:

(a) State agencies and units of local government (including county, municipality, city, town, local public authority and special district agencies). This also includes such intrastate entities as districts, councils of governments and multicounty units, and other state and local organizations and institutions.

(b) Profit or non-profit public or private businesses.

(c) Community based organizations or subgroups of such organizations organized expressly for the purpose of providing adult literacy services and who are incorporated, or, are a legal entity, or who have an individual who accepts responsibility for appropriate use of the grant funds.

(2) To be eligible for funding, projects must:

(a) Provide or coordinate direct adult literacy services or provide training or technical assistance to such programs.

(b) Provide services to individuals age sixteen (16) and above who read at or below a fifth grade level, unless the application demonstrates the need and method for providing services to different ages and reading abilities, and can demonstrate that this is not a duplication of services.

(c) Be conducted in and applicable to use in Kentucky.

(d) Not charge for services except material costs may be borne by program participants;

however, charges will be an exact rate paid by the program/service provider. In no instance will services be denied to persons who cannot pay.

(e) Show evidence of cooperation and coordination with other literacy programs within the community.

(f) Comply with non-discrimination requirements.

(g) Show documentation of cooperative referral between literacy and adult basic education programs.

(3) Proposals which are incomplete, subcontract for services, duplicate existing programs in the locality, or which request funds beyond the allowable maximum may be rejected.

(4) Project expenditures eligible for funding may include salaries, training, travel, operating expenses, books and materials, printing and duplicating, and equipment within limits set by the proposal guidelines. Construction expenditures are not eligible.

**Section 3. Submission of Proposals.** (1)

Proposals must be submitted on application forms provided and within the deadline established in each funding cycle. A proposal submitted for consideration but not funded in any cycle may be resubmitted for consideration in any new funding cycle announced, providing signatures of responsible parties carry a current date.

(2) Proposals must be signed by a person who has the authority to obligate the organization to the terms of the grant or who accepts personal liability.

(3) Each applicant will be notified immediately by return postcard when a proposal is received by the commission.

**Section 4. Evaluation of Proposals.** (1)

Project applications will be reviewed by the commission's Grant Development and Review Committee and one (1) individual involved in literacy programs in another state.

(2) After the application submittal deadline, applicants shall not be permitted to initiate contact with anyone involved in the review and evaluation process or to initiate changes in their proposal. Proposal changes or budgetary amendments may be requested by the Project Review Committee or its designee.

(3) The proposal screening process consists of the following steps:

(a) The Project Review Committee will evaluate each proposal not eliminated in the prescreening process. During this evaluation, the applicant may be contacted for additional information or clarification on the project. Criteria which will be utilized to evaluate the proposals will be:

1. The documented need for an adult literacy program, considering both the number of adults who cannot read or read well (as defined in Section 2(2)(b) of this regulation) and the extent to which there are existing literacy programs in the county.

2. Qualifications and appropriateness of the applicant agency and agency staff to carry out adult literacy programs.

3. Quality of the implementation and operation plans, including clear objectives; methods for recruiting, training and managing volunteers; outreach plans; plans for standardized measures of student progress; and instructional design.

4. Ability to evaluate the effectiveness of

the program.

5. Extent of cooperation and coordination with and support of other literacy programs.

6. Ability to keep required records.

7. Completeness and appropriateness of budget and cost effectiveness.

8. Strength of plans for continuation of projects.

(b) The Project Review Committee reserves the right to recommend for funding any, all, or none of the proposals submitted in response to requests for proposals. The committee may also choose to negotiate with competing applicants from any county to encourage a joint program.

(c) Recommendations of the Project Review Committee will go to the full commission for consideration. The recommendations of the commission will be forwarded to the Secretary of Education and Humanities Cabinet who will make the final decision regarding funding awards.

(d) Applicants selected for funding will be notified by mail of the decision of their proposals no later than sixty (60) days after the deadline established for the funding cycle.

Section 5. Funding Terms and Conditions. (1) State funds appropriated for literacy programs will be allocated by county, based on the percent of adults in that county as compared to the state total who have completed only the eighth grade or less. Funds not granted to that county during the first funding cycle each year will subsequently be made available statewide.

(2) Grant fund awards will be made in two (2) semi-annual payments. The initial payment for fifty (50) percent of the award will be made at the beginning of the project period and the remainder will be made at the middle of the project period contingent upon the recipients meeting reporting and monitoring requirements. The entire grant may be paid at the beginning of project period when the applicant has a demonstrated need for receiving the payment at that time. If inappropriate or unapproved use of funds occurs, the remainder of the award may be suspended or revoked. Misused funds will be recovered.

(3) Funding of projects will be established by a document of grant conditions to be finalized after grantees are notified. The document will include requirements stipulated in this regulation and in the application guidelines.

(4) To insure proper use of funds, grantees will be held accountable for project expenses in a manner acceptable to the commission and the Secretary of the Education and Humanities Cabinet. A separate bank account for each project requiring two (2) signatures on each check is required. All records will be kept for three (3) years after the end of the funding cycle, or until any audits have been completed.

(5) Grantees may invest grant funds and retain any interest earnings except that such earnings shall be deemed grant funds and be used only for express purposes of the grant and shall be reported in all documents recording project financing.

(6) After completion of each project grantees shall return any unspent grant funds.

(7) Equipment and material purchased with grant funds is owned by the grantee. If the grantee organization dissolves, the property must be given to an organization serving a public purpose and meeting non-discrimination requirements. This organization will be selected

by the commission. [Preference is to be given to literacy programs.]

Section 6. Reporting Requirements. (1) Grantees will be required to submit to the commission quarterly reports on progress of projects and financial expenditures and encumbrances. The quarterly reports are due ten (10) working days after the end of the quarter. A final report will be required within fifteen (15) working days of the completion of the project year. Reports will be in a format designed by the commission and may include but not be limited to request for demographic data, copies of materials produced, test results, equipment inventory, and financial activities.

(2) Grantees will be required to submit information in standardized summative form which reflects student progress in the adult literacy programs.

Section 7. Requirements for Public Access. (1) Individuals authorized by the commission may visit the project site at mutually agreed upon times to observe progress, provide guidance and analyze and publicize projects supported under this program.

(2) Sharing and distributing information and materials developed under this project is a major goal of this program. Therefore, except for confidential information clearly identified in the project proposal, the results of the projects will be made a matter of public record and grantees will make their projects available for public observation at mutually agreed upon times.

Section 8. Confidentiality of Information. (1) Data which is specifically identifiable to individual students is considered confidential and recipient of project awards will develop a written policy concerning its protection.

(2) Summative information which outlines progress of students and demographic information will not be considered confidential when no particular individual can be identified by the information.

(3) The commission reserves the right to use and disseminate information and data derived from the use of these project funds to the extent such information is not protected by any claim of confidentiality.

JANE K. BESHEAR, Chair

APPROVED BY AGENCY: December 15, 1986

FILED WITH LRC: December 15, 1986 at noon

PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on January 22, 1987 at 9 a.m. at the Kentucky Department for Libraries and Archives. Those interested in attending this hearing shall contact: Patricia K. Gleich, Executive Director, Governor's Commission on Literacy, Suite 924, Capital Plaza Tower, Frankfort, Kentucky 40601.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Linda L. Horton or Patricia Gleich

(1) Type and number of entities affected:

(a) Direct and indirect costs or savings to those affected: None

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing

costs (note any effects upon competition):

(b) Reporting and paperwork requirements:

(2) Effects on the promulgating administrative body: None beyond that anticipated by statute.

(a) Direct and indirect costs or savings:

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs:

(b) Reporting and paperwork requirements:

(3) Assessment of anticipated effect on state and local revenues: No additional costs will be borne by the state beyond legislature appropriation. Each county will be allocated a specific sum for which only one applicant may be funded. Dollars may or may not go to general purpose local governments.

(4) Assessment of alternative methods; reasons why alternatives were rejected: N/A

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments: None

TIERING: Was tiering applied? No. Uniform requirements for all local applicants is essential for program administration.

#### LABOR CABINET

Department of Workplace Standards  
Kentucky Occupational Safety and Health  
(Proposed Amendment)

#### 803 KAR 2:020. Adoption of 29 CFR Part 1910.

RELATES TO: KRS Chapter 338

PURSUANT TO: KRS Chapter 338

NECESSITY AND FUNCTION: KRS 338.051 and 338.061 authorize the Kentucky Occupational Safety and Health Standards Board to adopt and promulgate occupational safety and health rules and regulations, and standards. Express authority to adopt by reference established federal standards and national consensus standards is also given to the board. The following regulation contains those standards to be enforced by the Division of Occupational Safety and Health Compliance in the area of general industry. The standards are arranged in numerical order in order to facilitate reference to 29 CFR 1910.

Section 1. The Occupational Safety and Health Standards Board hereby adopts Chapter 29, Part 1910 of the Code of Federal Regulations revised as of July 1, 1984, published by the Office of the Federal Register, National Archives and Records Services, General Services Administration. These standards are hereby adopted by reference with the following additions, exceptions, and deletions.

(1) 29 CFR Part 1910.1 shall read as follows:

"The provisions of this regulation adopt and extend the applicability of established federal standards contained in 29 CFR Part 1910 to all employers, employees, and places of employment throughout the Commonwealth except those excluded in KRS 338.021."

(2) 29 CFR Part 1910.2 shall read as follows:

As used in this part, unless the context clearly requires otherwise:

(a) "Act" means KRS Chapter 338.

(b) "Assistant Secretary of Labor" means the Secretary of Labor, Commonwealth of Kentucky.

(c) "Employer" means any entity for whom a person is employed except those employers excluded in KRS 338.021.

(d) "Employee" means any person employed except those employees excluded in KRS 338.021.

(e) "Standard" means a standard which requires conditions or the adoption or use of one (1) or more practices, means, methods, operations, or processes, reasonably necessary or appropriate to provide safe and healthful employment. "Standard" has the same meaning as and includes the words "regulation" and "rule."

(f) "National Consensus Standard" means any occupational safety and health standard or modification thereof which has been adopted and promulgated by a nationally recognized standards-producing organization.

(g) "Established federal standard" means any operative occupational safety and health standard established by any agency of the United States Government.

(h) An employer, required under these standards to report information to the U.S. Department of Labor, or any subsidiary thereof, shall instead report such information to the Kentucky Labor Cabinet, U.S. 127 South, Frankfort, Kentucky 40601.

(3) 29 CFR 1910.19(f) "Special Provisions for Air Contaminants," is removed as published in the Federal Register, Volume 50, Number 240, December 13, 1985, is adopted by reference.

(4) 29 CFR 1910.20 "Access to employee exposure and medical records" is amended as follows:

(a) 29 CFR 1910.20(e)(1)(i) is amended to read "Whenever an employee or designated representative requests access to an exposure or medical record, the employer shall assure that access is provided in a reasonable time, place, and manner, but no longer than fifteen (15) days after the request for access is made unless sufficient reason is given why such a time is unreasonable or impractical."

(b) 29 CFR 1910.20(e)(1)(ii) is amended to read "Whenever an employee or designated representative requests a copy of a record, the employer shall, except as specified in (v) of this section, within the period of time previously specified assure that either:"

(c) 29 CFR 1910.20(e)(1)(v) is added and shall read "Original x-ray film will be made available to the employee and/or designated representative for inspection, review, and duplication under the supervision of the employer or his representative. The employer is not required to bear the cost of duplication of x-ray film."

(d) 29 CFR 1910.20(g)(1) is amended to read "Upon an employee's first entering into employment, and at least annually thereafter, each employer shall inform each employee exposed to toxic substances or harmful physical agents of the following:"

(e) 29 CFR 1910.20(g)(2) is amended to read "Each employer shall make readily available to employees any informational materials concerning this standard which are provided to the employer by the Assistant Secretary of Labor for Occupational Safety and Health."

(5) Subparagraph 29 CFR 1910.23(a)(7) shall be amended to read as follows: "Every temporary or

permanent floor opening shall have standard railings, or shall be constantly attended by someone."

(6) Revision to 29 CFR 1910.68(e)(3), Manlifts, as published in the Federal Register, Volume 51, Number 188, September 29, 1986, is adopted by reference.

(7) [(6)] 29 CFR 1910.95 "Hearing Conservation Program" is amended as follows:

(a) 29 CFR 1910.95(h)(1) shall read: Audiometric tests shall be pure tone, air conduction, hearing threshold examinations with test frequencies including as a minimum 500, 1,000, 2,000, 3,000, 4,000, and 6,000 Hz. Testing at 8,000 Hz must be included in the audiometric tests for employers using audiometers with that capacity and all audiometric tests must include 8,000 Hz after January 15, 1985.

(b) 29 CFR 1910.95(h)(4) shall read: Audiometric examinations shall be administered in a room meeting the requirements listed in Appendix D: Audiometric Test Rooms. When an audiometric test room is located in a mobile test van, background sound pressure level measurements shall be taken at each testing location.

(c) 29 CFR 1910.95(h)(5)(ii) shall read: Audiometer calibration shall be checked acoustically at least annually in accordance with Appendix E: Acoustic Calibration of Audiometers. Test frequencies below 500 Hz and above 8,000 Hz (6,000 Hz until January 15, 1985 for audiometers without 8,000 Hz capability) may be omitted from this check. Deviations of fifteen (15) decibels or greater require an exhaustive calibration.

(d) 29 CFR 1910.95(h)(5)(iii) shall read: An exhaustive calibration shall be performed at least every two (2) years in accordance with sections 4.1.2; 4.1.3; 4.1.4.3; 4.2; 4.4.1; 4.4.2; 4.4.3; and 4.5 of the American National Standard Specification for Audiometers, S3.6-1969. Test frequencies below 500 Hz and above 8,000 Hz (6,000 Hz until January 15, 1985 for audiometers without 8,000 Hz capability) may be omitted from this calibration.

(e) 29 CFR 1910.95(L)(1) shall read: The employer shall make available to affected employees or their representatives copies of this standard and shall also post a notice of the availability of this standard in the workplace.

(f) 29 CFR 1910.95(o) shall read: Paragraphs (c) through (n) of this section shall not apply to employers engaged in oil and gas well drilling and servicing operations, agriculture, or construction.

(g) 29 CFR 1910.95 Appendix E shall read: Acoustic Calibration of Audiometers.

This Appendix is Mandatory.

Audiometer calibration shall be checked acoustically, at least annually, according to the procedures described in this Appendix. The equipment necessary to perform these measurements is a sound level meter, octave-band filter set, and a National Bureau of Standards 9A coupler. In making these measurements, the accuracy of the calibrating equipment shall be sufficient to determine that the audiometer is within the tolerances permitted by American Standard Specification for Audiometers, S3.6-1969.

#### 1. Sound Pressure Output Check.

a. Place the earphone coupler over the microphone of the sound level meter and place the earphone on the coupler.

b. Set the audiometer's hearing threshold level (HTL) dial to seventy (70) dB.

c. Measure the sound pressure level of the tones that each test frequency from 500 Hz through 8,000 Hz (6,000 Hz until January 15, 1985 for audiometers without 8,000 Hz capability) for each earphone.

d. At each frequency the readout on the sound level meter should correspond to the levels in Table E-1 or Table E-2, as appropriate, for the type of earphone, in the column entitled "sound level meter reading."

#### 2. Linearity check.

a. With the earphone in place, set the frequency to 1,000 Hz and the HTL dial on the audiometer to seventy (70) dB.

b. Measure the sound levels in the coupler at each ten (10) dB decrement from seventy (70) dB to ten (10) dB, noting the sound level meter reading at each setting.

c. For each ten (10) dB decrement on the audiometer the sound level meter should indicate a corresponding ten (10) dB decrease.

d. This measurement may be made electrically with a voltmeter connected to the earphone terminals.

#### 3. Tolerances.

When any of the measured sound levels deviate from the levels in Table E-1 or Table E-2 plus or minus three (3) dB at any test frequency between 500 and 3,000 Hz, four (4) dB at 4,000 Hz, or five (5) dB at 6,000 Hz and 8,000 Hz, an exhaustive calibration is advised. An exhaustive calibration is required if the deviations are greater than ten (10) dB at any test frequency.

TABLE E-1 - REFERENCE THRESHOLD LEVELS FOR TELEPHONICS-TDH-39 EARPHONES

| Frequency, Hz | Reference threshold level for TDH-39 earphones, dB | Sound level meter reading dB |
|---------------|--|------------------------------|
| 500           | 11.5   | 81.5                         |
| 1000          | 7  | 77                           |
| 2000          | 9  | 79                           |
| 3000          | 10   | 80                           |
| 4000          | 9.5  | 79.5                         |
| 6000          | 15.5   | 85.5                         |
| 8000          | 13.0   | 83.0                         |

TABLE E-1 - REFERENCE THRESHOLD LEVELS FOR TELEPHONICS-TDH-39 EARPHONES

| Frequency, Hz | Reference threshold level for TDH-49 earphones, dB | Sound level meter reading dB |
|---------------|--|------------------------------|
| 500           | 13.5   | 83.5                         |
| 1000          | 7.5  | 77.5                         |
| 2000          | 11   | 81.0                         |
| 3000          | 9.5  | 79.5                         |
| 4000          | 10.5   | 80.5                         |
| 6000          | 13.5   | 83.5                         |
| 8000          | 13.0   | 83.0                         |

(8) [(7)] 29 CFR 1910.101(b) shall be amended by revocation of referenced pamphlet P-1-1965 and the adoption of P-1-1974, herein filed by reference.

(9) [(8)] 29 CFR 1910.106 "Flammable and combustible liquids" is amended as follows: 29 CFR 1910.106(a)(3) shall read: "The term automotive service station, or service stations, shall mean that portion of property where flammable or combustible liquids used as motor fuel are stored and dispensed from fixed equipment and into the fuel tanks of motor vehicles and shall include any facilities available for the sale and servicing of tires, batteries, accessories and for minor automotive maintenance work and shall also include private stations not accessible or open to the public such as those used by commercial, industrial or governmental establishments. This section shall not apply to agriculture."

(10) 29 CFR 1910.106(g)(1)(i)(g), Flammable and Combustible Liquids as published in the Federal Register, Volume 51, Number 188, September 29, 1986, is removed.

(11) [(9)] 29 CFR 1910.134 is amended as follows:

(a) 29 CFR 1910.134(c) shall read: "Proper selection of respirators shall be made according to the guidance of American National Standard Practices for Respiratory Protection Z88.2 - 1980."

(b) 29 CFR 1910.134(d) the third sentence shall read: "Breathing air shall meet at least the requirements of the specification for Grade D breathing air as described in Compressed Gas Association Commodity Specification G-7.1 - 1973."

(c) 29 CFR 1910.134(g) shall read: Identification of Air-Purifying Respirator Canisters and Cartridges.

1. The primary means of identifying an air-purifying respirator canister or cartridge shall be by means of properly worded labels. The secondary means of identifying an air-purifying respirator canister or cartridge shall be by an identifying color or colors.

2. All who issue or use air-purifying respirators falling within the scope of this standard shall ensure that all canisters and cartridges purchased or used by them are properly labeled and colored in accordance with this standard before they are placed in service and that the labels and colors are properly maintained at all times thereafter until the canisters and cartridges have completely served their purpose. The user shall refer to the label

wording to determine the type and degree of protection the canister or cartridge will afford.

3. On each air-purifying respirator canister and cartridge, the following shall appear in bold letters:

CANISTER FOR \_\_\_\_\_  
(Name of atmospheric contaminant)  
or

CARTRIDGE FOR \_\_\_\_\_  
(Name of atmospheric contaminant)

In addition, either or both of subparagraphs a and b of this paragraph, and subparagraph (c) of this paragraph, shall appear beneath the appropriate phrase on the canister or cartridge label.

a. For respiratory protection in atmospheres containing not more than \_\_\_\_\_  
by volume of \_\_\_\_\_  
(Concentration)

\_\_\_\_\_  
(Name of atmospheric contaminant)

b. For respiratory protection in atmospheres containing \_\_\_\_\_

\_\_\_\_\_  
(Type of particulate contaminant)

c. Do not use in atmospheres containing less than nineteen and five-tenths (19.5) percent oxygen by volume at sea level.

4. Each respirator canister or cartridge, or canister or cartridge label, shall be a distinctive color as indicated in Table I-1. The color coating used shall offer a high degree of resistance to changes such as chipping, scaling, peeling, blistering, and fading, and to the effects of ordinary atmospheres to which they may be exposed under normal conditions of storage and use.

(d) 29 CFR 1910.134 Table I-1 shall read:

TABLE I-1  
Color Assigned to Canister or Cartridge

| Atmospheric Contaminant(s) to Be Protected Against       | Color Assigned | ISCC-NBS Centroid Color Number | ISCC-NBS Centroid Color Name |
|--|----------------|--------------------------------|------------------------------|
| Acid gases   | White          | 263                            | White                        |
| Organic vapors   | Black          | 267                            | Black                        |
| Ammonia gas  | Green          | 139                            | Vivid green                  |
| Carbon monoxide gas                                      | Blue           | 178                            | Strong blue                  |
| Acid gases and organic vapors                            | Yellow         | 82                             | Vivid yellow                 |
| Acid gases, ammonia, and organic vapors                  | Brown          | 75                             | Deep yellow brown            |
| Acid gases, ammonia, carbon monoxide, and organic vapors | Red            | 11                             | Vivid red                    |
| Other vapors and gases not listed above                  | Olive          | 106                            | Light olive                  |
| Radioactive materials (except tritium and noble gases)   | Purple         | 218                            | Strong purple                |

|  |        |    |                 |
|--|--------|----|-----------------|
| Dusts, fumes,<br>and mists<br>(other than<br>radioactive<br>materials) | Orange | 48 | Vivid<br>orange |
|--|--------|----|-----------------|

## NOTES:

(1) A purple (ISCC-NBS Centroid Number 218) stripe shall be used to identify radioactive materials in combination with any vapor or gas.

(2) An orange (ISCC-NBS Centroid Number 48) stripe shall be used to identify dusts, fumes, and mists in combination with any vapor or gas.

(3) Where labels only are colored to conform with this table, the canister or cartridge body shall be gray (ISCC-NBS Centroid Number 265), or a metal canister or cartridge body may be left in its natural metallic color.

(4) The user shall refer to the wording of the label to determine the type and degree of protection the canister or cartridge will afford.

(12) [(10)] 29 CFR 1910.141(c)(2)(i) shall read as follows: "(1) Each water closet shall occupy a separate compartment with walls or partitions between fixtures sufficiently high to assure privacy."

(13) Amendment to 29 CFR 1910.145(f), Accident Prevention Tags, as published in Federal Register, Volume 51, Number 182, September 19, 1986, is adopted by reference.

(14) [(11)] 29 CFR 1910.151 relating to medical services and first aid shall be changed to read as follows:

"(a) The employer shall ensure the ready availability of medical personnel for advice and consultation on matters of occupational health."

"(b) Employers with eight (8) or more employees within the establishment shall have persons adequately trained to render first aid and first-aid supplies approved by the consulting physician, along with a signed list of these supplies, shall be readily available. Outside salesmen, truck drivers, seasonal labor, and others who while performing their duties, are away from the premises more than fifty (50) percent of the time are not to be included in determining the number of employees."

"(c) All other employers shall, in the absence of an infirmary, clinic, or hospital in near proximity to the workplace which is used for the treatment of all injured employees, have a person or persons adequately trained to render first aid. First-aid supplies approved by the consulting physician shall be readily available."

"(d) Where the eyes or body of any person may be exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body shall be provided within the work area for immediate emergency use."

(15) [(12)] 29 CFR 1910.156(a)(2) "Application" is amended to read: "The requirements of this section apply to fire brigades; industrial fire departments; private fire departments; and municipal public fire departments and fire protection districts. Personal protective equipment requirements apply to members of fire brigades and fire departments performing interior structural fire fighting. The requirements of this section do not apply to airport crash rescue, forest fire fighting operations, or volunteer fire fighters."

(16) Revision to 29 CFR 1910.157(f)(16),

Portable Fire Extinguishers, as published in the Federal Register, Volume 51, Number 188, September 29, 1986, is adopted by reference.

(17) Revisions to 29 CFR 1910.179(j)(2)(iii) and (iv), Overhead and Gantry Cranes, as published in the Federal Register, Volume 51, Number 188, September 29, 1986, are adopted by reference.

(18) Revision to 29 CFR 1910.179(m)(1), Overhead and Gantry Cranes, as published in the Federal Register, Volume 51, Number 188, September 29, 1986, is adopted by reference.

(19) Revision to 29 CFR 1910.180(d)(6), Crawler Locomotive and Truck Cranes, as published in the Federal Register, Volume 51, Number 188, September 29, 1986, is adopted by reference.

(20) Revisions to 29 CFR 1910.180(g)(1) and (2)(ii), Crawler and Locomotive Truck Cranes, as published in the Federal Register, Volume 51, Number 188, September 29, 1986, are adopted by reference.

(21) Revisions to 29 CFR 1910.181(g)(1) and (3), Derricks, as published in the Federal Register, Volume 51, Number 188, September 29, 1986, are adopted by reference.

(22) [(13)] 29 CFR 1910.217(b)(7)(xii) relating to machines using part revolution clutches shall be amended by adding the following:

"This provision will not prevent the employer from utilizing a reversing means of the drive motor with the clutch-brake control in the 'inch' position."

(23) Revisions to 29 CFR 1910.217(e)(1)(i) and (ii), Mechanical Power Presses, as published in the Federal Register, Volume 51, Number 188, September 29, 1986, are adopted by reference.

(24) Revisions to 29 CFR 1910.218(a)(2)(i) and (ii), Forging Machines, as published in the Federal Register, Volume 51, Number 188, September 29, 1986, are adopted by reference.

(25) [(14)] Amendments to 29 CFR 1910.243, "Guarding of Portable Powered Tools" as published in the Federal Register, Volume 50, Number 22, February 1, 1985 are adopted by reference.

(26) [(15)] Subparagraph 29 CFR 1910.252(a)(6)(iv), (d)(2) shall be corrected to read as follows:

"Wiring and electrical equipment in compressor or booster pump rooms or enclosures shall conform to the provisions of section 1910.309(a) for Class I, Division 2 locations."

(27) Revision to 29 CFR 1910.252(c)(6), Welding, Cutting and Brazing, as published in the Federal Register, Volume 51, Number 188, September 29, 1986, is adopted by reference.

(28) Amendment to 29 CFR 1910.430(e)(1), Commercial Diving Equipment, as published in the Federal Register, Volume 51, Number 181, September 18, 1986, is adopted by reference.

(29) 29 CFR 1910.440(a)(1), Commercial Diving Recordkeeping Requirements, as published in the Federal Register, Volume 51, Number 188, September 29, 1986, is removed.

(30) [(16)] 29 CFR 1910 Subpart T Appendix B "Commercial Diving Operations" as published in the Federal Register, Volume 50, Number 6, January 9 1985, is adopted by reference.

(31) [(17)] 29 CFR 1910.1000, "Air Contaminants," Table Z-1 is amended as published in the Federal Register, Volume 50, Number 240, December 13, 1985, is adopted by reference.

(32) [(18)] 29 CFR 1910.1001 "Asbestos" is



amended as follows:

(a) Amendments as published in the Federal Register, Volume 51, Number 119, June 20, 1986, are adopted by reference.

(b) 29 CFR 1910.1001(d)(6)(ii) is amended to read: "The employer shall ensure that all sampling will be conducted in accordance with the ORM in Appendix A, before sampling commences."

*add* (c) 29 CFR 1910.1001(d)(6)(iv) is amended to read: "The employer shall ensure that all analyses are performed in accordance with the elements outlined in Appendix A, and that all asbestos counters meet the criterion specified in Appendix A. This notice shall be given prior to the start of the analyses."

(d) 29 CFR 1910.1001(g)(3)(i) is amended to read: "Where respiratory protection is required, the employer shall institute a respirator program in accordance with American National Standards Practices for Respiratory Protection, ANSI Z88.2 - 1980, with the exception of Appendix A5, Suggested Procedures for Carrying Out Qualitative Respirator - Fitting Tests, and Appendix A6, Suggested Procedures for Carrying Out Quantitative Respirator - Fitting Tests."

(e) 29 CFR 1910.1001(j)(1)(ii) is amended to read: "Sign specifications. The warning signs required by paragraph (j)(1)(i) of the section shall be of a vertical format measuring twenty (20) inches in length and fourteen (14) inches in width, and shall be printed in letters of sufficient size and contrast as to be readily visible and legible, and shall bear the following information:" [29 CFR 1910.1001(d)(2)(iv)(a) is amended to read:]

"The employer shall establish a respirator program in accordance with the requirements of the American National Standards Practices for Respiratory Protection, ANSI Z88.2 - 1980, which is incorporated by reference herein."

(33) [(19)] 29 CFR 1910.1005 4,4'-methylene bis (2-chloroaniline) and 29 CFR 1910.1003 through .1016 paragraphs (c)(6), Laboratory Activities, printed in the Federal Register, Volume 39, Number 125, June 27, 1974, are in effect.

(34) [(20)] Paragraph 1910.1005(c)(7) of the 29 CFR 1910 General Industry Standards shall read as follows:

"Premixed Solutions: Where 4,4'-methylene bis (2-chloroaniline) is present only in a single solution at a temperature not exceeding 120 degrees Celsius, the establishment of a regulated area is not required; however, (i) only authorized employees shall be permitted to handle such materials."

(35) [(21)] 29 CFR 1910.1025 "Occupational Exposure to Lead" shall be amended as follows: "Table 1 - Implementation Schedule" is amended to read:

(36) [(22)] 29 CFR 1910.1029 "Coke Oven Emissions" shall be amended as follows: Revision as published in the Federal Register, Volume 50, Number 178, September 13, 1985 are adopted by reference.

(37) [(23)] Corrections to 29 CFR 1910.1043, Cotton Dust ["Cotton Dust Standard"] as published in the Federal Register, Volume 51 [50], Number 128 [240], July 3, 1986 [December 13, 1985], are [is] adopted by reference.

(38) [(24)] Amendments and corrections to 29 CFR 1910.1047, Ethylene Oxide and Appendices A, B, C and D, as published in the Federal Register, Volume 51, Number 132, July 10, 1986

are adopted by reference. [be amended as follows:]

[(a) Revisions as published in the Federal Register, Volume 50, Number 48, March 12, 1985 are adopted by reference.]

[(b) Revisions as published in the Federal Register, Volume 15, Number 198, October 11, 1985 are adopted by reference.]

(39) [(25)] Revision of [Amendments to] 29 CFR 1910.1200(i)(3), Hazard Communication, and an amendment removing the last paragraph in 1910.1200 Appendix D, as published in the Federal Register, Volume 51 [50], Number 189 [229], September 30, 1986 [November 27, 1985], are adopted by reference.

TABLE 1 - Implementation Schedule

| INDUSTRY <sup>1</sup><br>ug/m <sup>3</sup>  | COMPLIANCE DATES         |                          |               |
|---|--------------------------|--------------------------|---------------|
|   | 200<br>ug/m <sup>3</sup> | 100<br>ug/m <sup>3</sup> | 50            |
| Primary Lead Production   | (2)                      | June 29, 1984            | June 29, 1991 |
| Secondary Lead Production   | (2)                      | June 29, 1984            | June 29, 1986 |
| Lead Acid Battery Manufacture   | (2)                      | June 29, 1983            | June 29, 1986 |
| Automobile/Manufacture/Solder Grinding  | (2)                      | N/A                      | June 29, 1988 |
| Electronics, Gray Iron Foundries, Ink Manufacture, Paints and Coatings Manufacture, Wall Paper Manufacture, Can Manufactures, and Printing  | (2)                      | N/A                      | June 29, 1982 |
| Lead Pigment Manufacture, NonFerrous Foundries, Leaded Steel Manufacture, Lead Chemical Manufacture, Ship Building and Ship Repair, Battery Breaking in the Collection and Processing of Scrap (excluding collection and processing of scrap which is part of a secondary smelting operation), Secondary Smelting of Copper, and Lead Casting | (2)                      | N/A                      | N/A           |
| All Other Industries  | (2)                      | N/A                      | June 11, 1984 |

<sup>1</sup> Includes ancillary activities located on the same worksite.

2. On effective date. This continues an obligation from Table Z-2 of 29 CFR 1910.1000 which had been in effect since 1971 but which was deleted upon effectiveness of this section.

JOHN CALHOUN WELLS, Chairman

APPROVED BY AGENCY: December 12, 1986

FILED WITH LRC: December 15, 1986 at 11 a.m.

PUBLIC HEARING SCHEDULED: A public hearing concerning this regulation has been scheduled for January 23, 1987 at 1 p.m. (EST), to be held

at the Kentucky Labor Cabinet, U.S. 127 Building South, Bay 2 Conference Room, Frankfort, Kentucky. Those interested in attending must provide by January 16, 1987, written notice to Mr. Guy Schoolfield, Kentucky Labor Cabinet, Division of Education and Training, OSH Assistance Branch, U.S. 127 Building South, Frankfort, Kentucky 40601.

# REGULATORY IMPACT ANALYSIS

Agency Contact Person: Guy Schoolfield

(1) Type and number of entities affected: These amendments, revisions, removals, and corrections affect those general industry workplaces which have operations utilizing manlifts, flammable and combustible liquids, accident prevention tags, portable fire extinguishers, overhead and gantry cranes, crawler, locomotive and truck cranes, derricks, mechanical power presses, forging machines, and welding, cutting and brazing.

(a) Direct and indirect costs or savings to those affected: No costs or savings to those affected as a result of the above actions specified will occur.

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs (note any effects upon competition):

(b) Reporting and paperwork requirements: No additional reports or records are required by the above actions.

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings: No costs or savings to the Kentucky OSH Program will occur as a result of the above actions.

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs:

(b) Reporting and paperwork requirements: No additional reports or records are required by the above actions.

(3) Assessment of anticipated effect on state and local revenues: The above actions will have no effect on state and local revenues.

(4) Assessment of alternative methods; reasons why alternatives were rejected: N/A

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: No statutes, rules, regulations, or governmental policies conflict, overlap, or duplicate the above actions.

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments: None

TIERING: Was tiering applied? No. The Occupational Safety and Health Program targets its scheduled inspections toward those industries or firms that pose high risks to worker health and safety or from which the OSH Program has received worker complaints.

## LABOR CABINET Department of Workplace Standards Kentucky Occupational Safety and Health (Proposed Amendment)

803 KAR 2:027. Adoption of 29 CFR Parts 1915, 1917, 1918 and 1919, maritime employment.

RELATES TO: KRS Chapter 338

PURSUANT TO: KRS Chapter 13A

NECESSITY AND FUNCTION: KRS 338.051 and 338.061 authorize the Kentucky Occupational Safety and Health Standards Board to adopt and promulgate occupational safety and health rules and regulations, and standards. Express authority to adopt by reference established federal standards and national consensus standards is also given to the Board. The following regulations contain those standards to be enforced by the Division of Occupational Safety and Health Compliance in the area of Maritime employment. Necessary for effective enforcement of the purposes and policies of the Occupational Safety and Health Act which is to insure so far as is possible, safe and healthful working conditions of Kentucky workers (KRS 338.011).

Section 1. The Occupational Safety and Health Standards Board hereby adopts Chapter 29, Part 1915 as published in the April 20, 1983, Federal Register, Part 1917 as published in July 5, 1983, Federal Register, and Parts 1918 and 1919 of the Code of Federal Regulations revised as of July 1, 1981, published by the Office of the Federal Register, National Archives and Records Services, General Services Administration. These standards are hereby adopted by reference with the following additions, exceptions, and deletions.

(1) 29 CFR 1915.1, 1918.1, and 1919.1 shall read as follows: "The provisions of this regulation adopt and extend the applicability of established Federal Maritime Standards contained in 29 CFR 1915, 1916, 1917, 1918, and 1919 to all Maritime employers, Maritime employees, and places of Maritime employment throughout the Commonwealth except those excluded in KRS 338.021."

(2) 29 CFR 1915.4(b) and 1918.3(b) "Secretary" is changed to read: "Commissioner" means the Commissioner of the Department of Workplace Standards, Labor Cabinet, Commonwealth of Kentucky, or his authorized representative.

(3) 29 CFR 1919.2(d) "Assistant Secretary" is changed to read: "Commissioner" means the Commissioner of the Department of Workplace Standards, Department of Workplace Standards, Commonwealth of Kentucky, or his authorized representative.

(4) Revision to 29 CFR 1915.113(b)(1), Shackles and Hooks, as published in the Federal Register, Volume 51, Number 188, September 29, 1986 is adopted by reference.

(5) Revision to 29 CFR 1915.172(d), Portable Air Receivers and Other Unfired Pressure Vessels, as published in the Federal Register, Volume 51, Number 188, September 29, 1986, is adopted by reference.

(6) [(4)] 29 CFR 1919.2(e) "Administration" is changed to read: "Program" means the Kentucky Occupational Safety and Health Program, Frankfort, Kentucky.

(7) [(5)] An employer, required under 29 CFR 1915, 1918 or 1919 to report information to the

U.S. Department of Labor, or any subsidiary thereof, shall instead report such information to the Department of Workplace Standards, Labor Cabinet, U.S. 127 South, Frankfort, Kentucky 40601.

JOHN CALHOUN WELLS, Chairman

APPROVED BY AGENCY: December 12, 1986

FILED WITH LRC: December 15, 1986 at 11 a.m.

PUBLIC HEARING SCHEDULED: A public hearing concerning this regulation has been scheduled for January 23, 1987 at 1 p.m. (EST), to be held at the Kentucky Labor Cabinet, U.S. 127 Building South, Bay 2 Conference Room, Frankfort, Kentucky. Those interested in attending must provide by January 16, 1987, written notice to Mr. Guy Schoolfield, Kentucky Labor Cabinet, Division of Education and Training, OSH Assistance Branch, U.S. 127 Building South, Frankfort, Kentucky 40601.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Guy Schoolfield

(1) Type and number of entities affected: These amendments affect those maritime industry workplaces which have operations utilizing shackles and hooks and portable air receivers and other unfired pressure vessels.

(a) Direct and indirect costs or savings to those affected: No costs or savings to those affected as a result of the above actions specified will occur.

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs (note any effects upon competition):

(b) Reporting and paperwork requirements: No additional reports or records are required by the above actions.

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings: No costs or savings to the Kentucky OSH Program will occur as a result of these amendments.

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs:

(b) Reporting and paperwork requirements: No additional reports or records are required by these amendments.

(3) Assessment of anticipated effect on state and local revenues: The above actions will have no effect on state and local revenues.

(4) Assessment of alternative methods; reasons why alternatives were rejected: N/A

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: No statutes, rules, regulations, or governmental policies conflict, overlap, or duplicate the above actions.

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments: None

TIERING: Was tiering applied? No. The Occupational Safety and Health Program targets its scheduled inspections toward those industries or firms that pose high risks to worker health and safety or from which the OSH

Program has received worker complaints.

#### LABOR CABINET

Department of Workplace Standards  
Kentucky Occupational Safety & Health  
(Proposed Amendment)

#### 803 KAR 2:030. Adoption of 29 CFR Part 1926.

RELATES TO: KRS Chapter 338

PURSUANT TO: KRS Chapter 13A

NECESSITY AND FUNCTION: KRS 338.051 and 338.061 authorize the Kentucky Occupational Safety and Health Standards Board to adopt and promulgate occupational safety and health rules, regulations, and standards. Express authority to adopt by reference established federal standards and national consensus standards is also given to the board. The following regulation contains those standards to be enforced by the Division of Occupational Safety and Health Compliance in the area of construction.

Section 1. The Occupational Safety and Health Standards Board hereby adopts Chapter 29, Part 1926 of the Code of Federal Regulations, revised as of July 1, 1981, published by the Office of the Federal Register, National Archives and Records Services, General Services Administration. These standards are hereby adopted by reference with the following additions, exceptions, and deletions:

(1) 29 CFR Part 1926.1 shall read as follows:

The provisions of this regulation adopt and extend the applicability of established federal standards contained in 29 CFR Part 1926 to all employers, employees, and places of employment throughout the Commonwealth except those excluded in KRS 338.021."

(2) 29 CFR 1926.58, Asbestos, tremolite, anthophyllite, and actinolite, as published in the Federal Register, Volume 51, Number 119, June 20, 1986 is adopted by reference with the following amendments:

(a) 29 CFR 1926.58(e)(6)(iii) is amended to read: "The employer shall ensure that contractors provide in writing that they have a competent person meeting the requirements of paragraph (b) "competent person" and paragraphs (e)(6)(ii) and (III) before work commences."

(b) 29 CFR 1926.58(f)(3) is amended to read: "The respirators required by this exception are to be Type "C" supplied - air respirators; continuous flow or pressure - demand class."

(c) 29 CFR 1926.58(f)(5)(ii) is amended to read: "The employer shall ensure that all sampling is conducted in accordance with the ORM in Appendix A before sampling commences."

(d) 29 CFR 1926.58(f)(5)(iii) is amended to read: "The employer shall ensure that all analyses are performed in accordance with the elements outlined in Appendix A, and that all asbestos counters meet the qualifications listed in Appendix A. This notice shall be given prior to the start of the analyses."

(e) 29 CFR 1926.58(h)(3)(i) is amended to read: "Where respiratory protection is used, the employer shall institute a respirator program in accordance with American National Standards Practices for Respiratory Protection, ANSI Z88.2 - 1980, with the exception of Appendix A5, Suggested Procedures for Carrying Out Qualitative Respirator - Fitting Tests, and Appendix A6, Suggested Procedures for Carrying

Out Quantitative Respirator - Fitting Tests."

(f) 29 CFR 1926.58(j)(2)(1) is amended to read: "The decontamination area shall be separated from the regulated area by an air lock. Air locks shall be used to separate the clean room, shower area and equipment room. An "air lock" is an open area used to separate the clean room, shower room and equipment room from each other; and to separate the decontamination area from the work area. It is accessible through doorways protected by two overlapping polyethylene sheets."

(g) 29 CFR 1926.58(k)(1)(ii) is amended to read: "Sign specifications. The warning signs required by paragraph (k)(1)(i) of this section shall be of a vertical format measuring twenty (20) inches in length and fourteen (14) inches in width, and shall be printed in letters of sufficient size and contrast as to be readily visible and legible, and shall bear the following information:"

(3) [(2)] 29 CFR 1926.103 "Respiratory Protection" Table E-4 is amended as follows:

Table E-4  
Respirator Protection Factors<sup>a</sup>

| Type of Respirator  | Permitted for Use in Oxygen-Deficient Atmosphere | Permitted for Use in Immediately-Dangerous-to-Life-or-Health Atmosphere <sup>f</sup> | Respirator Protection Factor  |   |
|---|--|--|---|---|
|   |  |  | Qualitative Test  | Quantitative Test   |
| Particulate-filter, quarter-mask or half-mask face-piece <sup>b,c</sup>                                       | No   | No   | 10  | As measured on each person with maximum of 100.   |
| Vapor-or gas-removing, quarter-mask or half-mask facepiece <sup>c</sup>                                       | No   | No   | 10, or maximum use limit of cartridge or canister for vapor or gas, whichever is less.  | As measured on each person with maximum of 100, or maximum use limit of cartridge or canister for vapor or gas, <sup>i,j</sup> whichever is less.   |
| Combination particulate-filter and vapor- or gas-removing, quarter-mask or half-mask facepiece <sup>b,c</sup> | No   | No   | 10, or maximum use limit or cartridge or canister for vapor or gas, whichever is less.  | As measured on each person with maximum of 100, or maximum use limit of cartridge or canister for vapor or gas, <sup>i,j</sup> whichever is less.   |
| Particulate-filter, full facepiece <sup>b</sup>   | No   | No   | 100   | As measured on each person with maximum of 100 if dust, fume or mist filter is used, or maximum of 1000 if high-efficiency filter is used.  |
| Vapor- or gas-removing, full facepiece  | No   | No   | 100, or maximum use limit of cartridge or canister for vapor or gas, whichever is less. | As measured on each person with maximum of 1000, or maximum use limit of cartridge or canister for vapor or gas, <sup>i,j</sup> whichever is less.  |
| Combination particulate-filter and vapor- or gas-removing, full facepiece <sup>b</sup>                        | No   | No   | 100, or maximum use limit of cartridge or canister for vapor or gas, whichever is less. | As measured on each person with maximum of 100 if dust, fume or mist filter is used and maximum of 1000 if high-efficiency filter is used, or maximum use limit of cartridge or canister for vapor or gas, whichever is less. |



# ADMINISTRATIVE REGISTER - 1270

|  |                  |   |     |  |
|--|------------------|---|-----|--|
| Powered particulate-filter, any respiratory-inlet covering <sup>b,c,d</sup>  | No               | No (yes, if escape provisions are provided <sup>d</sup> ) | N/A | N/A<br>No tests are required due to positive-pressure operation of respirator. The maximum protection factor is 100 if dust, fume, or mist filter is used and 3000 if high-efficiency filter is used.  |
| Powered vapor- or gas-removing, any respiratory-inlet covering <sup>c,d</sup>                                      | No               | No (yes, if escape provisions are provided <sup>d</sup> ) | N/A | N/A<br>No tests are required due to positive-pressure operation of respirator. The maximum protection factor is 3000, or maximum use limit of cartridge or canister for vapor or gas <sup>i,j</sup> whichever is less.   |
| Powered combination particulate-filter and vapor- or gas-removing, any respiratory-inlet covering <sup>b,c,d</sup> | No               | No (yes, if escape provisions are provided <sup>d</sup> ) | N/A | N/A<br>No tests are required due to positive-pressure operation of respirator. The maximum protection factor is 100 if dust, fume, or mist filter is used and 3000 if high-efficiency filter is used, or maximum use limit of cartridge or canister for vapor or gas <sup>i,j</sup> , whichever is less. |
| Air-line, demand, quarter-mask or half-mask facepiece, with or without escape provisions <sup>c,e</sup>            | Yes <sup>f</sup> | No  | 10  | As measured on each person, but limited to the use of the respirator in concentrations of contaminants below the immediately-dangerous-to-life-or-health (IDLH) values   |
| Air-line, demand, full facepiece, with or without escape provisions <sup>e</sup>                                   | Yes <sup>f</sup> | No  | 100 | As measured on each person, but limited to the use of the respirator in concentrations of contaminants below the immediately-dangerous-to-life-or-health (IDLH) values   |
| Air-line, continuous-flow or pressure-demand type, any facepiece, without escape provisions <sup>c</sup>           | Yes <sup>f</sup> | No  | N/A | N/A<br>No tests are required due to positive-pressure operation of respirator. The protection factor provided by the respirator is limited to use of the respirator in concentrations of contaminants below the immediately-dangerous-to-life-or-health (IDLH) values.                                   |
| Air-line, continuous-flow or pressure-demand type, any facepiece, with escape provisions <sup>c,e</sup>            | Yes <sup>g</sup> | Yes   | N/A | N/A<br>No tests are required due to positive-pressure operation of respirator. The maximum protection factors is 10000 plus <sup>h</sup> .   |
| Air-line, continuous-flow, helmet, hood, suit without escape provisions  | Yes <sup>f</sup> | No  | N/A | N/A<br>No tests are required due to positive-pressure operation of respirator. The protection factor provided by the respirator is limited to the use of the respirator in concentrations of contaminants below the immediately-dangerous-to-life-or-health (IDLH) values.                               |
| Air-line, continuous-flow, helmet, hood, or suit, with escape provisions <sup>e</sup>                              | Yes <sup>g</sup> | Yes   | N/A | N/A<br>No tests are required due to positive-pressure operation of respirator. The maximum protection factor is 10000 plus <sup>h</sup> .  |

# ADMINISTRATIVE REGISTER - 1271

|  |   |   |   |   |
|--|---|---|---|---|
| Hose mask, with or without blower, full facepiece  | Yes <sup>f</sup>  | No  | 10  | As measured on each person, but limited to the use of the respirator in concentrations of contaminants below the immediately-dangerous-to-life-or-health (IDLH) values.   |
| Self-contained breathing apparatus, demand-type open-circuit or negative-pressure-type closed-circuit, quarter-mask or half-mask facepiece <sup>c</sup>  | Yes <sup>f</sup>  | No  | 10  | As measured on each person, but limited to the use of the respirator in concentrations of contaminants below the immediately-dangerous-to-life-or-health (IDLH) values.   |
| Self-contained breathing apparatus, demand-type open-circuit or negative-pressure-type closed-circuit, full facepiece or mouthpiece/nose clamp <sup>c</sup>  | Yes <sup>f</sup><br>(Yes, if respirator is used for mine rescue and mine recovery operations.)                                | No (yes, if respirator is used for mine rescue and mine recovery operations.) | 100   | As measured on each person, but limited to the use of the respirator in concentrations of contaminants below the immediately-dangerous-to-life-or-health (IDLH) values except when the respirator is used for mine rescue and mine recovery operations. |
| Self-contained breathing apparatus, pressure-demand-type open-circuit or positive-pressure-type closed-circuit, quarter-mask or half-mask facepiece, full facepiece, or mouthpiece/nose clamp <sup>c</sup> | Yes <sup>g</sup>  | Yes   | N/A<br>No tests are required due to positive-pressure operation of respirator. The maximum protection factor is 10000 plus. | N/A   |
| Combination respirators not listed.  | The type and mode of operation having the lowest respirator protection factor shall be applied to the combination respirator. |   |   |   |

N/A means not applicable since a respirator-fitting test is not carried out.

<sup>a</sup> A respirator protection factor is a measure of the degree of protection provided by a respirator to a respirator wearer. Multiplying the permissible time-weighted average concentration or the permissible ceiling concentration, whichever is applicable, for a toxic substance, or the maximum permissible airborne concentration for a radionuclide, by a protection factor assigned to a respirator gives the maximum concentration of the hazardous substance for which the respirator can be used. Limitations of filters, cartridges, and canisters used in air-purifying respirators shall be considered in determining protection factors.

<sup>b</sup> When the respirator is used for protection against airborne particulate matter having a permissible time-weighted average concentration less than 0.05 milligram particulate matter per cubic meter of air or less than 2 million particles per cubic foot of air, or for protection against airborne radionuclide particulate matter, the respirator shall be equipped with a high-efficiency filter(s).

<sup>c</sup> If the air contaminant causes eye irritation, the wearer of a respirator equipped with a quarter-mask or half-mask facepiece or mouthpiece and nose clamp shall be permitted to use a protective goggle or to use a respirator equipped with a full facepiece.

<sup>d</sup> If the powered air-purifying respirator is equipped with a facepiece, the escape provision means that the wearer is able to breathe through the filter, cartridge, or canister and through the pump. If the powered air-purifying respirator is equipped with a helmet, hood, or suit, the escape provision shall be an auxiliary self-contained supply of respirable air.

<sup>e</sup> The escape provision shall be an auxiliary self-contained supply of respirable air.

<sup>f</sup> "Oxygen deficiency--not immediately dangerous to life or health"--an atmosphere having an oxygen concentration below the minimum legal requirement but above that which is immediately dangerous to life or health.

<sup>g</sup> "Oxygen deficiency--immediately dangerous to life or health"--an atmosphere which causes an oxygen partial pressure of 100 millimeters of mercury column or less in the freshly inspired air in the upper portion of the lungs which is saturated with water vapor.

<sup>h</sup> The protection factor measurement exceeds the limit of sensitivity of the test apparatus. Therefore, the respirator has been classified for use in atmospheres having unknown concentrations of contaminants.

<sup>i</sup> The service life of a vapor- or gas-removing cartridge or canister depends on the specific vapor or gas, the concentration of the vapor or gas in air, the temperature and humidity of the air, the type and quantity of the sorbent in the cartridge or canister, and the activity of the respirator wearer. Cartridges and canisters may provide only very short service lives for certain vapors and gases. Vapor/gas service life testing is recommended to ensure that cartridges and canisters provide adequate service lives. Reference should be made to published reports which give vapor/gas life data for cartridges and canisters.

<sup>j</sup> Vapor- and gas-removing respirators are not approved for contaminants that lack adequate warning properties of odor, irritation, or taste at concentrations in air at or above the permissible exposure limits.

NOTE: Respirator protection factors for air-purifying-type respirators equipped with a mouthpiece/nose clamp form of respiratory-inlet covering are not given, since such respirators are approved only for escape purposes.

(4) Amendment to 29 CFR 1926.151(a)(1), as published in the Federal Register, Volume 51, Number 133, July 11, 1986 is adopted by reference.

(5) Revision to 29 CFR 1926.152(b)(4)(v) as published in the Federal Register, Volume 51, Number 133, July 11, 1986 is adopted by reference.

(6) [(3)] 29 CFR 1926.200(g)(2), .201(a)(2) and .202 shall be amended to require signs, signaling and barricades to conform to specifications as set forth in ANSI D6.1 "Manual of Uniform Traffic Control Devices for Streets and Highways" (1978 Edition).

(7) Revision to 29 CFR 1926.351(d)(5), as published in the Federal Register, Volume 51, Number 133, July 11, 1986 is adopted by reference.

(8) Revision of 29 CFR 1926, Subpart K, Electrical, 1926.400, .401, .402, .403, .405, .406, .407, .408, .409, .416, .417, .418, .431, .432, .433, .441, .442 and .449, as published in Federal Register, Volume 51, Number 133, July 11, 1986 is adopted by reference.

[(4) 29 CFR 1926.400(h)(3)(i), (vii) shall read: "shall be readily available for inspection."]

(9) [(5)] 29 CFR 1926.451(a)(4) shall read as follows: Guardrails and toeboards shall be installed on all open sides and ends of platforms more than ten (10) feet above the ground or floor, except needle beam scaffolds and floats (see paragraphs (p) and (w) of this section). Toeboards shall not be required on the loading side of platforms which are loaded by means of a high lift tractor or fork truck provided that employees are prohibited from entering the area beneath the scaffolding where they could be exposed to objects which might fall from the scaffolding. Scaffolds four (4) to ten (10) feet in height, having a minimum horizontal dimension in either direction of less than forty-five (45) inches, shall have standard guardrails installed on all open sides and ends of the platform.

(10) [(6)] 29 CFR 1926.552(b)(8) of the paragraph on "Material hoists" shall read as follows: All material hoists shall conform to the requirements of ANSI A10.5-1969, Safety Requirements for Material Hoists, with the exception that material hoists manufactured prior to January 1, 1970 may be used with a drum pitch diameter at least eighteen (18) times the nominal rope diameter provided the hoisting wire rope is at least equal in flexibility to 6 x 37 classification wire rope.

[(11) [(7)] Revoke paragraph "514--Warning Device" of ANSI B56.1--1969--Safety Standards for Powered Industrial Trucks and adopt paragraph "512--Warning Device" of ANSI B56.1--1975--Low Lift and High Lift Trucks for standard reference as specified in 29 CFR 1926.602(c)(1)(vi): effective July 1, 1979.

(12) Revision of 29 CFR 1926.803(j)(3), as published in the Federal Register, Volume 51, Number 133, July 11, 1986 is adopted by reference.

[(13) [(8)] The following paragraphs of 29 CFR 1926, Subpart U, Blasting and the Use of Explosives, which were previously adopted by reference, are hereby revised and shall read as follows:

(a) 1926.900(k)(3)(i) The prominent display of adequate signs warning against the use of mobile radio transmitters, on all roads within 1,000 feet of blasting operations. Whenever adherence to this 1,000 foot distance would create an operational handicap, a competent person shall be consulted to evaluate the particular situation, and alternative provisions may be made which are adequately designed to prevent premature firing of electric blasting caps. The competent person may be a blaster certified by the Kentucky Department of Mines and Minerals with a working knowledge of mobile radio transmission and receiving hazards as related to use of electric blasting cap firing systems and designated by the employer. A description of any alternative shall be in writing describing the unusual conditions at the site and the

alternative measure used. The description shall be maintained at the construction site during the duration of the work and shall be available for inspection by representatives of the Commissioner, Kentucky Department of Labor.

(b) 1926.900(k)(4) Ensuring that mobile radio transmitters which are less than 100 feet away from electric blasting caps, in other than original containers, shall be de-energized, and have the radio transmission circuit or vehicle effectively locked against transmitter usage.

(c) 1926.900(p) The use of black powder shall be prohibited except when a desired result cannot be obtained with another type of explosive, such as in quarrying certain types of dimension stone.

(d) 1926.900(r) All electric blasts shall be fired with an electric blasting machine or properly designed electric power source, and in accordance with the provisions of subsection .906(a) and (r).

(e) 1926.902(d) Explosives or blasting agents shall be transported in separate vehicles unless the detonators are packaged in specified containers and transported all in compliance with DOT Regulation 49 CFR 177.835(g).

(f) 1926.905(h) Machines and all tools not used for loading explosives into the boreholes shall be removed from the immediate location of holes before explosives are delivered. Equipment shall not be operated within fifty (50) feet of a loaded hole except that which is required when the containment of the blast is necessary to prevent flyrock. When equipment or machinery is used to place mats, over-burden, or protective material on the shot area, a competent person (who may be a blaster certified by the Kentucky Department of Mines and Minerals) shall implement adequate precautions to protect the leadwires or initiating systems such as protecting the components from direct contact with materials which sever, damage, impact, or conduct stray currents to the explosives system. This would include preventing the dragging of blasting mats or running over the holes and systems with the equipment used.

(g) 1926.905(i) No activity of any nature other than that which is required for loading holes with explosives and preparation required for initiating the blast and containment of flyrock from the blast shall be permitted in a blast area.

(h) 1926.905(k) Holes shall be inspected prior to loading to determine depth and conditions. When necessary to drill a hole in proximity to a charged or misfired hole, the distance between these two holes must be greater than the depth being drilled and precautions taken to ensure the integrity of any adjacent-charged hole or misfired hole. This distance must be determined by a competent person (who may be a blaster certified by the Kentucky Department of Mines and Minerals) in order to insure that there is no danger of intersecting the charged or misfired hole.

(i) 1926.905(n) In blasting, explosives in Fume Class I, as set forth by the Institute of the Makers of Explosives, shall be used; however, Fume Class I explosives are not required when adequate ventilation is provided and the workings are abandoned for a period of time sufficient to allow dissipation of all fumes.

(j) 1926.906(p) The blaster shall be in charge of the blasting machines, and no other person

shall connect the leading wires to the machine except under the immediate physical and visual supervision of the blaster.

(k) 1926.906(q) Blasters, when testing circuits to charged holes, shall use only blasting galvanometers equipped with a silver chloride cell especially designed for this purpose or an instrument designed solely for use in blasting, which incorporates a current-limiting device into its circuitry. No instrument capable of producing over fifty (50) milliamps on direct short circuit shall be used.

(l) 1926.906(s) Leading wires shall remain shorted and not be connected to the blasting machine or other source of current until the charge is to be fired.

(m) 1926.907(a) The use of a fuse that has been hammered or injured in any way shall be forbidden.

(14) [(9)] Amend subparagraph 1926.950(c)(1)(i) to read as follows:

"The employee is insulated or guarded from the energized part. Insulating gloves, as well as insulating sleeves when necessary, rated for the voltage involved shall be considered insulation of the employee from the energized part, or ....."

JOHN CALHOUN WELLS, Chairman

APPROVED BY AGENCY: December 11, 1986

FILED WITH LRC: December 15, 1986 at 11 a.m.

PUBLIC HEARING SCHEDULED: A public hearing concerning these regulations has been scheduled for January 23, 1987 at 1 p.m. (EST), to be held at the Kentucky Labor Cabinet, U.S. 127 Building South, Bay 2 Conference Room, Frankfort, Kentucky. Those interested in attending must provide by January 16, 1987, written notice to Mr. Guy Schooffield, Kentucky Labor Cabinet, Division of Education and Training, OSH Assistance Branch, U.S. 127 Building South, Frankfort, Kentucky 40601.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Guy Schooffield

(1) Type and number of entities affected: These amendments and revisions affect those construction industry workplaces which have operations involving electrical installations.

(a) Direct and indirect costs or savings to those affected: A savings of \$233.00 per firm will be realized by the adoption of these amendments and revisions. The total savings will be \$1,811,808, based on 7,776 reporting contracting firms.

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs (note any effects upon competition):

(b) Reporting and paperwork requirements: No additional reports or records are required by the above actions.

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings: No costs or savings to the Kentucky OSH Program will occur as a result of these amendments.

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs:

(b) Reporting and paperwork requirements: No additional reports or records are required by these amendments.



(3) Assessment of anticipated effect on state and local revenues: The above actions will have no effect on state and local revenues.

(4) Assessment of alternative methods; reasons why alternatives were rejected: N/A

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: No statutes, rules, regulations, or governmental policies conflict, overlap, or duplicate the above actions.

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments: None

TIERING: Was tiering applied? No. The Occupational Safety and Health Program targets its scheduled inspections toward those industries or firms that pose high risks to worker health and safety or from which the OSH Program has received worker complaints.

**PUBLIC PROTECTION AND REGULATION CABINET**  
**Kentucky State Racing Commission**  
**(Proposed Amendment)**

**810 KAR 1:006. Racing associations.**

RELATES TO: KRS 230.210 to 230.360

PURSUANT TO: KRS Chapter 13A

NECESSITY AND FUNCTION: To regulate conditions under which thoroughbred racing shall be conducted in Kentucky. The function of this regulation outlines the requirements for racing associations.

Section 1. Maintenance of Grounds, Facilities and Uniform Track. Each association shall at all times maintain its grounds and facilities so as to be neat and clean, painted and in good repair, with special consideration for the comfort and safety of patrons, employees, and other persons whose business requires their attendance; with special consideration for the health and safety of horses there stabled, exercising, or entered to race; and shall have available adequate and proper implements to maintain a uniform track, weather conditions permitting.

Section 2. Result Boards, Totalizers Required. Each association shall provide and maintain mechanically operated totalizers and electronic boards showing odds, results, and other race information located in plain view of patrons.

Section 3. Starting Gate. Each association shall provide and maintain a working starting gate on every day horses are permitted to exercise on its racing strip. Each association shall have in attendance one or more men qualified to keep said starting gates in good working order whenever said gates are in use, and each association shall provide for periodic inspections of said gates.

Section 4. Stabling. Each association shall be responsible for providing and maintaining fire-resistant barns and stalls in good repair, and in a clean, and sanitary condition; each

barn and each stall shall be numbered in consecutive order for ready ascertainment of location and identification and adequate drainage therefor shall be maintained. The racing commission shall submit to the racing secretary prior to the opening of each race meeting a list of locations of approved off-track stabling facilities from which horses may be permitted to race; such locations shall be considered for purposes of these rules "association grounds."

Section 5. Stands for Officials. Each association shall provide and maintain stands commanding an uninterrupted view of the entire racing strip for racing officials. Such stands and location thereof to be approved by the commission. Patrol judge stands shall be constructed so the floor thereof shall be at least six (6) feet higher than the track rail.

Section 6. Distance Pole Markings. Each association shall cause quarter poles to be painted red and white, eighth poles to be painted green and white, and sixteenth poles to be painted black and white.

Section 7. Lighting. Each association shall provide and maintain flood lights so as to insure adequate illumination in the stable area and parking area. Adequacy of track lighting for night racing shall be determined by the commission.

Section 8. Facilities for Stable Employees. Each association shall provide and maintain in good repair adequate living quarters and conveniently located sanitary facilities such as showers, toilets, and wash basins for stable employees. No personnel shall be permitted to sleep in any stall or barn loft.

Section 9. Facilities for Jockeys. Each association shall provide and maintain adequate facilities for jockeys scheduled to ride each day, such facilities to include accommodations for rest and recreation of jockeys on racing days, showers, toilets, wash basins, mirrors, arrangements for safekeeping of apparel and personal effects, snack bar, and other accommodations as requested by the clerk of scales.

Section 10. Facilities for Commission. Each association shall provide adequate office space for the commission on association grounds and shall make available to the commission, and mark accordingly, a season box of six (6) to eight (8) seats and appropriate parking places for use of the commission throughout each racing day. Each association shall honor for access to preferred parking facilities and all other areas on association grounds any ring, lapel button, or automobile emblem issued at any time by the commission, or by the National Association of State Racing Commissioners.

Section 11. Sanitary Facilities for Patrons. Each association shall, on every racing day, provide adequate and sanitary toilets and wash rooms, and furnish free drinking water for patrons and persons having business at the association.

Section 12. Manure Removal. Each association

shall provide and maintain adequate manure pits of such size and construction to handle refuse from stalls. The contents of said manure pits shall be removed from the stable areas as promptly as is possible.

Section 13. Photo-finish Cameras. Each association shall provide and maintain at the finish line two (2) photo-finish cameras for photographing the finish of races; one (1) camera to be held in reserve. The photo-finish photographer shall promptly furnish to the stewards and placing judges prints of all finishes as may be requested and in such number as may be required for public posting. The association shall maintain a one (1) year file of all such photo-finishes.

Section 14. Patrol Films or Video Tapes. Each association shall at all times during a race meeting provide and maintain personnel and equipment necessary to produce adequate motion pictures or video tapes and record with same each race from start to finish.

(1) Projection or viewing equipment shall be adequate to permit simultaneous showing of head-on and side-angle views of the running of each race.

(2) Such films and video tapes, shall be retained and secured by the association for not less than one (1) year and shall be available at all times to the commission and stewards. Each visual record of a race involving any questions, dispute, or controversy shall be filed with the commission upon order of the stewards.

(3) Such films, or video tapes, shall be made available for viewing at the track by licensees who owned, trained, or rode a horse in the race requested to be viewed, and to members of the press.

Section 15. Ambulances. Each association shall provide and maintain at least one (1) man-ambulance and at least one (1) horse-ambulance during times horses are permitted to exercise or race. Said ambulances shall be equipped, manned, ready for immediate duty, and shall be located at an entrance to the racing strip.

Section 16. First-aid Room. Each association shall equip and maintain adequate first-aid facilities with not less than two (2) beds and attendance of a competent physician and registered nurse during race hours.

Section 17. Track Kitchen. Each association shall provide adequate eating facilities within the stable area, maintained in a clean and sanitary manner at all times horses are stabled on association grounds.

Section 18. Communication System. Each association shall install and maintain in good working service communication systems between the stewards' stand and patrol judges, pari-mutuel department, starting gate, public address announcer, and clerk of scales.

Section 19. Fire Prevention. Each association shall be responsible for maintaining an adequate program for fire prevention and fire suppression. Each association within fifteen (15) days before commencement of a race meeting shall be inspected by the state or local fire

marshal whose certification that the association plant and stable area meet fire safety requirements is necessary for the commission to approve commencement of the race meeting. Each association shall maintain a fire-fighting unit of trained personnel equipped with high-expansion foam fire extinguishers and other equipment as may be recommended by local fire inspection authority. Each association shall prohibit:

- (1) Smoking in stalls, under shed rows, and in feed rooms;
- (2) Open fires, oil or gas lamps in stable area; and
- (3) Locking of stalls occupied by horses.

Section 20. Association Police. Each association shall provide and maintain competent police and watchman services, night and day, in and about association grounds, and shall furnish daily to the commission a report on any disturbances, drunkenness, or disorderly conduct committed by any person on association grounds.

Section 21. Security. Each association shall cause to be excluded from association grounds all persons designated by order of the commission or stewards to be excluded. Each association shall take such measures as to maintain security of horses on association grounds so as to protect from injury due to frightening of or tampering with said horses. Each association shall exclude from the paddock area, race strip, and winner's entrance all persons who have no immediate connection with the horses entered except members of the commission, racing officials, and duly accredited members of the news media.

Section 22. Vendors and Suppliers. Each association shall supervise the practice and procedures of all vendors of food, horse feed, medication, and tack, who have entry to the stable area. No association by virtue of this rule shall attempt to control or monopolize proper selling to owners, trainers, or stable employees, nor shall an association grant a concession to any vendor of feed, racing supplies, or racing services. Any vendor of horse feeds or medications shall file with the commission veterinarian a list of products which he proposes to sell, including any new preparation or medication. No association shall permit the sale of any alcoholic beverage, beer excepted, within the stable area.

Section 23. Ejection or Exclusion From Association Grounds. (1) Associations may eject or exclude any persons, licensed or unlicensed, from association grounds or a part thereof solely of its own volition and without any reason or excuse given therefor, provided, however, such ejection or exclusion is not founded on race, creed, color, or national origin.

(2) Associations shall eject or exclude from association grounds all persons believed to be engaged in a bookmaking activity or solicitation of bets or touting, and a report thereof shall be submitted promptly to the commission, to the stewards, and to the local police. Associations shall eject or exclude from association grounds all persons who as a business or for any compensation, shall, directly or indirectly, accept any thing of value to be wagered or to be

transmitted or delivered for wager to any pari-mutuel wagering enterprise, or participate in any such transmission.

(3) Associations shall eject or exclude from the stable areas on association grounds all persons except those whose presence in the stable area is authorized as:

(a) Persons licensed to conduct an activity, the conduct of which requires the presence of such licensee in the stable area;

(b) Duly accredited members of the news media;

(c) Guests of licensed owner or licensed trainer physically in the company of such owner or trainer;

(d) Persons physically in the company of and under the control and supervision of a racing official, or association security guard, or association public relations department representative.

(4) Reports of all ejections or exclusions from association grounds for any reason shall be made immediately to the commission and the stewards, such reports stating the name of all persons and circumstances involved.

Section 24. Ownership of Associations. Each association shall file with the commission a revised list of persons whose identity is required by 810 KAR 1:003, Section 6(2), immediately upon transfer of any beneficial interest or control in the association as from time to time may occur.

Section 25. Plan of Association Grounds. Each association shall file with the commission existing maps and plans of association grounds, showing all structures, piping, fire hydrants, fixed equipment, racing strip, noting elevation as filled, drained, and gapped, and composition of track base and cushion. Each association shall file revised maps or plans of association grounds upon any material change as may occur from time to time.

Section 26. Attendance Report. (1) In addition to filing with the commission a copy of the report required by KRS 138.480 to be filed with the Department of Revenue on admission taxes, each association shall file with the commission daily attendance reports showing a turnstile count of all persons admitted to association grounds where pari-mutuel wagering is conducted; such attendance report shall indicate the daily number of paid admissions, taxed complimentary admissions, and tax exempt admissions.

(2) On request from the commission, each association shall file with the commission a current badge list showing the names of all persons issued tax exempt admission credentials.

(3) Tax exempt admission credentials shall not be transferable and associations shall exclude or eject from association grounds any person attempting to use such tax exempt admission credentials not issued to him by the association.

Section 27. Financial Report. In addition to filing with the commission copies of reports required by KRS 137.180 and 138.530 to be filed with the Department of Revenue on pari-mutuel and license taxes, each association shall furnish to the commission within sixty (60) days after the close of its fiscal year three (3) copies of its balance sheet and of its operating statement for such fiscal year with comparison to prior year, the same to be duly sworn to by

the treasurer of the association and certified by a licensed certified public accountant. Such financial report shall be in such form as may be prescribed from time to time by the commission.

Section 28. Horseman's Bookkeeper. (1) Each association shall maintain a separate bank account, to be known as the "horsemen's account," with at all times sufficient funds in such account to pay all money owing to horsemen in regard to purses, stakes, rewards, claims, and deposits. Withdrawals from this account shall at all times be subject to audit by the commission, and the horsemen's bookkeeper in charge of such account shall be bonded.

(2) All portions of purse money shall be made available to earners thereof within forty-eight (48) hours dark days excluded (Sundays excluded) after the result of the race in which such money was earned has been declared official; except, however, when the stewards shall order money withheld until final adjudication of a dispute determining which persons are entitled to such money in dispute.

(3) No portion of purse money shall be deducted by the association for itself or for another, unless so requested in writing by the person to whom such purse monies are payable, or his duly authorized representative. Irrespective of whether requested, the horsemen's bookkeeper shall mail to each owner a duplicate of each record of a deposit, withdrawal, or transfer of funds affecting such owner's racing account at the close of each race meeting.

Section 29. Outriders. Each association shall employ at least two (2) outriders to escort starters to the post and to assist in the returning of all horses to the unsaddling area. No outrider shall lead any horse that has not demonstrated unruliness, but shall assist in the control of any horse which might cause injury to a jockey or others. Each association shall wear traditional apparel. Outriders shall be required to be present on the racing strip, mounted, and ready to assist in the control of any unruly horse or to recapture any loose horse, at all times horses are permitted on the racing strip for exercising or racing. All persons exercising horses during training hours, or accompanying horses to the starting gate during racing hours must wear a protective helmet. The term "exercising" is defined to include breezing, galloping, or ponying horses.

Section 30. Valets. Each association shall employ a sufficient number of persons licensed as valets to attend each individual rider on a day's racing program. Such valets shall be under the immediate supervision and control of the clerk of scales. No rider shall employ a valet or be attended by any person other than the valet assigned to him by the clerk of scales. No valet shall be assigned to the same rider for more than two (2) consecutive racing days. Valets shall be responsible for the care and cleaning of his assigned riders apparel and equipment; shall insure his rider has the proper equipment and colors for each race; shall present the proper equipment and attend the saddling of rider's mount; and shall attend the weighing out of his rider. No valet or other jockey room attendant may place a wager for himself or another, directly or indirectly, on races run while he is serving as a valet. Each

association shall provide uniform attire for valets who shall wear same at all times while performing their duties within public view.

Section 31. Minimum Purse and Stakes Values. No association shall program or run any race the purse for which is less than \$2,000 in cash without special permission of the commission. No association shall program or run any stakes race the added value of which is less than \$10,000 in cash added by the association to stakes fees paid by owners. Such minimum cash amounts paid by the association shall be exclusive of nomination, eligibility, entrance, and starting fees, and exclusive of other cash awards, premiums, prizes, or objects of value. The minimum amount of purse obligations shall be fifty (50) percent of the net pari-mutuel handle including breakage in addition to any amount of tax credits dedicated to purses as prescribed by statute. Furthermore, the amount of any underpayment, if any, may be carried forward as a purse liability if and only if said underpayment shall not exceed five (5) percent of the total purse obligation of the meet when the underpayment occurred or \$100,000, whichever is less. If said underpayment shall exceed the lessor of the aforementioned amounts, the association shall within sixty (60) days from the end of the meet pay on a pro-rata basis to each horseman who won purse money at the meet where the underpayment occurred an amount sufficient to neutralize the underpayment.

Section 32. Maximum Number of Races. No association shall program or run more than nine (9) races on any single racing day without special permission of the commission.

Section 33. Two-year-old Races. Beginning on May 1, of each year, each association shall program in the conditions book at least four (4) two (2) year old races each week.

MARTHA H. BROADBENT, Chairman

APPROVED BY AGENCY: December 3, 1986

FILED WITH LRC: December 3, 1986 at noon.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on January 21, 1987 at 10 a.m. at the offices of the Kentucky State Racing Commission at 535 West Second Street, Lexington, Kentucky. Those interested in attending the hearing should contact in writing: Michael A. Fulkerson, Chief Administrative Officer, Kentucky State Racing Commission, P.O. Box 1080, Lexington, Kentucky 40588.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Michael A. Fulkerson

(1) Type and number of entities affected: Four racing associations.

(a) Direct and indirect costs or savings to those affected:

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs (note any effects upon competition): N/A

(b) Reporting and paperwork requirements:

(2) Effects on the promulgating administrative body: No additional work other than a simple report.

(a) Direct and indirect costs or savings:

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs: N/A

(b) Reporting and paperwork requirements: Minimal

(3) Assessment of anticipated effect on state and local revenues: N/A

(4) Assessment of alternative methods; reasons why alternatives were rejected: N/A

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments: Done pursuant to 1986 Session (HB 825).

TIERING: Was tiering applied? Yes.

#### PUBLIC PROTECTION AND REGULATION CABINET Kentucky Harness Racing Commission (Proposed Amendment)

811 KAR 1:055. Declaration to start; drawing horses.

RELATES TO: KRS 230.630(1), (3), 230.640

PURSUANT TO: KRS 230.630(3), (4), (7)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate declarations to start; drawing horses.

Section 1. Declaration. (1) At extended pari-mutuel meetings. Unless otherwise specified in the conditions, or approved in writing by the commission three (3) days prior to the day of the race omitting Sundays, the declaration time shall be 9 a.m.

(2) Declaration time at other meetings. At all other meetings starters must be declared in at 10 a.m. unless another time is specified in the conditions.

(3) No horse shall be declared to start in more than one (1) race on any one (1) racing day.

(4) Timed used. In order to avoid confusion and misunderstanding, the time when declarations close will be considered to be standard time, except the time in use at an extended pari-mutuel meeting shall govern that meeting.

(5) Declaration box. The management shall provide a locked box with an aperture through which declarations shall be deposited.

(6) Responsibility for declaration box. The presiding judge shall be in charge of the declaration box.

(7) Search for declarations by presiding judge before opening box. Just prior to opening of the box at extended pari-mutuel meetings where futurities, stakes, early closing or late closing events are on the program, the presiding judge shall check with the race secretary to ascertain if any declarations by mail, telegraph, or otherwise, are in the office and not deposited in the entry box, and he shall see that they are declared and drawn in the proper event.

(8) Opening of declaration box. At the time specified the presiding judge shall unlock the box, assort the declarations found therein and immediately draw the positions in the presence of such owners or their representatives, as may appear.

(9) Entry box and drawing of horses at extended pari-mutuel meetings. The entry box shall be opened by the presiding judge at the advertised time and the presiding judge will be responsible to see that at least one (1) horseman or an official representative of the horsemen is present. No owner or agent for a horse with a declaration in the entry box shall be denied the privilege of being present. Under the supervision of the presiding judge, all entries shall be listed, the eligibility verified, preference ascertained, starters selected and post positions drawn. If it is necessary to reopen any race, public announcement shall be made at least twice and the box reopened to a definite time.

(10) Drawing of post positions for second heat in races of more than one (1) dash or heat at pari-mutuel meetings. In races of a duration of more than one (1) dash or heat at pari-mutuel meetings, the judges may draw post positions from the stand for succeeding dashes or heats.

(11) Declarations by mail, telegraph or telephone. Declarations by mail, telegraph, or telephone actually received and evidence of which is deposited in the box before the time specified to declare in, shall be drawn in the same manner as the others. Such drawings shall be final. Mail, telephone and telegraph declarations must state the name and address of the owner or lessee; the name, color, sex, sire and dam of the horse; the name of the driver and his colors; the date and place of last start; a current summary, including the number of starts, first, seconds, thirds, earnings and best winning time for the current year; and the event or events in which the horse is to be entered.

(12) Effect of failure to declare on time. When a track requires a horse to be declared at a stated time, failure to declare as required shall be considered a withdrawal from the event.

(13) Drawings of horses after declaration. After declaration to start has been made no horse shall be drawn except by permission of the judges. Any horse eligible to start in a second, third, or fourth heat of a race shall not be drawn without the permission of the judges. A fine, not to exceed \$500, or suspension, may be imposed for drawing a horse without permission, the penalty to apply to both the horse and the party who violates the regulation.

(14) Horses omitted through error. Such drawings shall be final unless there is conclusive evidence that a horse properly declared, other than by telephone, was omitted from the race through error of a track or its agent or employee in which event the horse may be added to this race but given the outside post position. This shall not apply at pari-mutuel meetings unless the error is discovered prior to the publication of the official program.

Section 2. Qualifying Races. At all extended pari-mutuel meetings declarations for overnight events shall be governed by the following:

(1) Within two (2) weeks of being declared in, a horse that has not raced previously at the gait chosen must go a qualifying race under the supervision of a judge holding a presiding or associate judge's license for pari-mutuel meetings and acquire at least one (1) charted line by a licensed charter. In order to provide complete and accurate chart information on time and beaten lengths a standard photo finish shall be in use.

(2) A horse that does not show a charted line for the previous season, or a charted line within its last six (6) starts, must go a qualifying race as set forth in subsection (1) of this section. Uncharted races contested in heats or more than one (1) dash and consolidated according to subsection (4) of this section will be considered one (1) start.

(3) When a horse has raced at a charted meeting during the current season, then gone to meetings where the races are not charted, the information from the uncharted races may be summarized, including each start, and consolidated in favor of charted lines and the requirements of subsection (2) of this section would then not apply.

(4) The consolidated line shall carry date, place, time, driver, finish, track condition and distance if race is not at one (1) mile.

(5) The judges may require any horse that has been on the steward's list to go a qualifying race. If a horse has raced in individual time not meeting the qualifying standards for that class of horse, he may be required to go a qualifying race.

(6) The judges may permit a fast horse to qualify by means of a timed workout consistent with the time of the races in which he will compete in the event adequate competition is not available for a qualifying race. However, a horse that is on the steward's list for breaks or refusing to come to the gate must qualify in a qualifying race.

(7) To enable a horse to qualify, qualifying races should be held at least one (1) full week prior to the opening of any meeting of ten (10) days or more and shall be scheduled at least twice a week. Qualifying races shall also be scheduled twice a week during the meeting and through the last week of the meeting.

(8) Where a race is conducted for the purpose of qualifying drivers and not horses, the race need not be charted, timed or recorded. This subsection is not applicable to races qualifying both drivers and horses.

(9) If a horse takes a win race record in a qualifying race, such record must be prefaced with the letter "Q" wherever it appears, except in a case where, immediately prior to or following the race, the horse taking the record has been submitted to an approved urine, saliva or blood test. It will be the responsibility of the presiding judge to report the test on the judges' sheet.

(10) Any horse that fails to race at a charted meeting within thirty (30) days after having started, shall start in a charted race or a qualifying race and meet the standards of the meeting before being allowed to start in a race with pari-mutuel wagering.

Section 3. Coupled Entries. (1) When the starters in a race include two (2) or more horses owned or trained by the same person, or trained in the same stable or by the same management, they shall be coupled as an "entry" and a wager on one (1) horse in the "entry" shall be a wager on all horses in the "entry." Provided, however, that when a trainer enters two (2) or more horses in a stake, early closing, futurity, free-for-all or other special event under bona fide separate ownerships, the said horses may, at the request of the association and with the approval of the commission, be permitted to race as separate

betting entries. The fact that such horses are trained by the same person shall be indicated prominently in the program. If the race is split in two (2) or more divisions, horses in an "entry" shall be seeded insofar as possible, first by owners, then by trainers, then by stables; but the divisions in which they compete and their post positions shall be drawn by lot. The above provision shall also apply to elimination heats.

(2) The presiding judge shall be responsible for coupling horses. In addition to the foregoing, horses separately owned or trained may be coupled as an entry where it is necessary to do so to protect the public interest for the purpose of pari-mutuel wagering only. However, where this is done, entries may not be rejected.

(3) If an owner, lessor, or lessee has a vested interest in another horse in the same race, it shall constitute an entry.

Section 4. Also Eligibles. Not more than two (2) horses may be drawn as also eligibles for a race and their positions shall be drawn along with the starters in the race. In the event one (1) or more horses are excused by the judges, the also eligible horse or horses shall race and take the post position drawn by the horse that it replaces, except in handicap races. In handicap races the also eligible horse shall take the place of the horse that it replaces in the event that the handicap is the same. In the event the handicap is different, the also eligible horse shall take the position on the outside of horses with a similar handicap. No horse may be added to a race as an also eligible unless the horse was drawn as such at the time declarations closed. No horse may be barred from a race to which it is otherwise eligible by reason of its preference due to the fact that it has been drawn as an also eligible. A horse moved into the race from the also eligible list cannot be drawn except by permission of the judges, but the owner or trainer of such a horse shall be notified that the horse is to race and it shall be posted at the race secretary's office. All horses on the also eligible list and not moved into race by 9 a.m. on the day of the race shall be released.

Section 5. Preference. (1) Preference shall be given in all overnight events according to a horse's last previous purse race during the current year. The preference date on a horse that has drawn to race and been scratched is the date of the race from which he was scratched.

(2) When a horse is racing for the first time in the current year, the date of the first declaration shall be considered its last race date, and preference applied accordingly.

(3) If an error has been made in determining or posting a preference date and said error deprives an eligible horse of an opportunity to race, the trainer involved shall report the error to the racing secretary within one (1) hour of the announcement of the draw. If in fact a preference date error has occurred, the race will be redrawn.

Section 6. Steward's List. (1) A horse that is unfit to race because he is dangerous, unmanageable, sick, lame, unable to show a performance to qualify for races at the meeting, or otherwise unfit to race at the meeting may be placed on a "steward's list" by the presiding

judge, and declarations on said horse shall be refused, but the owner or trainer shall be notified in writing of such action and the reason as set forth above shall be clearly stated on the notice. When any horse is placed on the steward's list, the clerk of the course shall make a note on the eligibility certificate of such horse, showing the date the horse was put on the steward's list, the reason therefor and the date of removal if the horse has been removed.

(2) No presiding judge or other official at a non-extended meeting shall have the power to remove from the steward's list and accept as an entry any horse which has been placed on a steward's list and not subsequently removed therefrom for the reason that he is a dangerous or unmanageable horse. Such meetings may refuse declarations on any horse that has been placed on the steward's list and has not been removed therefrom.

(3) A horse scratched from a race because of lameness or sickness may not enter another race for at least three (3) days from the date of the scratch.

Section 7. Driver. Declarations shall state who shall drive the horse and give the driver's colors. Drivers may be changed until 9 a.m. of the day preceding the race, after which no driver may be changed without permission of the judges and for good cause. When a nominator starts two (2) or more horses, the judges shall approve or disapprove the second and third drivers.

Section 8. (1) It shall be the duty of the presiding judge to call a meeting of all horsemen on the grounds before the opening of an extended pari-mutuel meeting for the purpose of their electing a member and an alternate to represent them on matters relating to the withdrawal of horses due to bad track or weather conditions.

(2) In case of questionable track conditions due to weather, the presiding judge shall call a meeting consisting of an agent of the track member, the duly elected representative of the horsemen and himself.

(3) Upon unanimous decision by this committee of three (3) that track conditions are safe for racing, no unpermitted withdrawals may be made.

(4) Any decision other than unanimous by this committee will allow any entrant to scratch his horse or horses after posting ten (10) percent of the purse to be raced for. In the event sufficient withdrawals are received to cause the field to be less than six (6), then the track member shall have the right of postponement of an early closing event or stake and cancellation of an overnight event.

(5) Said money posted shall be forwarded to the commission and shall be retained as a fine, or refunded to the individual upon the decision of the commission as to whether the withdrawal was for good cause.

(6) The above procedure applies only to the withdrawal of horses that have been properly declared in and does not relate to postponement which is covered in 811 KAR 1:060.

ROBERT DAVIS, Secretary

CARL B. LARSEN, Executive Director

APPROVED BY AGENCY: December 4, 1986

FILED WITH LRC: December 11, 1986 at 11 a.m.

PUBLIC HEARING SCHEDULED: A public hearing has been scheduled on this regulation on January 23, 1987, at 10 a.m. at the office of the Kentucky Harness Racing Commission. Anyone interested in attending this hearing shall notify in writing Carl B. Larsen, Executive Director, Kentucky Harness Racing Commission, Suite 300, 535 West Second Street, Lexington, Kentucky, 40508, at least five days before the hearing.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Carl B. Larsen, Executive Director

(1) Type and number of entities affected: Horsemen

(a) Direct and indirect costs or savings to those affected: None

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs (note any effects upon competition):

(b) Reporting and paperwork requirements: None additional.

(2) Effects on the promulgating administrative body: None

(a) Direct and indirect costs or savings: None

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs:

(b) Reporting and paperwork requirements: None additional.

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: Not applicable.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict: Not applicable.

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions: Not applicable.

(6) Any additional information or comments: None

TIERING: Was tiering applied? No. Regulation affects all horsemen.

#### CABINET FOR HUMAN RESOURCES Department for Mental Health and Mental Retardation Services (Proposed Amendment)

902 KAR 12:080. Policies and procedures for mental health/mental retardation facilities.

RELATES TO: KRS Chapter 210

PURSUANT TO: KRS 210.010

NECESSITY AND FUNCTION: KRS 210.010 directs the Secretary of the Cabinet for Human Resources to prescribe regulations for the institutions under the control of the cabinet. The function of this regulation is to adopt policies and procedures for such institutions.

Section 1. Oakwood Policy Manual. The policies set forth in the November 15, 1986, edition of the "Oakwood Policy Manual" consisting of three (3) volumes relating to the operation of Oakwood ICF-MR Facility are hereby adopted by reference.

Section 2. Hazelwood Policy Manual. The

policies and procedures set forth in the May 15, 1986, edition of the "Hazelwood Policy Manual" consisting of two (2) volumes relating to the operation of Hazelwood ICF-MR Facility are hereby adopted by reference.

Section 3. Central State Hospital ICF-MR Policy Manual. The policies and procedures set forth in the September 1, 1985, edition of the "Central State Hospital ICF-MR Policy Manual" consisting of two (2) volumes relating to the operation of Central State Hospital ICF-MR Facility are hereby adopted by reference.

Section 4. Eastern State Hospital Policy Manual. The policies and procedures set forth in the October 15, 1986, edition of the "Eastern State Hospital Policy Manual" consisting of twenty-one (21) volumes relating to the operation of Eastern State Hospital Facility are hereby adopted by reference.

Section 5. Central State Hospital Policy Manual. The policies and procedures set forth in the November 15, 1986, edition of the "Central State Hospital Policy Manual" consisting of nineteen (19) volumes relating to the operation of Central State Hospital Facility are hereby adopted by reference.

Section 6. Western State Hospital Policy Manual. The policies and procedures set forth in the December 15 [October 15], 1986, edition of the "Western State Hospital Policy Manual" consisting of thirty-two (32) volumes relating to the operation of Western State Hospital Facility are hereby adopted by reference.

Section 7. Glasgow ICF Policy Manual. The policies and procedures set forth in the September 1, 1985, edition of the "Glasgow ICF Policy Manual" consisting of twelve (12) volumes relating to the operation of Glasgow ICF Facility are hereby adopted by reference.

Section 8. Western State Hospital ICF Policy Manual. The policies and procedures set forth in the March 15, 1986, edition of the "Western State Hospital ICF Policy Manual" consisting of nine (9) volumes relating to the operation of Western State Hospital ICF Facility are hereby adopted by reference.

Section 9. Volta Policy Manual. The policies and procedures set forth in the September 1, 1985, edition of the "Volta Policy Manual" consisting of one (1) volume relating to the operation of Volta Facility are hereby adopted by reference.

Section 10. Kentucky Correctional Psychiatric Center Policy Manual. The policies and procedures set forth in the April 15, 1986, edition of the "Kentucky Correctional Psychiatric Center Policy Manual" consisting of thirteen (13) volumes relating to the operation of Kentucky Correctional Psychiatric Center Facility are hereby adopted by reference.

Section 11. Location of Manuals Referenced in This Regulation. A copy of each manual referenced in this regulation is on file in the Office of the Commissioner for Health Services, 275 East Main Street, Frankfort, Kentucky, and is open to public inspection.

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Section 12. Summary of Amendments.

Section 6 - Western State Hospital Policy Manual

Western State Hospital Policy Manual is revised as follows:

F-26 Pharmaceutical Service, Sec II

Table of Contents - Revision to add Policies 33 and 34. Remove old Table of Contents page and insert revision.

Section VI - No. 6 - New Policy for Refrigeration Requirements for State Storage of Drugs.

Remove old table of contents page and insert new one.

Section XI - Deletion of Policy Nos. 6, 7, 8, 12 and 13 in Section XI.

Remove old Table of Contents page and insert new one.

Section II - No. 33 - Drug Recall: A new policy for handling drug recall.

No. 34 - New policy on reporting Drug Product Defects.

Section IV - Routine Inspection Made by Pharmacy Personnel.

No. 6 - Return of Outdated Drugs - revised to change the method of removing outdated drugs from the ward.

Section VI - Policies for Security and Storage of Drugs in the Pharmacy.

New Policy: To establish a definition of temperature requirements of drugs.

Section XI - Policies for Sterile Supplies and Equipment.

Policy No. 1 - Revision: The pharmacy no longer autoclaves any items.

Policy No. 2 - Revision: To denote the continual sterility of prepackaged, non-dated items with statement: "Sterile Until Opened."

Policy No. 4 - Deletion - The Pharmacy no longer autoclaves any items.

Policy No. 6 - Deletion.

Policy No. 7 - Deletion - The Pharmacy no longer autoclaves any items.

Policy No. 8 - Deletion - The Pharmacy no longer autoclaves any items.

Policy No. 10 - Revision: To give a procedure by which the doctor will be notified of any patient contact with a recalled supply item.

Policy No. 12 - Deletion.

Policy No. 13 - Microbial Monitoring of the Autoclave. Deletion: The Pharmacy no longer autoclaves any items.

[Section 1 - Oakwood Policy Manual

Oakwood Policy Manual is revised as follows:

DST-2-2, #38 is revised to include the signs and symptoms of sexual abuse.

Section 5 - Central State Hospital Policy Manual is revised as follows:

E1, Section D, #1:

Section D - No. 1: Remove the bylaws and add the revised copy:

Page 10, Section 2 - Disciplines of the Clinical Staff No. 13 was added to the list of disciplines.

Page 29, 29-A and 29-B have been added to the bylaws. Clinical Staff Bylaw changes have been requested, in accordance with voting approval from Clinical Staff, to comply with JCAH accreditation standards in effect during 1985. Neither additional funding nor staffing will result from these changes.

Section R - No. 14 Patient Billing New policy. The justification for this policy is in reference to KRS 216B.250. This statute requires facilities and/or hospitals to be in compliance.

Section HH - No. 4.05-Revised policy. The revision of the hospital policy regarding AWOL's is required in order to update information to include the current contacts which must be made, the order of contact, and the current telephone numbers of the agencies involved in reporting an AWOL.

Also, it is necessary to delete a reference in the old policy to a seven (7) day court order which no longer exists under the law.]

DENNIS D. BOYD, Commissioner  
E. AUSTIN, JR., Secretary

APPROVED BY AGENCY: November 26, 1986

FILED WITH LRC: December 12, 1986 at 11 a.m.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for January 21, 1987, at 9 a.m. in the Vital Statistics Conference Room, 1st Floor, Cabinet for Human Resources, 275 East Main Street, Frankfort, Kentucky. However, this hearing will be cancelled unless interested persons notify the following office in writing by January 16, 1987 of their desire to appear and testify at the hearing: Ryan Halloran, General Counsel, Cabinet for Human Resources, 275 East Main Street, Frankfort, Kentucky 40621.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Verna Fairchild

(1) Type and number of entities affected: This regulation with the attached reference material is the on-going policy and procedure manual of the state facilities for the treatment of patients with mental illness and mental retardation. These facilities function with 2,880 staff members serving 1,850 residents.

(a) Direct and indirect costs or savings to those affected:

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs (note any effects upon competition):



(b) Reporting and paperwork requirements:

(2) Effects on the promulgating administrative body: This regulation usually does not effect the fiscal operation of these state facilities significantly. It affects the care and treatment of patients, compliance with JCAH standards, and Kentucky licensure regulations. The work environment of the staff is frequently the subject of this regulation also, along with the orderly management of the various programs.

(a) Direct and indirect costs or savings:

1. First year:
2. Continuing costs or savings:
3. Additional factors increasing or decreasing costs:

(b) Reporting and paperwork requirements:

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: Present procedure not previously adopted by regulation.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments:

TIERING: Was tiering applied? Yes.

**CABINET FOR HUMAN RESOURCES**  
**Office of the Inspector General**  
**(Proposed Amendment)**

**902 KAR 20:016. Hospitals; operations and services.**

RELATES TO: KRS 216B.010 to 216B.130, 216B.107, 216B.990(1)(2)

PURSUANT TO: KRS 216B.040, 216B.105, Executive Order 86-366

NECESSITY AND FUNCTION: KRS 216B.040 mandate that the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board regulate health facilities and health services. Executive Order 86-366 transferred the authority to regulate health services and health facilities from the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board to the Office of the Inspector General. This regulation provides for the minimum licensure requirements for the operation of hospitals and the basic services to be provided by hospitals.

Section 1. Scope of Operations and Services. Hospitals are establishments with organized medical staffs and permanent facilities with inpatient beds which provide medical services, including physician services and continuous nursing services for the diagnosis and treatment of patients who have a variety of medical conditions, both surgical and nonsurgical.

Section 2. Definitions. (1) "Governing authority" means the individual, agency, partnership, or corporation, in which the ultimate responsibility and authority for the conduct of the institution is vested.

(2) "Medical staff" means an organized body of physicians, and dentists when applicable, appointed to the hospital staff by the governing

authority. All members of the medical staff shall be licensed to practice medicine or dentistry in Kentucky, with the exception of graduate physicians who are in the first year of hospital training.

(3) "Registered records administrator" means a person who is certified as a Registered Records Administrator by the American Medical Record Association.

(4) "Accredited record technician" means a person who has graduated from a program for medical record technicians accredited by the Council on Medical Education of the American Medical Association and the American Medical Record Association; and who is certified as an Accredited Record Technician by the American Medical Record Association.

(5) "Qualified dietitian" or "nutritionist" means:

(a) A person who has a bachelor of science degree in foods and nutrition, food service management, institutional management or related services and has successfully completed a dietetic internship or coordinated undergraduate program accredited by the American Dietetic Association (ADA) and is a member of the ADA or is registered as a dietitian by ADA; or

(b) A person who has a master's degree in nutrition and is a member of ADA or is eligible for registration by ADA; or

(c) A person who has bachelor of science degree in home economics and three (3) years of work experience with a registered dietitian.

(6) "Certified radiation operator" means a person who has been certified pursuant to KRS 211.870 and 902 KAR 105:010 to 105:070 as an operator of sources of radiation.

(7) "Protective devices" means devices that are designed to protect a person from falling, to include side rails, safety vest or safety belt.

(8) "Restraint" means any pharmaceutical agent or physical or mechanical device used to restrict the movement of a patient or the movement of a portion of a patient's body.

(9) "Psychiatric unit" means a department of a general acute care hospital consisting of eight (8) or more psychiatric beds organized for the purpose of providing psychiatric services.

(10) "Induration" means a firm area in the skin which develops as a reaction to injected tuberculosis proteins when a person has tuberculosis infection. The diameter of the firm area is measured to the nearest millimeter to gauge the degree of reaction. A reaction of ten (10) millimeters or more of induration is considered highly indicative of tuberculosis infection.

(11) "Skin test" means a tuberculin skin test utilizing the intradermal (Mantoux) technique using five (5) tuberculin units of purified protein derivative (PPD). The results of the test must be read forty-eight (48) to seventy-two (72) hours after injection and recorded in terms of millimeters of induration.

(12) "Two-step skin testing" means a series of two (2) tuberculin skin tests administered seven (7) to fourteen (14) days apart.

(13) "Organ procurement agency" means a federally designated organization which coordinates and performs activities which encourage the donation of organs/tissues for transplantation.

Section 3. Administration and Operation. (1)

Governing authority licensee.

(a) The hospital shall have a recognized governing authority that has overall responsibility for the management and operation of the hospital and for compliance with federal, state, and local laws and regulations pertaining to its operation.

(b) The governing authority shall appoint an administrator whose qualifications, responsibilities, authority, and accountability shall be defined in writing and approved by the governing authority, and shall designate a mechanism for the periodic performance review of the administrator.

(2) Administrator.

(a) The administrator shall act as the chief executive officer and shall be responsible for the management of the hospital, and shall provide liaison between the governing authority and the medical staff.

(b) The administrator shall keep the governing authority fully informed of the conduct of the hospital through periodic reports and by attendance at meetings of the governing authority.

(c) The administrator shall develop an organizational structure including lines of authority, responsibility, and communication, and shall organize the day-to-day functions of the hospital through appropriate departmentalization and delegation of duties.

(d) The administrator shall establish formal means of accountability on the part of subordinates to whom he has assigned duties.

(e) The administrator shall hold interdepartmental and departmental meetings (where appropriate), shall attend or be represented at such meetings on a regular basis, and shall report to such departments as well as to the governing authority the pertinent activities of the hospital.

(3) Administrative records and reports.

(a) Administrative reports shall be established, maintained and utilized as necessary to guide the operation, measure productivity, and reflect the programs of the facility. Such reports shall include: minutes of the governing authority and staff meetings, financial records and reports, personnel records, inspection reports, incident investigation reports, and other pertinent reports made in the regular course of business.

(b) The hospital shall maintain a patient admission and discharge register. Where applicable, a birth register and a surgical register shall also be maintained.

(c) Licensure inspection reports and plans of correction shall be made available to the general public upon request.

(4) Policies. The hospital shall have written policies and procedures governing all aspects of the operation of the facility and the services provided, including:

(a) A written description of the organizational structure of the facility including lines of authority, responsibility and communication, and departmental organization;

(b) Admission policies which assure that patients are admitted to the hospital in accordance with policies of the medical staff;

(c) Constraints imposed on admissions by limitations of services, physical facilities, staff coverage or other factors;

(d) Financial requirements for patients on admission;

(e) Emergency admissions;

(f) Requirements for informed consent by patient, parent, guardian or legal representative for diagnostic and treatment procedures;

(g) There shall be an effective procedure for recording accidents involving a patient, visitor, or staff, and incidents of transfusion reactions, drug reactions, medication errors, etc.; and a statistical analysis shall be reported in writing through the appropriate committee;

(h) Reporting of communicable diseases to the health department in whose jurisdiction the disease occurs pursuant to KRS Chapter 214 and 902 KAR 2:020;

(i) Use of restraints and a mechanism for monitoring and controlling their use;

(j) Internal transfer of patients from one (1) level or type of care to another (if applicable);

(k) Discharge and termination of services; and

(l) Organ procurement for transplant protocol developed by the medical staff in consultation with the organ procurement agency.

(5) Patient identification. The hospital shall have a system for identifying each patient from time of admission to discharge (e.g., an identification bracelet imprinted with name of patient, hospital identification number, date of admission, and name of attending medical staff member).

(6) Discharge planning.

(a) The hospital shall have a discharge planning program to assure the continuity of care for patients being transferred to another health care facility or being discharged to the home.

(b) The professional staff of the facility involved in the patient's care during hospitalization shall participate in discharge planning of the patient whose illness requires a level of care outside the scope of the general hospital.

(c) The hospital shall coordinate the discharge of the patient with the patient and the person(s) or agency responsible for the post-discharge care of the patient. All pertinent information concerning post-discharge needs shall be provided to the responsible person(s) or agency.

(7) Transfer procedures and agreements.

(a) The hospital shall have written patient transfer procedures and agreements with at least one (1) of each type of other health care facilities which can provide a level of inpatient care not provided by the hospital. Any facility which does not have a transfer agreement in effect but has documented a good faith effort to enter into such an agreement shall be considered to be in compliance with this requirement. The transfer procedures and agreements shall specify the responsibilities each institution assumes in the transfer of patients and shall establish responsibility for notifying the other institution promptly of the impending transfer of a patient and arranging for appropriate and safe transportation.

(b) If the patient is transferred to another health care facility or to the care of a home health agency, a transfer form shall accompany the patient or be sent immediately to the home health agency. The transfer form shall include at least: attending medical staff member's instructions for continuing care, a current summary of the patient's medical record,

information as to special supplies or equipment needed for patient care, and pertinent social information on the patient and family. When such transfer occurs, a copy of the patient's signed discharge summary shall be forwarded to another health care facility or home health agency within fifteen (15) days of the patient's discharge.

(c) When a transfer is to another level of care within the same facility, the complete medical record or a current summary thereof shall be transferred with the patient.

(8) Medical staff.

(a) The hospital shall have a medical staff organized under bylaws approved by the governing authority, which is responsible to the governing authority of the hospital for the quality of medical care provided to the patients and for the ethical and professional practice of its members.

(b) The medical staff shall develop and adopt policies or bylaws, subject to the approval of the governing authority, which shall:

1. State the necessary qualifications for medical staff membership. For purposes of this document, medical staff shall mean physicians, and dentists when applicable.

2. Define and describe the responsibilities and duties of each category of medical staff (e.g., active, associate, courtesy, consulting, or honorary), delineate the clinical privileges of staff members, and establish a procedure for granting and withdrawing staff privileges to include credentials review.

3. Provide a mechanism for appeal of decisions regarding staff membership and privileges.

4. Provide a method for the selection of officers of the medical staff.

5. Establish requirements regarding the frequency of, and attendance at, general staff and department/service meeting of the medical staff.

6. Provide for the appointment of standing and special committees, and include requirements for composition and organization, frequency of and attendance at meetings, and the minutes and reports which shall be part of the permanent records of the hospital. These committees may include: executive committee, credentials committee, medical audit committee, medical records committee, infections control committee, tissue committee, pharmacy and therapeutics committee, utilization review committee, and quality assurance committee.

(9) Personnel.

(a) The hospital shall employ a sufficient number of qualified personnel to provide effective patient care and all other related services and shall have written personnel policies and procedures which shall be available to all hospital personnel.

(b) There shall be a written job description for each position. Job descriptions shall be reviewed and revised as necessary.

(c) There shall be an employee health program for mutual protection of employees and patients including provisions for pre-employment and periodic health examination. The hospital shall comply with the following tuberculosis testing requirements:

1. The skin test status of all staff members shall be documented in the employee's personnel record. A skin test shall be initiated on all new staff members before or during the first week of employment and the results shall be

documented in the employee's personnel record within the first month of employment. No skin testing is required at the time of initial employment if the employee documents a prior skin test of ten (10) or more millimeters of induration or if the employee is currently receiving or has completed six (6) months [one (1) year] of prophylactic therapy or a course of multiple-drug chemotherapy for tuberculosis. Two (2) step skin testing is required for new employees over age forty-five (45) whose initial test shows less than ten (10) millimeters of induration, unless they can document that they have had a tuberculosis skin test within one (1) year prior to their current employment. All staff who have never had a skin test of ten (10) or more millimeters induration must be skin tested annually on or before [within two (2) weeks before or after] the anniversary of their last skin test.

2. All staff who are found to have a skin test of ten (10) or more millimeters induration, on initial employment testing or annual testing, must receive a chest x-ray unless a chest x-ray within the previous two (2) months showed no evidence of tuberculosis, or the individual can document the previous completion of a course of prophylactic treatment with isoniazid. Such employees shall be advised of the symptoms of the disease and instructed to report to their employer and seek medical attention promptly if symptoms persist.

3. The hospital administrator shall be responsible for ensuring that all skin tests and chest x-rays are done in accordance with subparagraphs 1 and 2 of this paragraph. All skin testing dates and results and all chest x-ray reports shall be recorded as a permanent part of the personnel record.

4. The following shall be reported by the hospital administrator to the local health department having jurisdiction immediately upon becoming known: names of staff who convert from a skin test of less than ten (10) to a skin test of ten (10) millimeters or more induration at the time of employment; and all chest x-rays suspicious for tuberculosis.

5. Any staff whose skin test status changes on annual testing from less than ten (10) to ten (10) or more millimeters of induration shall be considered to be recently infected with *Mycobacterium tuberculosis*. Such recently infected persons who have no signs or symptoms of tuberculosis disease on chest x-ray or medical history should be given preventive therapy with isoniazid for six (6) months [one (1) year] unless medically contraindicated, as determined by a licensed physician. Medications shall be administered only upon the written order of a physician. If such individual is unable to take isoniazid therapy, the individual shall be advised of the clinical symptoms of the disease, and have an interval medical history and a chest x-ray taken and evaluated for tuberculosis disease every six (6) months during the two (2) years following conversion, for a total of five (5) chest x-rays.

6. Any staff who can document completion of preventive treatment with isoniazid shall be exempt from further screening requirements.

(d) Current personnel records shall be maintained for each employee which include the following:

1. Name, address, social security number;
2. Health records;

3. Evidence of current registration, certification, or licensure of personnel;

4. Records of training and experience;

5. Records of performance evaluation.

(10) Physical and sanitary environment.

(a) The condition of the physical plant and the overall hospital environment shall be maintained in such a manner that the safety and well-being of patients, personnel and visitors are assured.

(b) A person shall be designated responsible for services and for the establishment of practices and procedures in each of the following areas: plant maintenance, laundry operations (if applicable), and housekeeping.

(c) There shall be an infection control committee charged with the responsibility of investigating, controlling and preventing infections in the hospital. Infection incident reports shall be filed.

(d) There shall be current written infection control measures, including:

1. Policies concerning the admission and isolation of patients with specific or suspected infectious diseases, protective isolation of appropriate patients and protective routine for personnel and visitors;

2. Written procedures for the bacteriological testing of all areas of possible infection. Results of all testing shall be recorded and reported to the infection control committee;

3. The method of control used in relation to the sterilization of supplies and water; and

4. Policies for the protection of patients from employees who have a communicable disease.

(e) The hospital shall provide inservice education programs on the cause, effect, transmission, prevention and elimination of infections.

(f) The hospital buildings, equipment, and surroundings shall be kept in a condition of good repair, neat, clean, free from all accumulations of dirt and rubbish, and free from foul, stale or musty odors.

1. An adequate number of housekeeping and maintenance personnel shall be provided.

2. Written housekeeping procedures shall be established for the cleaning of all areas and copies shall be made available to personnel.

3. Equipment and supplies shall be provided for cleaning of all surfaces. Such equipment shall be maintained in a safe, sanitary condition.

4. Hazardous cleaning solutions, compounds, and substances shall be labeled, stored in closed metal containers and kept separate from other cleaning materials.

5. The facility shall be kept free from insects and rodents with harborages and entrances for these eliminated.

6. Garbage and trash shall be stored in areas separate from those used for preparation and storage of food and shall be removed from the premises regularly. Containers shall be cleaned regularly.

(g) Sharp wastes, such as broken glass, scalpel blades, and hypodermic needles, shall be segregated from other wastes and aggregated in rigid containers immediately after use. After use, all needles shall also be rendered unusable. The rigid containers of sharp wastes shall either be incinerated, on site or off site, or disposed of in a sanitary landfill approved pursuant to 401 KAR 47:020.

(h) The hospital shall establish a written

policy for the handling and disposal of all infectious and pathological waste. Any incinerator used for the disposal of waste shall be in compliance with 401 KAR 59:020 and 401 KAR 61:010.

1. All unpreserved tissue specimens from surgical or necropsy procedures shall be incinerated, on site or off site.

2. The following waste shall be sterilized before disposal or be disposed of by incineration if they are combustible:

a. Dressings and materials from open or contaminated wounds;

b. Waste materials and disposable linens from isolation rooms;

c. Culture plates;

d. Test tubes;

e. Sputum cups; and

f. Contaminated sponges and swabs.

(i) The hospital shall have available at all times a quantity of linen essential to the proper care and comfort of patients.

1. Linens shall be handled, stored, and processed so as to control the spread of infection.

2. Clean linen and clothing shall be stored in clean, dry, dust-free areas designated exclusively for this purpose.

3. Soiled linen and clothing shall be placed in suitable bags or closed containers and stored in separate areas ventilated to the exterior of the buildings; this air shall not be allowed to recirculate into the facility.

(11) Medical records.

(a) The hospital shall have a medical records service with administrative responsibility for medical records. A medical record shall be maintained, in accordance with accepted professional principles, for every patient admitted to the hospital or receiving outpatient services.

1. The medical records service shall be directed by a registered records administrator, either on a full-time, part-time, or consultative basis, or by an accredited record technician on a full-time or part-time basis, and shall have available a sufficient number of regularly assigned employees so that medical record services may be provided as needed.

2. All medical records shall be retained for a minimum of five (5) years from date of discharge, or in the case of a minor three (3) years after the patient reaches the age of majority under state law, whichever is the longer.

3. Provision shall be made for written designation of specific location(s) for storage of medical records in the event the hospital ceases to operate because of disaster, or for any other reason. It shall be the responsibility of the hospital to safeguard both the record and its informational content against loss, defacement, and tampering. Particular attention shall be given to protection from damage by fire or water.

(b) A system of identification and filing to insure the prompt location of a patient's medical record shall be maintained:

1. Index cards shall bear at least the full name of the patient, the birth date, and the medical record number.

2. There shall be a system for coordinating the inpatient and outpatient medical records of any patient whose admission is a result of or related to outpatient services.

3. All clinical information pertaining to inpatient or outpatient services shall be centralized in the patient's medical record.

4. In hospitals using automated data processing, indexes may be kept on punch cards or reproduced on sheets kept in books.

(c) Records of patients are the property of the hospital and shall not be taken from the facility except by court order. This does not preclude the routing of the patient's records, or portion thereof, including x-ray film, to physicians or dentists for consultation.

1. Only authorized personnel shall be permitted access to the patient's records.

2. Patient information shall be released only on authorization of the patient, the patient's guardian or the executor of his estate.

(d) Medical record contents shall be pertinent and current and shall include the following:

1. Identification data and signed consent forms, including name and address of next of kin, and of person or agency responsible for patient;

2. Date of admission and name of attending medical staff member;

3. Chief complaint;

4. Medical history including present illness, past history, family history and physical examination;

5. Report of special examinations or procedures, such as consultations, clinical laboratory tests, x-ray interpretations, EKG interpretations, etc.;

6. Provisional diagnosis or reason for admission;

7. Orders for diet, diagnostic tests, therapeutic procedures, and medications, including patient limitations, signed and dated by the medical staff member; and, if given verbally, undersigned by the medical staff member upon his next visit to hospital;

8. Medical, surgical and dental treatment notes and reports, signed and dated by a physician, or dentist when applicable, including records of all medication administered to the patient;

9. Complete surgical record signed by attending surgeon, or oral surgeon, to include anesthesia record signed by anesthesiologist or anesthesiologist, preoperative physical examination and diagnosis, description of operative procedures and findings, postoperative diagnosis, and tissue diagnosis by qualified pathologist on tissue surgically removed;

10. Physician's, or dentist's when applicable, progress notes and nurses' observations;

11. Record of temperature, pulse and respiration;

12. Final diagnosis using terminology in the current version of the International Classification of Diseases or the American Psychiatric Association's Diagnostic and Statistical Manual, as is applicable;

13. Discharge summary, including condition of patient on discharge, and date of discharge;

14. In case of death, autopsy findings, if performed; and

15. In the case of death, an indication that the patient has been evaluated for organ donation in accordance with hospital protocol.

(e) Records shall be indexed according to disease, operation, and attending medical staff member. For indexing, any recognized system may be used.

1. The disease and operative indices shall be

developed using a recognized nomenclature, and shall include each specific disease created and each operative procedure performed, and shall include all essential data on each patient having that particular condition;

2. The attending medical staff index shall include all patients attended or seen in consultation by each medical staff member;

3. Indexing shall be current, within six (6) months following discharge of the patient.

(12) Organ donation.

(a) The hospital shall establish and maintain a written organ procurement for transplant protocol, in consultation with an organ procurement agency, which encourages organ donation and identifies potential organ donors.

(b) In cases where an individual has died or death is imminent, the patient's attending physician shall determine, in accordance with the hospital's protocol, whether the patient is a potential organ/tissue donor.

(c) The hospital protocol shall include:

1. Criteria, developed in consultation with the organ procurement agency for identifying potential donors;

2. Procedures for obtaining consent for organ donation;

3. Procedures for the hospital administrator or his designee to notify the organ procurement agency of potential organ donors;

4. Procedures by which the patient's attending physician or designee in accordance with hospital protocol shall document in the patient's medical record that the organ procurement agency has been notified in the case of potential donors or contraindications to donation.

(d) No patient with impending or declared brain death and/or cardiopulmonary death as determined pursuant to KRS 446.400 should be considered as a potential donor if contraindications are identified and documented in the patient's medical record.

Section 4. Provision of Services. (1) Medical staff services.

(a) Medical care provided in the hospital shall be under the direction of a medical staff member in accordance with staff privileges granted by the governing authority.

(b) The attending medical staff member shall assume full responsibility for diagnosis and care of his/her patient. A physician, or other member of the medical staff if so designated in the hospital bylaws, shall conduct and record a complete history and physical examination for the patient within twenty-four (24) hours after admission to the hospital.

(c) The attending medical staff member shall state his final diagnosis, complete the discharge summary and sign the records within fifteen (15) days following the patient's discharge.

(d) Physician services shall be available twenty-four (24) hours a day on at least an on-call basis.

(e) There shall be sufficient medical staff coverage for all clinical services of the hospital in keeping with their size and scope of activity.

(2) Nursing service.

(a) The hospital shall have a nursing department organized to meet the nursing care needs of the patients and maintain established standards of nursing practice. A registered

nurse, preferably one who has a bachelor of science degree in nursing, shall serve as director of the nursing department.

(b) There shall be a registered nurse on duty at all times.

1. There shall be registered nurse supervision and staff nursing personnel for each service or nursing unit to insure the immediate availability of a registered nurse for all patients on a twenty-four (24) hour basis.

2. There shall be other nursing personnel in sufficient numbers to provide nursing care not requiring the service of a registered nurse.

3. There shall be additional registered nurses for surgical, obstetrical, emergency, and other services of the hospital in keeping with their size and scope of activity.

4. All persons not employed by the hospital who render special duty nursing services in the hospital shall be under the supervision of the nursing supervisor of the department or service concerned.

(c) The hospital shall have written nursing care procedures and written nursing care plans for patients. Patient care shall be carried out in accordance with attending medical staff member's orders, nursing care plans, and nursing care procedures.

1. Nursing care plans shall be developed for each patient and shall be kept current daily. Plans shall indicate long and short-term goals, nursing care needed, and methods, approaches and modifications necessary to insure best results for the patient.

2. A registered nurse shall assign staff and evaluate the nursing care of each patient in accordance with the patient's need and the nursing staff available.

3. Nursing notes shall be written and signed on each shift by persons rendering care to patients. The notes shall be descriptive of the nursing care given and shall include information and observations of significance which contribute to the continuity of patient care.

4. Medications shall be administered by a registered nurse, a physician, or dentist except in the case of a licensed practical nurse under the supervision of a registered nurse.

5. No medication or treatment shall be given without a written order signed by a physician or dentist, when applicable. Telephone orders for medications shall be given only to registered nurses or a pharmacist and signed by the medical staff member within twenty-four (24) hours from the time the order is given.

6. No form of patient restraint or protective device other than bed rails shall be used, except in an emergency until the attending medical staff member can be contacted, or upon written or telephone orders of the attending medical staff member. When such restraint is necessary, the least restrictive form of protective device shall be used which affords the patient the greatest possible degree of mobility and protection. In no case shall a locking restraint be used.

7. Meetings of the nursing staff and other nursing personnel shall be held at least monthly to discuss patient care, nursing service problems, and administrative policies. Written minutes of all meetings shall be kept.

(3) Dietary services.

(a) The hospital shall have a dietary department, organized, directed and staffed to provide quality food service and optimal

nutritional care.

1. The dietary department shall be directed on a full-time basis by an individual who by education or specialized training and experience is knowledgeable in food service management.

2. The dietary service shall have at least one (1) qualified dietitian or nutritionist, either full-time, part-time, or on a consultative basis, to supervise the nutritional aspects of patient care.

3. Sufficient additional personnel shall be employed to perform assigned duties to meet the dietary needs of all patients.

4. The dietary department shall have available for all dietary personnel current written policies and procedures for food storage, handling, and preparation.

5. An in-service training program, which shall include the proper handling of food, safety and personal grooming, shall be given at least quarterly for new dietary employees.

(b) Menus shall be planned, written and rotated to avoid repetition. Nutritional needs shall be met in accordance with recommended dietary allowances of the Food and Nutrition Board of the National Research Council of the National Academy of Sciences and in accordance with the medical staff member's orders.

(c) Meals shall correspond with the posted menu. When changes in menu are necessary, substitution shall provide equal nutritive value and the changes shall be recorded on the menu. Menus shall be kept on file for thirty (30) days.

(d) All diets, regular and therapeutic, shall be prescribed in writing, dated, and signed by the attending medical staff member. Information on the diet order shall be specific and complete and shall include the title of the diet, modifications in specific nutrients stating the amount to be allowed in the diet, and specific problems that may affect the diet or eating habits.

(e) Food shall be prepared by methods that conserve nutritive value, flavor, and appearance, and shall be served at the proper temperatures and in a form to meet individual needs (e.g., it shall be cut, chopped, or ground to meet individual patient needs).

(f) If a patient refuses foods served, nutritious substitutions shall be offered.

(g) At least three (3) meals or their equivalent shall be served daily with not more than a fifteen (15) hour span between a substantial evening meal and a breakfast unless otherwise directed by the attending medical staff member. Meals shall be served at regular times with between-meal or bedtime snacks of nourishing quality offered.

(h) There shall be at least a three (3) day supply of food available in the facility at all times to prepare well-balanced palatable meals for all patients.

(i) There shall be an identification system for patient trays, and methods used to assure that each patient receives the appropriate diet as ordered.

(j) The hospital shall comply with all applicable provisions of KRS 219.011 to KRS 219.081 and 902 KAR 45:005 (Kentucky's Food Service Establishment Act and Food Service Code).

(4) Laboratory services. The hospital shall have a well-organized, adequately supervised laboratory with the necessary space, facilities and equipment to perform those services commensurate with the hospital's needs for its

patients. Anatomical pathology services and blood bank services shall be available either in the hospital or by arrangement with other facilities.

(a) Clinical laboratory. Basic clinical laboratory services necessary for routine examinations shall be available regardless of the size, scope and nature of the hospital.

1. Equipment necessary to perform the basic tests shall be provided by the hospital.

2. All equipment shall be in good working order, routinely checked, and precise in terms of calibration.

3. Provision shall be made to carry out adequate clinical laboratory examinations including chemistry, microbiology, hematology, serology, and clinical microscopy.

a. Some of these services may be provided through arrangements with another licensed hospital which has the appropriate laboratory facilities, or with an independent laboratory licensed pursuant to KRS 333.030 and any regulations promulgated thereunder.

b. When work is performed by an outside laboratory, the original report from this laboratory shall be contained in the patient's medical record.

4. Laboratory facilities and services shall be available at all times.

a. Adequate provision shall be made to assure the availability of emergency laboratory services twenty-four (24) hours a day, seven (7) days a week, including holidays, either in the hospital or under arrangements as specified in paragraph (a)3a of this subsection.

b. Where services are provided by an outside laboratory, the conditions, procedures, and availability of such services shall be in writing and available in the hospital.

5. There shall be a clinical laboratory director and a sufficient number of supervisors, technologists and technicians to perform promptly and proficiently the tests requested of the laboratory. Laboratory services shall be under the direction of a pathologist on a full-time, regular part-time, or a consultative basis. The laboratory shall not perform procedures and tests which are outside the scope of training of the laboratory personnel.

6. Signed reports of all laboratory services provided shall be filed with the patient's medical record and duplicate copies kept in the department.

a. The laboratory report shall be signed by the technologist who performed the test.

b. There shall be a procedure for assuring that all requests for laboratory tests are ordered and signed by a medical staff member.

(b) Anatomical pathology. Anatomical pathology services shall be provided as indicated by the needs of the hospital either in the hospital or under arrangements as specified in paragraph (a)3a of this subsection.

1. Anatomical pathology services shall be under the direct supervision of a pathologist on a full-time, regular part-time or regular consultative basis. If the latter pertains, the hospital shall provide for at least monthly consultative visits by a pathologist.

2. The pathologist shall participate in staff, departmental and clinicopathologic conference.

3. The pathologist shall be responsible for establishing the qualifications of staff and for their inservice training.

4. With exceptions of those exclusions listed

in written policies of the medical staff, all tissues removed at surgery shall be macroscopically, and if necessary, microscopically examined by the pathologist.

a. A list of tissues which do not routinely require microscopic examination shall be developed in writing by the pathologist or designated physician with the approval of the medical staff.

b. A tissue file shall be maintained in the hospital.

c. In the absence of a pathologist, there shall be an established plan for sending to a pathologist outside the hospital all tissues requiring examination.

5. Signed reports of tissue examinations shall be promptly filed with the patient's medical record and duplicate copies kept in the department.

a. All reports of macro and microscopic examinations performed shall be signed by the pathologist.

b. Provision shall be made for the prompt filing of examination results in the patient's medical record and notification of the medical staff member requesting the examination.

c. Duplicate copies of the examination reports shall be filed in the laboratory in a manner which permits ready identification and accessibility.

(c) The laboratory shall meet the minimum proficiency testing and quality control provisions in accordance with Medicare certification requirements.

(d) Blood bank. Facilities for procurement, safekeeping and transfusion of blood and blood products shall be provided or be readily available.

1. The hospital shall maintain, as a minimum, proper blood storage facilities under adequate control and supervision of the pathologist or other authorized physician.

2. For emergency situations the hospital shall maintain at least a minimum blood supply in the hospital at all times, shall be able to obtain blood quickly from community blood banks or institutions, or shall have an up-to-date list of donors and equipment necessary to bleed them.

3. If the hospital utilizes outside blood banks, there shall be a written agreement governing the procurement, transfer and availability of blood.

4. There shall be a provision for prompt blood typing and cross-matching and for laboratory investigation of transfusion reactions, either through the hospital or by arrangements with others on a continuous basis, under the supervision of a physician.

5. Blood storage facilities in the hospital shall have an adequate alarm system, which shall be regularly inspected and tested and is otherwise safe and adequate.

6. Records shall be kept on file indicating the receipt and disposition of all blood provided to patients in the hospital.

7. A committee of the medical staff or its equivalent shall review all transfusions of blood or blood derivatives and shall make recommendations concerning policies governing such practices.

8. Samples of each unit of blood used at the hospital shall be retained, according to the instructions of the committee indicated in subparagraph 7 of this paragraph, for further testing in the event of reactions. Blood not so



retained which has exceeded its expiration date shall be disposed of promptly.

9. The review committee shall investigate all transfusion reactions occurring in the hospital and shall make recommendations to the medical staff regarding improvements in transfusion procedures.

(5) Pharmaceutical services.

(a) The hospital shall have adequate provisions for the handling, storing, recording, and distributing of pharmaceuticals in accordance with state and federal laws and regulations.

1. A hospital which maintains a pharmacy for the compounding and dispensing of drugs shall provide pharmaceutical services under the supervision of a registered pharmacist on a full-time or part-time basis, according to the size and demands of the hospital.

a. The pharmacist shall be responsible for supervising and coordinating all the activities of the pharmacy department.

b. Additional personnel competent in their respective duties shall be provided in keeping with the size and activity of the department.

2. Hospitals not maintaining a pharmacy shall have a drug room utilized only for the storage and distribution of drugs, drug supplies and equipment. Prescription medications shall be dispensed by a registered pharmacist elsewhere. The drug room shall be operated under the supervision of a pharmacist employed at least on a consultative basis.

a. The consulting pharmacist shall assist in drawing up correct procedures, rules for the distribution of drugs, and shall visit the hospital on a regularly scheduled basis in the course of his duties.

b. The drug room shall be kept locked and the key shall be in the possession of a responsible person on the premises designated by the administrator.

(b) Records shall be kept of the transactions of the pharmacy or drug room and correlated with other hospital records where indicated.

1. In accordance with accounting procedures of the hospital, the pharmacy shall establish and maintain a system of records and bookkeeping in accordance with policies of the hospital for maintaining adequate control over the requisitioning and dispensing of all drugs and drug supplies and charging patients for drugs and pharmaceutical supplies.

2. A record of the stock on hand and of the dispensing of all controlled substances shall be maintained in such a manner that the disposition of any particular item may be readily traced.

(c) The medical staff in cooperation with the pharmacist and other disciplines, as necessary, shall develop policies and procedures that govern the safe administration of drugs, including:

1. The administration of medications only upon the order of an individual who has been assigned clinical privileges or who is an authorized member of the house staff;

2. Review of the physician's, or dentist's when applicable, original order, or a direct copy by the pharmacist dispensing the drugs;

3. The establishment and enforcement of automatic stop orders;

4. Proper accounting for and disposition of unused medications or special prescriptions returned to the pharmacy as a result of patient being discharged, or when such

medications/prescriptions do not meet sterile and label requirements;

5. Provision for emergency pharmaceutical services; and

6. Provision for reporting adverse medication reactions to the appropriate committee of the medical staff.

(d) Therapeutic ingredients of medications dispensed shall be included in the United States Pharmacopoeia, National Formulary, United States Homeopath-Pharmacopoeia, New Drugs, or Accepted Dental Remedies (except for any drugs unfavorably evaluated therein), or shall be approved for use by the appropriate committee of the medical staff.

1. A pharmacist shall be responsible for determining specifications and choosing acceptable sources for all drugs, with approval of the appropriate committee of the medical staff.

2. There shall be available a formulary or list of drugs accepted for use in the hospital which shall be developed and amended at regular intervals by the appropriate committee of the medical staff.

(6) Radiology services.

(a) The hospital shall have diagnostic radiology facilities. The radiology service shall have a current license or registration pursuant to KRS 211.842 to 211.852 and any regulations promulgated thereunder.

1. The hospital shall provide at least one (1) fixed diagnostic x-ray unit which is capable of general x-ray procedures.

2. The hospital shall have a radiologist on at least a consulting basis to function as medical director of the department and to interpret films that require specialized knowledge for accurate reading.

3. Personnel adequate to supervise and conduct the services shall be provided, and at least one (1) certified radiation operator shall be on duty or on call at all times.

(b) There shall be written policies and procedures governing radiologic services and administrative routines that support sound radiologic practices.

1. Signed reports shall be filed in the patient's record and duplicate copies kept in the department.

2. Radiologic services shall be performed only upon written order of a physician or dentist, and the order shall contain a concise statement of the reason for the service/examination.

3. Reports of interpretations shall be written or dictated and signed by the radiologist.

4. The use of all x-ray apparatus shall be limited to certified radiation operators, under the direction of medical staff members as necessary. The same limitation shall apply to personnel applying and removing radium element, its disintegration products, and radioactive isotopes.

(c) The radiology department shall be free of hazards for patients and personnel. Proper safety precautions shall be maintained against fire and explosion hazards, electrical hazards and radiation hazards.

(7) Physical restoration/rehabilitation service.

(a) Hospitals in which physical restoration/rehabilitation services are available shall provide individualized techniques required to achieve maximum physical function normal to the patient while preventing



unnecessary debilitation and immobilization.

(b) Written policies and procedures shall be developed for each rehabilitation service provided.

(c) A member of the medical staff shall be designated to have responsibility for coordinating the restorative services provided to the patients in accordance with their needs.

(d) Equipment for physical therapy shall be adequate to meet the needs of the service and shall be in good condition.

(e) Physical therapy services shall be provided only upon written orders of a medical staff member.

(f) Physical therapy services shall be provided by or under the supervision of a licensed physical therapist, on a full-time, part-time or consultative basis.

(g) Complete therapy reports shall be maintained for each patient provided such services. The reports shall be signed by the therapist who prepared it and shall be a part of the patient's medical record.

(8) Emergency services.

(a) Every hospital shall have procedures for taking care of the emergency patient with at least a registered nurse on duty to evaluate the patient and a physician on call.

(b) If the facility has an organized emergency department/service, policies and an emergency care procedures manual governing medical and nursing care provided in the emergency room shall be established by and be a continuing responsibility of the medical staff.

1. The emergency service shall be under the direction of a licensed physician. Medical staff members shall be available at all times for the emergency service, either on duty or on call. Current schedules and telephone numbers shall be posted in the emergency room.

2. Nursing personnel shall be assigned to, or designated to cover, the emergency service at all times.

3. Facilities shall be provided to assure prompt diagnosis and emergency treatment. A specific area of the hospital shall be utilized for patients requiring emergency care on arrival. The emergency area shall be located in close proximity to an exterior entrance of the facility and shall be independent of the operating room suite.

4. Diagnostic and treatment equipment, drugs, and supplies shall be readily available for the provision of emergency services and shall be adequate in terms of the scope of services provided.

5. Adequate medical records shall be kept on every patient seen in the emergency room. These records shall be under the supervision of the Medical Record Service and, where appropriate, shall be integrated with inpatient and outpatient records. Emergency room records shall include at least:

a. A log book listing chronologically the patient visits to the emergency room including patient identification, means of arrival and person(s) transporting patient, and time of arrival;

b. History of present complaint and physical findings;

c. Laboratory and x-ray reports, where applicable;

d. Diagnosis;

e. Treatment ordered and details of treatment provided;

f. Patient disposition;

g. Record of all referrals;

h. Instructions to the patient and/or family for those not admitted to the hospital; and

i. Signatures of attending medical staff member, and nurse when applicable.

(9) Outpatient services.

(a) A hospital which has an organized outpatient department shall have written policies and procedures relating to the staff, functions of service, and outpatient medical records.

(b) The outpatient department shall be organized in sections (clinics), the number of which shall depend on the size and degree of departmentalization of the medical staff, the available facilities, and the needs of the patient it serves.

(c) The outpatient department shall have appropriate cooperative arrangements and communications with community agencies such as home health agencies, the local health department, social and welfare agencies, and other outpatient departments.

(d) Services offered by the outpatient department shall be under the direction of a physician who is a member of the medical staff.

1. A registered nurse shall be responsible for the nursing services of the department.

2. The number and type of other personnel employed shall be determined by the volume and type of services provided and type of patient served in the outpatient department.

(e) Necessary laboratory and other diagnostic tests shall be available either through the hospital or a laboratory in another licensed hospital or a laboratory licensed pursuant to KRS 333.030 and any regulations promulgated thereunder.

(f) Medical records shall be maintained and, where appropriate, coordinated with other hospital medical records.

1. The outpatient medical record shall be filed in a location which insures ready accessibility to the medical staff members, nurses, and other personnel of the outpatient department.

2. Information in the medical record shall be complete and sufficiently detailed relative to the patient's history, physical examination, laboratory and other diagnostic tests, diagnosis, and treatment to facilitate continuity of care.

(10) Surgery services.

(a) Hospitals in which surgery is performed shall have an operating room(s) and a recovery room supervised by a registered nurse qualified by training, experience and ability to direct surgical nursing care.

1. Sufficient surgical equipment including suction facilities and instruments in good repair shall be provided to assure safe and aseptic treatment of all surgical cases.

2. When flammable anesthetics are used, precautions shall be taken to eliminate hazards of explosions, including use of shoes with conductive soles and prohibition of garments or other items of silk, wool, or synthetic fibers which accumulate static electricity.

(b) There shall be effective policies and procedures regarding surgical staff privileges, functions of the service, and evaluation of the surgical patient.

1. Surgical privileges shall be delineated for all members of the medical staff doing surgery

in accordance with the competencies of each, and a roster shall be maintained.

2. Except in emergencies, a surgical operation or other hazardous procedures shall be performed only on written consent of the patient or his legal representative.

3. The operating room register shall be complete and up to date. It shall include the patient's name; hospital room number; preoperative and postoperative diagnosis; complications, if any; names of surgeon, first assistant, anesthesiologist or anesthetist, scrub and circulating nurse; operation performed; and type of anesthesia.

4. There shall be a complete history and physical work-up in the chart of every patient prior to surgery. If such has been transcribed but not yet recorded in the patient's chart, there shall be a statement to that effect and an admission note by the attending medical staff member in the chart. The chart of the patient shall accompany him to the operating suite and shall be returned to the patient's floor or room after the operation.

5. An operative report describing the techniques and findings shall be written or dictated immediately following surgery and signed by the surgeon.

6. All tissues removed by surgery shall be placed in suitable solutions, properly labeled, and submitted to the pathologist for macroscopic and, if necessary, microscopic examinations.

7. All infections of clean surgical cases shall be recorded and reported to the appropriate committee of the medical staff. A procedure shall exist for the investigation of such cases.

(c) Rules and policies related to the operating rooms shall be available and posted.

(11) Anesthesia services.

(a) The hospital which provides surgical or obstetrical services shall have anesthesia services available, and these services shall be organized under written policies and procedures regarding staff privileges, the administration of anesthetics, and the maintenance of safety controls.

(b) A physician member of the medical staff shall be the medical director of anesthesia services. Whenever possible, the director shall be a physician specializing in anesthesiology.

(c) If anesthetics are not administered by an anesthesiologist, the medical staff shall designate a medical staff anesthetist or a registered nurse anesthetist qualified to administer anesthetics under the supervision of the operating surgeon.

(d) Every patient requiring anesthesia services shall have a pre-anesthetic physical examination by a medical staff member with findings recorded within forty-eight (48) hours of surgery, an anesthetic record on a special form, a post-anesthetic follow-up, with findings recorded by the anesthesiologist, medical staff anesthetist, or nurse anesthetist.

(e) The post-anesthetic follow-up note shall be written within three (3) to twenty-four (24) hours after the procedures which required anesthesia. This note shall include a record of blood pressure, pulse, presence or absence of the swallowing reflex and cyanosis, any postoperative abnormalities or complications, and the general condition of the patient.

(12) Obstetrics service.

(a) Hospitals providing obstetrical care of

patients shall have adequate space, necessary equipment and supplies, and a sufficient number of nursing personnel to assure safe and aseptic treatment of mothers and newborns and provide protection from infection and cross-infection.

1. The obstetrics service shall be under the medical direction of a physician and under the supervision of a registered nurse qualified by training, experience, and ability to direct effective obstetrical and newborn nursing care. In hospitals where the obstetrical caseload does not justify a separate nursing staff, obstetrical nurses shall be designated and shall be oriented to the specific needs of obstetrical patients.

2. A registered nurse shall be on duty in the labor and delivery unit whenever any patient is in the unit. Each obstetrics patient shall be kept under close observation by professional personnel during the period of recovery after delivery, whether in the delivery room or in a recovery area, until she is transferred to the maternity unit.

3. An on-call schedule or other suitable arrangement shall be provided to ensure that a physician who is experienced in obstetrics is readily available for consultation and obstetrical emergencies.

4. Provisions shall be made for the care of patients in labor with adequately equipped labor rooms.

(b) An adequate supply of prophylaxis for the prevention of infant blindness shall be kept on hand and administered before the infant is removed from the delivery room.

(c) The hospital shall comply with the provisions of KRS 214.155 and 902 KAR 4:030 in administering tests for inborn errors of metabolism to infants.

(d) There shall be an acceptable method and procedure for the positive associative identification of the mother and infant. This shall be done in the delivery room at the time of birth and shall remain in place during the entire period of hospitalization.

(e) An up-to-date register book of all deliveries shall be maintained containing the following information:

1. Infant's full name, sex, date, time of birth and weight;

2. Mother's full name, including maiden name, address, birthplace and age at time of this birth;

3. Father's full name, birthplace, age at time of this birth; and

4. Full name of attending physician or nurse midwife.

(f) Each hospital providing maternity service shall provide a nursery which shall not be used for any other purpose. Specific routines for daily care of infants and their environment shall be prepared in writing and posted in the nursery workroom.

(g) A policy shall be established for deliveries occurring outside the delivery room and for patients who are infectious.

(h) Written policies and procedures shall be developed to cover alternative use of obstetrical beds.

(13) Pediatric services.

(a) Hospitals providing pediatric care shall have proper facilities for the care of children apart from the newborn and maternity nursing services. If there is not a separate area permanently designated as the pediatric unit,

there shall be an area within an adult care unit for pediatric patient care. There shall be available beds and other equipment which are appropriate in size for pediatric patients.

(b) There shall be proper facilities and procedures for the isolation of children with infectious, contagious or communicable conditions. At least one (1) patient room shall be available for isolation use.

(c) A physician with pediatric experience shall be on call at all times for the care of pediatric patients.

(d) Pediatric nursing care shall be under the supervision of a registered nurse qualified by training, experience and ability to direct effective pediatric nursing. All nursing personnel assigned to pediatric service shall be oriented to the special care of children.

(e) Policies shall be established to cover conditions under which parents may stay with small children or "room-in" with their hospitalized child for moral support and assistance with care.

(14) Psychiatric services. Hospitals which have a psychiatric unit shall designate the location and number of beds to be licensed as psychiatric beds and meet the requirements of psychiatric hospitals operations and services, licensure regulation.

(15) Chemical dependency treatment services. Hospitals providing chemical dependency treatment services shall meet the requirements of 902 KAR 20:160, Chemical dependency treatment services and facility specifications, Section 3, Administrative and Operation and Section 4, Provision of Services, and designate location and the number of beds to be used for this purpose.

(16) Medical library.

(a) The hospital shall maintain appropriate medical library services according to the professional and technical needs of hospital personnel.

(b) The medical library shall be in a location accessible to the professional staff, and its contents shall be organized and available at all times to the medical and nursing staffs.

WILLIAM M. GARDNER, Inspector General

E. AUSTIN, JR., Secretary

APPROVED BY AGENCY: November 24, 1986

FILED WITH LRC: December 12, 1986 at 11 a.m.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for January 21, 1987, at 9 a.m. in the Vital Statistics Conference Room, 1st Floor, Cabinet for Human Resources, 275 East Main Street, Frankfort, Kentucky. However, this hearing will be cancelled unless interested persons notify the following office in writing by January 16, 1987 of their desire to appear and testify at the hearing: Ryan Halloran, General Counsel, Cabinet for Human Resources, 275 East Main Street, Frankfort, Kentucky 40621.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Delano Miller

(1) Type and number of entities affected: All hospitals/all long term care/All ICF/MRDO.

(a) Direct and indirect costs or savings to those affected: Reducing the number of months that Isonazid must be given from one (1) year to six (6) months and allowing for more flexibility in initial testing and standardizing the testing

procedure, will reduce the overall costs associated with combating tuberculosis.

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs (note any effects upon competition): N/A

(b) Reporting and paperwork requirements:

(2) Effects on the promulgating administrative body: None

(a) Direct and indirect costs or savings: Overall cost savings to facilities due to a decrease in the number of skin tests required.

1. First year: None

2. Continuing costs or savings: None

3. Additional factors increasing or decreasing costs: None

(b) Reporting and paperwork requirements: None

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: The regulations, as they stand, do not reflect current medical practice.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict: Not in conflict.

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments:

TIERING: Was tiering applied? No. These are licensure standards. All services are required to meet the same standards.

#### FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate: There are no federal standards relating to tuberculosis testing.

2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: None (see above).

3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: The proposed amendment reduces the amount of time a tuberculosis patient must receive Isonazid therapy from one (1) year to six (6) months, provides for more flexibility in terms of timing of individual testing, and waives the testing requirement upon admission for those persons who have been tested no more than three (3) months prior to their admission to a facility.

#### CABINET FOR HUMAN RESOURCES Office of the Inspector General (Proposed Amendment)

902 KAR 20:086. Operation and services; intermediate care facilities for the mentally retarded and developmentally disabled.

RELATES TO: KRS 216B.010 to 216B.130, 216B.990(1)(2), 222.210 et. seq.

PURSUANT TO: KRS 216B.040, 216B.105, Executive Order 86-366

NECESSITY AND FUNCTION: KRS 216B.040 mandates that the Kentucky Health Facilities and Health

Services Certificate of Need and Licensure Board regulate health facilities and health services. Executive Order 86-366 transferred the authority to regulate health services and health facilities from the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board to the Office of the Inspector General. This regulation provides for the licensure requirements for the operation and services of Intermediate Care Facilities for the Mentally Retarded/Developmentally Disabled (MR/DD).

Section 1. Scope of Operation and Services. Intermediate care facilities for mentally retarded and developmentally disabled persons provide services for all age groups on a twenty-four (24) hour basis, seven (7) days a week, in an establishment with permanent facilities including resident beds for persons whose mental or physical condition requires developmental nursing services along with a planned program of active treatment. The facility provides special programs as indicated by individual care plans to maximize the resident's mental, physical, and social development in accordance with the normalization principle. The Intermediate Care Facilities for the Mentally Retarded and Developmentally Disabled must comply with the facility specifications for Intermediate Care Facilities, 902 KAR 20:056.

Section 2. Definitions. (1) "Active treatment" means daily participation, in accordance with an individual plan of care and service, in activities, experiences, or therapy which are part of a professionally developed and supervised program of health, social and/or rehabilitative services offered by or procured by contract or other written agreement by the institution for its residents.

(2) "Administrator" means a person who is licensed as a nursing home administrator pursuant to KRS 216A.080.

(3) "Aversive stimuli" means things or events that the resident finds unpleasant or painful that are used to immediately discourage undesired behavior.

(4) "Commission [Board]" means the Commission on Health Economics Control in Kentucky [Health Facilities and Health Services Certificate of Need and Licensure Board].

(5) "Developmental disability" means a severe chronic disability which is attributable to a mental or physical impairment or combination of mental and physical impairments manifested before the person attains the age of twenty-two (22) and is likely to continue indefinitely. This disability results in substantial limitations in three (3) or more areas of major life activity including self-care, receptive and expressive language, learning, self direction, mobility, capacity for independent living and economic sufficiency and requires individually planned and coordinated services of a lifelong or extended duration.

(6) "Developmental nursing services" means treatment of a person's developmental needs by designing interventions to modify the rate and/or direction of the individual's development especially in the areas of self-help skills, personal hygiene, and sex education while also meeting his physical and medical needs.

(7) "Facility" means an Intermediate Care

Facility for the Mentally Retarded and the Developmentally Disabled (MR/DD).

(8) "Induration" means a firm area in the skin which develops as a reaction to injected tuberculosis proteins when a person has tuberculosis infection. The diameter of the firm area is measured to the nearest millimeter to gauge the degree of reaction. A reaction of ten (10) millimeters or more of induration is considered highly indicative of tuberculosis infection.

(9) "Interdisciplinary team" means the group of persons responsible for the diagnosis, evaluation and individualized program planning and service implementation for the resident. The team is composed of relevant professionals, and may include the resident, the resident's family, or the guardian.

(10) "License" means an authorization issued by the commission [board] for the purpose of offering intermediate care MR/DD services.

(11) "MR/DD" means the mentally retarded and the developmentally disabled persons.

(12) "Normalization principle" is the utilization of means which are as culturally normative as possible in order to establish and maintain personal behavior and characteristics which are as culturally normative as possible.

(13) "Qualified dietitian or nutritionist" means:

(a) A person who has a bachelor of science degree in foods and nutrition, food service management, institutional management or related services and has successfully completed a dietetic internship or coordinated undergraduate program accredited by the American Dietetic Association (ADA) and is a member of the ADA or is registered as a dietitian by ADA; or

(b) A person who has a masters degree in nutrition and is a member of the ADA or is eligible for registration by ADA; or

(c) A person who has a bachelor of science degree in home economics and three (3) years of work experience with a registered dietitian.

(14) "Qualified occupational therapist" means a graduate of a program of occupational therapy approved by the Council on Medical Education of the American Medical Association and licensed in the state, if required.

(15) "Qualified speech pathologist or audiologist" means a person who is licensed pursuant to KRS Chapter 334A who has been granted a certificate of clinical competence in the American Speech and Hearing Association or who has completed the equivalent education and experimental requirements for such a certificate.

(16) "Qualified social worker" means a person who is licensed or exempt from licensure pursuant to KRS Chapter 335 with bachelor's degree in social work from an accredited program or a bachelor's degree in a field other than social work and at least three (3) years of social work experience under the supervision of a qualified social worker.

(17) "A qualified mental retardation professional" means a person who has specialized training or one (1) year of experience in treating or working with the mentally retarded and/or developmental disabilities and is one (1) of the following:

(a) A psychologist with a master's degree from an accredited program;

(b) A licensed physician;

(c) A educator with a degree in education from an accredited program;

(d) A social worker who is licensed or exempt from licensure pursuant to KRS Chapter 335 with a bachelor's degree in:

1. Social work from an accredited program; or
2. A field other than social work and at least three (3) years of social work experience under the supervision of a qualified social workers;

(e) A physical or occupational therapist who is a graduate of a program of physical or occupational therapy approved by the Council on Medical Education of the American Medical Association.

(f) A speech pathologist or audiologist who is licensed pursuant to KRS Chapter 334A who has been granted a certificate of clinical competence in the American Speech and Hearing Association or who has completed the equivalent educational and experimental requirements for such a certificate;

(g) A registered nurse;

(h) A therapeutic recreation specialist who is graduate of an accredited program and is licensed in the state, if required, or who has:

1. A bachelor's degree in recreation, or in a speciality area, such as art, music, or physical education; or
2. An associate degree in recreation and one (1) year of experience in recreation; or
3. A high school diploma, or an equivalency certificate; and
- a. Two (2) years of experience in recreation; or

b. One (1) year of experience in recreation plus completion of comprehensive inservice training in recreation; or

4. Demonstrated proficiency and experience in conducting activities in one (1) or more recreation program areas; or

(i) A "rehabilitation/counselor" who is certified by the Committee on Rehabilitation Counselor Certification.

(18) "Restraint" means any chemical agent or any physical or mechanical device used to restrict the movement of an individual or the movement or normal function of a portion of the individual's body, excluding only those devices used to provide support for the achievement of functional body position or proper balance (such as positioning chairs) and devices used for specific medical and surgical (as distinguished from behavioral) treatment.

(19) "Seclusion" means the retention of a resident alone in a locked room.

(20) "Skin test" means a tuberculin skin test utilizing the intradermal (Mantoux) technique using five (5) tuberculin units of purified protein derivative (PPD). The results of the test must be read forty-eight (48) to seventy-two (72) hours after injection and recorded in terms of millimeters of induration.

(21) "Two (2) step skin testing" means a series of two (2) tuberculin skin tests administered seven (7) to fourteen (14) days apart.

(22) "Time out" means a procedure which involves removing the person from a reinforcing situation, for a period of time when the person engages in a specified inappropriate behavior.

Section 3. Administration and Operation. (1) Licensee. The licensee shall be legally responsible for the facility and for compliance with federal, state and local laws and regulations pertaining to the operation of the facility.

(2) Administrator. All facilities shall have an administrator who is responsible for the operation of the facility and delegating such responsibility in his absence. The administrator shall not be the nursing services supervisor.

(3) Contracted Services. The licensee shall contract for professional and supportive services not available in the facility as dictated by the needs of the residents. The contract shall be in writing.

(4) Administrative records.

(a) The facility shall maintain a bound, permanent, chronological resident registry showing date of admission, name of resident and date of discharge.

(b) The facility shall require and maintain written recommendations or comments from consultants regarding the program and its development on a per visit basis.

(c) Menu and food purchase records shall be maintained.

(d) A written report of any incident or accident involving a resident (including medication errors or drug reactions), visitor or staff shall be made and signed by the administrator or nursing services supervisor, and any staff member who witnessed the incident. The report shall be filed in an incident file.

(5) Policies. The facility shall establish written policies and procedures that govern all services provided by the facility. The written policies shall include:

(a) Services including medical, nursing, habilitation, pharmaceutical (including medication stop orders policy), and residential services;

(b) Adult and Child Protection. The facility shall have written policies which assure the reporting of cases of abuse, neglect or exploitation of adults and children to the Department for Human Resources pursuant to KRS Chapter 209 and 199.335;

(c) Use of restraints. The facility shall have a written policy that defines the use of restraints and supportive devices and a mechanism for monitoring and controlling their use; and

(d) Missing resident procedures. The facility shall have a written procedure to specify in a step-by-step manner the actions which shall be taken by staff when a resident is determined to be lost, unaccounted for or other unauthorized absence.

(6) Patient rights. Patient rights shall be provided for pursuant to KRS 216.510 to 216.525.

(7) Admission.

(a) Patients shall be admitted only upon the approval of a physician. The facility shall admit only persons who have a physical or mental condition which requires developmental nursing services and a planned program of active treatment.

(b) The interdisciplinary team shall consist of a physician, a psychologist, a registered nurse, a social worker and other professionals, at least one of whom is a qualified mental retardation professional. The interdisciplinary team shall:

1. Conduct a comprehensive evaluation of the individual, not more than three (3) months before admission, covering physical, emotional, social, and cognitive factors; and

2. Prior to admission define the need for service without regard to availability of those services. The team shall review all available

and applicable programs of care, treatment, and training and record its findings.

(c) If admission is not the best plan but the individual must be admitted nevertheless, the facility shall clearly acknowledge that the admission is inappropriate and initiate plans to actively explore alternatives;

(d) Before admission, the resident and a responsible member of his family or committee shall be informed in writing of the established policies of the facility and fees, reimbursement, visitation rights during serious illness, visiting hours, type of diets offered and services offered; and

(e) The facility shall provide and maintain a system for identifying each resident's personal property and facilities for safekeeping of his declared valuables. Each resident's clothing and other property shall be reserved for his own use.

(8) Discharge planning. Prior to discharge the facility shall have a postinstitutional plan which identifies the residential setting and support services which would enable the resident to live in a less restrictive alternative to the current setting. Before a resident is released, the facility shall:

(a) Offer counseling to parents or guardians who requests the release of a resident concerning the advantages and disadvantages of the release;

(b) Plan for release of the resident, to assure that appropriate services are available in the resident's new environment, including protective supervision and other followup services; and

(c) Prepare and place in the resident's record a summary of findings, progress, and plans.

(9) Transfer procedures and agreements.

(a) The facility shall have written transfer procedures and agreements for the transfer of residents to other health care facilities which can provide a level of health care not provided by the facility. Any facility which does not have a transfer agreement in effect but which documents a good faith attempt to enter into an agreement shall be considered to be in compliance with the licensure requirement. The transfer procedures and agreements shall specify the responsibilities each institution assumes in the transfer of resident, and shall establish responsibility for notifying the other institution promptly of the impending transfer of a resident and shall arrange for appropriate and safe transportation.

(b) When the resident's condition exceeds the scope of services of the facility, the resident, upon physician's orders (except in cases of emergency), shall be transferred promptly to a hospital or a skilled nursing facility, or services shall be contracted for from another community resource.

(c) When changes and progress occur which would enable the resident to function in a less structured and restrictive environment, and the less restrictive environment cannot be offered at the facility, the facility shall offer assistance in making arrangements for residents to be transferred to facilities providing appropriate services.

(d) Except in an emergency, the resident, his next of kin, or guardian, if any, and the attending physician shall be consulted in advance of the transfer or discharge of any resident.

(e) When a transfer is to another level of

care within the same facility, the complete medical record or a current summary thereof shall be transferred with the resident.

(f) If the resident is transferred to another health care facility or other community resource, a transfer form shall accompany the resident. The transfer form shall include at least: physician's orders (if available), current information relative to diagnosis with a history of problems requiring special care, a summary of the course of prior treatment, special supplies or equipment needed for resident care, and pertinent social information on the resident and family.

(10) Medical Records.

(a) The facility shall maintain a record for each resident for:

1. Planning and continuous evaluation of the resident's habilitation program;

2. Furnishing documentary evidence of each resident's progress and response to his habilitation program; and

3. Protecting the rights of the residents, the facility and the staff.

(b) All entries in the resident's record shall be legible, dated and signed.

(c) At the time a resident is admitted, the facility must enter in the individual's record the following information:

1. Name, date of admission, birth date and place, citizenship status, marital status, and social security number;

2. Father's name and birthplace, mother's maiden name and birthplace, and parents' marital status;

3. Name and address of parents, legal guardian, and next of kin if needed;

4. Sex, race, height, weight, color of hair, color of eyes, identifying marks, and recent photograph;

5. Reason for admission or referral problem;

6. Type and legal status of admission;

7. Legal competency status;

8. Language spoken or understood;

9. Sources of support, including social security, veterans' benefits, and insurance;

10. Religious affiliation, if any;

11. Reports of the preadmission evaluations; and

12. Reports of previous histories and evaluations, if any.

(d) Within one (1) month after the admission of each resident, the ICF/MR must enter the following in the resident's record:

1. A report of the review and updating of the preadmission evaluation;

2. A prognosis that can be used for programming and placement; and

3. A comprehensive evaluation and individual program plan, designed by an interdisciplinary team.

(e) The facility must enter the following information in a resident's record during his residence:

1. Reports of accidents, seizures, illnesses, and treatments for these conditions;

2. Records of immunizations;

3. Records of all time periods that restraints were used, with justification and authorization for each;

4. Reports of regular, at least annual, review and evaluation of the program, developmental progress, and status of each resident;

5. Observations of the resident's response to his program to enable evaluation of its

effectiveness;

6. Records of significant behavior incidents;
7. Records of family visits and contacts;
8. Records of attendance and absences;
9. Correspondence pertaining to the resident;
10. Periodic updates of the information recorded at the time of admission; and
11. Appropriate authorizations and consent.

(f) The ICF/MR must enter a discharge summary in the resident's record at the time he is discharged.

(11) Personnel.

(a) Job descriptions: Written job descriptions shall be developed for each category of personnel, to include qualifications, lines of authority and specific duty assignments.

(b) Employee records: Current employee records shall be maintained and shall include a resume of each employee's training and experience, evidence of current licensure or registration where required by law, health records, records of inservice training and ongoing education, and the employee's name, address and social security number.

(c) Staffing requirements. The facility shall have adequate personnel to meet the needs of the residents on a twenty-four (24) hour basis. The number and classification of personnel required shall be based on the number of residents, the amount and the kind of personal care, nursing care, supervision and program needed to meet the needs of the resident as determined by the interdisciplinary team, and the services required by this regulation.

(d) The licensee shall have a qualified mental retardation professional who is responsible for:

1. Supervising the delivery of each resident's individual plan of care;
2. Supervising the delivery of training and habilitation services;
3. Integrating the various aspects of the facility program;
4. Recording each resident's progress; and
5. Initiating a periodic review of each individual plan of care for necessary changes.

(e) Each resident living unit, regardless of organization or design, must have, as a minimum, overall staff-resident ratios (allowing for a five (5) day work week plus holiday, vacation, and sick time) as follows unless program needs justify otherwise:

1. For units serving children under the age of six (6) years, severely and profoundly retarded, severely physically handicapped, or residents who are aggressive, assaultive, or security risks, or who manifest severely hyperactive or psychotic-like behavior, the overall ratio is one (1) to two (2);

2. For units serving moderately retarded residents requiring habit training, the overall ratio is one (1) to two and five tenths (2.5); and

3. For units serving residents in vocational training programs and adults who work in sheltered employment situations, the overall ratio is one (1) to five (5).

(f) When the staff/resident ratio does not meet the needs of the residents, the Division for Licensing and Regulation shall determine and inform the administrator in writing how many additional personnel are to be added and of what job classification and shall give the basis for this determination.

(g) A responsible staff member shall be on duty and awake at all times to assure prompt,

appropriate action in case of injury, illness, or fire or other emergencies.

(h) Volunteers shall not be counted to make up minimum staffing requirements.

(i) Supervision of nursing services shall be by a registered nurse or licensed practical nurse employed on the day shift seven (7) days per week. The supervisor shall have training and experience in the field of developmental disabilities and mental retardation. When a licensed practical nurse serves as the supervisor, consultation shall be provided by a registered nurse preferably with a baccalaureate degree, at regular intervals, not less than four (4) hours weekly. The responsibilities of the nursing services supervisor shall include:

1. Developing and maintaining nursing service objectives, standards of nursing practice, nursing procedure manuals, and written job description for each level of nursing personnel; and

2. Nursing service personnel at all levels of experience and competence shall be assigned responsibilities in accordance with their qualifications, delegate authority commensurate with their responsibility, and provide appropriate professional nursing supervision.

3. Participate in the development and implementation of resident care policies.

(j) The facility shall retain a licensed pharmacist on a full-time, part-time or consultant basis to direct pharmaceutical services.

(k) Each facility shall have a full-time person designated by the administrator, responsible for the total food service operation of the facility and on duty a minimum of thirty-five (35) hours each week.

(l) Supportive personnel, consultants, assistants and volunteers shall be supervised and shall function within the policies and procedures of the facility.

(m) Health requirements. No employee contracting an infectious disease shall appear at work until the infectious disease can no longer be transmitted. The facility shall comply with the following tuberculosis testing requirements:

1. The skin test status of all staff members shall be documented in the employee's personnel record. A skin test shall be initiated on all new staff members before or during the first week of employment and the results shall be documented in the employee's personnel record within the first month of employment. No skin testing is required at the time of initial employment if the employee documents a prior skin test of ten (10) or more millimeters of induration or if the employee is currently receiving or has completed six (6) months [one (1) year] of prophylactic therapy or a course of multiple-drug chemotherapy for tuberculosis. Two (2) step skin testing is required for new employees over age forty-five (45) whose initial test shows less than ten (10) millimeters of induration, unless they can document that they have had tuberculosis skin test within one (1) year prior to their current employment. All staff who have never had a skin test of ten (10) or more millimeters induration must be skin tested annually on or before [within two (2) weeks before or after] the anniversary of their last skin test.

2. All staff who are found to have a skin test of ten (10) or more millimeters induration, on



initial employment testing or annual testing, must receive a chest x-ray unless a chest x-ray within the previous two (2) months showed no evidence of tuberculosis or the individual can document the previous completion of a course of prophylactic treatment with isoniazid. Such employees shall be advised of the symptoms of the disease and instructed to report to their employer and seek medical attention promptly, if symptoms persist.

3. The administrator shall be responsible for ensuring that all skin tests and chest x-rays are done in accordance with paragraphs 1 and 2 of this subsection. All skin testing dates and results and all chest x-ray reports shall be recorded as a permanent part of the personnel record.

4. The following shall be reported by the administrator to the local health department having jurisdiction immediately upon becoming known: names of staff who convert from a skin test of less than ten (10) to a skin test of ten (10) or more millimeters of induration; names of staff who have a skin test of ten (10) millimeters or more induration at the time of employment; and all chest x-rays suspicious for tuberculosis.

5. Any staff whose skin test status changes on annual testing from less than ten (10) to ten (10) or more millimeters of induration shall be considered to be recently infected with *Mycobacterium tuberculosis*. Such recently infected persons who have no signs or symptoms of tuberculosis disease on chest x-ray or medical history should be given preventive therapy with isoniazid for six (6) months [one (1) year] unless medically contraindicated, as determined by a licensed physician. Medications shall be administered to patients only upon the written order of a physician. If such individual is unable to take isoniazid therapy, the individual shall be advised of the clinical symptoms of the disease, and have an interval medical history and a chest x-ray taken and evaluated for tuberculosis infection every six (6) months during the two (2) years following conversion for a total of five (5) chest x-rays.

6. Any staff who can document completion of preventive treatment with isoniazid shall be exempt from further screening requirements.

(n) The facility shall have a staff training program adequate for the size and nature of the facility with a person designated the responsibility for staff development and training. The program shall include:

1. Orientation for each new employee to acquaint him with the philosophy, organization, program, practices, and goals of the facility;
2. Inservice training for any employee who has not achieved the desired level of competence;
3. Continuing inservice training for all employees to update and improve their skills; and
4. Supervisory and management training for each employee who is in, or a candidate for, a supervisory position.

Section 4. Provision of Services. (1) The professional interdisciplinary team shall assure that the health needs of the residents are met and that plans are developed for each resident which include treatments, medications, dietary requirements, and other program services. All activities shall reflect adherence to the normalization principle. The active treatment program shall assure:

(a) An individual written plan of care that sets forth measurable goals or objectives stated in terms of desirable behavior and that prescribes an integrated program of activities, experiences or therapies necessary for the individual to reach those goals or objectives. The plan is to help the individual function at the greatest physical, intellectual, social, or vocational level he can presently or potentially achieve.

(b) Regular participation, in accordance with an individualized plan, in a program of activities that are designed to attain the optimum physical, intellectual, social, and vocational functioning of which a resident is capable.

(c) Reevaluation medically, socially, and psychologically at least annually by the staff involved in carrying out the resident's individual plan of care. This must include review of the individual's progress toward meeting the plan objectives, the appropriateness of the individualized plan of care, assessment of his continuing need for institutional care, and consideration of alternate methods of care.

(2) Communicable Diseases.

(a) No resident shall knowingly be admitted to the facility with a communicable disease which is reportable to the health department, pursuant to KRS 214 and applicable regulations except a (non-infectious) tuberculosis patient under continuing medical supervision for his tuberculosis disease.

(b) If, after admission, a resident is suspected of having a communicable disease that would endanger the health and welfare of other residents the administrator shall assure that a physician is contacted and that appropriate measures are taken on behalf of the resident with the communicable disease and the other residents.

(3) Use of control and discipline of residents.

(a) The facility must have written policies and procedures for the control and discipline of residents that are available in each living unit and to parents and guardians.

(b) The facility shall not allow:

1. Corporal punishment of a resident;
2. A resident to discipline another resident, unless it is done as part of an organized self-government program conducted in accordance with written policy; or
3. Seclusion of a resident.

(c) On orders of a physician, or in the case of an emergency until a physician is contacted, the facility may allow the use of physical restraint on a resident only if absolutely necessary to protect the resident from injuring himself or others but may not use physical restraint as punishment, for the convenience of the staff, or as a substitute for activities or treatment.

(d) The facility must have a written policy that specifies how and when physical restraint may be used, the staff members who must authorize its use, and the method for monitoring and controlling its use.

(e) An order for physical restraint may not be in effect longer than twelve (12) hours. Appropriately trained staff must check a resident placed in a physical restraint at least every thirty (30) minutes and keep a record of these checks. A resident who is in a physical restraint must be given an opportunity for motion and exercise for a period of not less

than ten (10) minutes during each two (2) hours of restraint. Mechanical devices used for physical restraint must be designed and used in a way that causes the resident no physical injury and the least possible physical discomfort. Restraints that require lock and key shall not be used.

(f) Mechanical supports used as protective devices must be designed and applied under the supervision of a qualified professional, and in accordance with principles of good body alignment, concern for circulation, and allowance for change of position.

(g) The facility may not use chemical restraint excessively, as punishment, for the convenience of the staff, as a substitute for activities or treatment, or in quantities that interfere with a resident's habilitation program.

(h) Behavior modification programs involving the use of aversive stimuli or time-out devices shall be:

1. Reviewed and approved by the facility's human rights committee or a qualified mental retardation professional;

2. Conducted only with the consent of the affected resident's parents or legal guardian; and

3. Described in written plans that are kept on file in the ICF/MR.

(i) A physical restraint used as a time-out device may be applied only during behavior modification exercises and only in the presence of the trainer.

(j) Time-out devices and aversive stimuli may not be used for longer than one (1) hour, and then only during the behavior modification program and only under the supervision of the trainer.

(4) Medical supervision of residents. The facility shall maintain policies and procedures to assure that each resident shall be under the medical supervision of a physician.

(a) The resident (or his guardian) shall be permitted his choice of physician.

(b) The physician shall visit the residents as often as necessary and in no case less often than every sixty (60) days, unless justified and documented by the attending physician.

(c) A complete medical evaluation to include social, physical, emotional, and cognitive factors shall be made of the person desiring or requiring institutionalization prior to, but not to exceed three (3) months before admission.

(d) Medical reevaluation at least annually shall be made by the resident's physician, a physician provided by a community service, or a registered visiting nurse, according to the resources for the community and the apparent needs of the resident receiving intermediate care.

(e) Formal arrangements shall be made to provide for medical emergencies on a twenty-four (24) hour, seven (7) days a week basis. This shall be the responsibility of the facility providing care.

(5) Health services. Health services shall include:

(a) The establishment of a nursing care plan as part of the total habilitation program for each resident. Each plan shall be reviewed and modified as necessary, or at least quarterly. Each plan shall include goals, and nursing care needs;

(b) Nursing care to achieve and maintain the highest degree of function, self-care and

independence with those procedures requiring medical approval ordered by the attending physician. Nursing care shall include:

1. Positioning and turning. Nursing personnel shall encourage and assist residents in maintaining good body alignment while standing, sitting, or lying in bed to prevent decubiti.

2. Exercises. Nursing personnel shall assist residents in maintaining maximum range of motion.

3. Bowel and bladder training. Nursing personnel shall make every effort to train incontinent residents to gain bowel and bladder control.

4. Training in habits of personal hygiene, family life, and sex education that includes but is not limited to family planning and venereal disease counseling.

5. Ambulation. Nursing personnel shall assist and encourage residents with daily ambulation unless otherwise ordered by the physician.

6. Administration of medications and appropriate treatment.

7. Written monthly assessment of the resident's general condition with any changes in the resident's condition, actions, responses, attitudes, or appetite recorded in the resident's record by licensed personnel.

(6) Pharmaceutical services:

(a) The facility shall provide appropriate methods and procedures for obtaining, dispensing, and administering drugs and biologicals, developed with the advice of a licensed pharmacist or a pharmaceutical advisory committee which includes one (1) or more licensed pharmacist.

(b) If the facility has a pharmacy department, a licensed pharmacist shall be employed to administer the pharmacy department.

(c) If the facility does not have a pharmacy department, it shall have provision for promptly obtaining prescribed drugs and biologicals from a community or institutional pharmacy holding a valid pharmacy permit issued by the Kentucky Board of Pharmacy, pursuant to KRS 315.035.

(d) An emergency medication kit approved by the facility's professional personnel shall be kept readily available. The facility shall maintain a record of what drugs are in the kit and document how the drugs are used.

(e) Medication requirement and services.

1. Conformance with physician's orders. All medications administered to residents shall be ordered in writing. Oral orders shall be given only to a licensed nurse or pharmacist, immediately reduced to writing, and signed. Medications not specifically limited as to time or number of doses, when ordered, shall be automatically stopped in accordance with the facility's written policy on stop orders. The pharmacist or nurse shall review the resident's medication profile on a regular basis. The resident's attending physician shall be notified of stop order policies and contacted promptly for renewal of such orders so that continuity of the resident's therapeutic regimen is not interrupted. Medications shall be released to residents on discharge or visits only after being labeled appropriately and on the written authorization of the physician.

2. Administration of medications. All medications shall be administered by licensed nurses or personnel who have completed a state approved training program. Each dose administered shall be recorded in the medical record. Intramuscular injections shall be

administered by a licensed nurse or a physician. If intravenous injections are necessary they shall be administered by a licensed physician or a registered nurse.

a. The nursing station shall have items required for the proper administration of medication readily available.

b. Medications prescribed for one resident shall not be administered to any other resident.

c. Self-administration of medications by residents shall not be permitted except for drugs on special order of the resident's physician and a predischARGE program under the supervision of a licensed nurse as a part of the resident's treatment plan.

d. Medication errors and drug reactions shall be immediately reported to the resident's physician and pharmacist and an entry thereof made in the resident's medical record as well as on an incident report.

3. The facility shall provide up-to-date medication reference texts for use by the nursing staff (e.g., Physician's Desk Reference).

4. Labeling and storing medications. All medications shall be plainly labeled with the resident's name, the name of the drug, strength, name of pharmacy, prescription number, date, physician name, caution statements and directions for use except where accepted modified unit dose systems conforming to federal and state laws are used. The medications of each resident shall be kept and stored in their original containers and transferring between containers shall be prohibited. All medicines kept by the facility shall be kept in a locked place and the persons in charge shall be responsible for giving the medicines and keeping them under lock and key. Medications requiring refrigeration shall be kept in a separate locked box of adequate size in the refrigerator in the medication area. Drugs for external use shall be stored separately from those administered by mouth injection. Provisions shall also be made for the locked separate storage of medications of deceased and discharge resident until such medication is surrendered or destroyed in accordance with federal and state laws and regulations.

5. Controlled substances. Controlled substances shall be kept under double lock, (i.e., in a locked box in a locked cabinet). There shall be a controlled substances record, in which is recorded the name of the resident, the date, time, kind, dosage, balance remaining and method of administration of all controlled substances; the name of the physician who administered it, or staff who supervised the self-administration. In addition, there shall be a recorded and signed schedule II controlled substances count daily, and schedule III, IV and V controlled substances count once per week by those persons who have access to controlled substances. All controlled substances which are left over after the discharge or death of the patient shall be destroyed in accordance with KRS 219A.230, or 21 CFR 1307.21, or sent via registered mail to the Controlled Substances Enforcement Branch of the Kentucky Cabinet for Human Resources.

(7) Personal care services.

(a) Each resident shall be trained to be as independent as possible to achieve and maintain good personal hygiene including:

1. Bathing of the body to maintain clean skin and freedom from offensive odors. In addition to

assistance with bathing, the facility shall provide soap, clean towels, and wash cloths for each resident. Toilet articles such as brushes and combs shall not be used in common.

2. Shaving.

3. Cleaning and trimming of fingernails and toenails.

4. Cleaning of the mouth and teeth to maintain good oral hygiene as well as care of the lips to prevent dryness and cracking. All residents shall be provided with tooth brushes, a dentifrice, and denture containers, when applicable.

5. Washing, grooming, and cutting of hair.

(b) Each resident who does not eliminate appropriately and independently must be in a regular, systematic toilet training program and a record must be kept of his progress in the program.

(c) A resident who is incontinent must be bathed or cleaned immediately upon voiding or soiling, unless specifically contraindicated by the training program, and all soiled items must be changed.

(d) The staff shall train and when necessary assist the residents to dress in their own street clothing (unless otherwise indicated by the physician).

(8) Dental services.

(a) Comprehensive dental services shall be provided and if not available within the facility, arrangements with specialists in the dental field will be made for such service.

1. Appropriate dental services shall be provided through personal contact with all residents by dentists, dental hygienists, and dental assistants under the supervision of the dentists, health educators, and oral hygiene aids.

2. A dental professional shall participate, as appropriate on the interdisciplinary team serving the facility.

3. There shall be sufficient supporting personnel, equipment, and facilities available to the dental professional if dental services are delivered within the facility.

(b) Dental records shall be part of each resident's record.

(c) A dentist shall be responsible for insuring that direct care staff are instructed in the proper use of oral hygiene methods for residents.

(9) Social services.

(a) Social services shall be available either on staff or by formal arrangement with community resources for all residents and their families, including evaluation and counseling with referral to, and use of, other planning for community placement, discharge and follow up services rendered by or under the supervision of a social worker.

(b) The social worker of the intermediate care facility, providing services for the mentally retarded and developmentally disabled shall be under the supervision of a social worker who is a qualified mental retardation professional.

(c) Social services shall be integrated with other elements of the plan of care.

(d) A plan for such care shall be recorded in the resident's record and periodically evaluated in conjunction with resident's total plan of care.

(e) Social services records shall be maintained as an integral part of case record maintained on each resident.

(10) Recreation services. The facility shall coordinate recreational services with other services and programs provided to each resident and shall:

(a) Provide recreation equipment and supplies in a quantity and variety that is sufficient to carry out the stated objectives of the activities programs.

(b) Keep resident records that include periodic surveys of the residents' recreation interests and the extent and level of the residents' participation in the recreation program.

(c) Have enough qualified staff and support personnel available to carry out the various recreation services with the qualifications as defined in the definitions.

(11) Speech pathology and audiology services. The facility shall provide speech pathology and audiology services as needed to maximize the communication skills of residents needing such services. These services shall be provided by, or under the supervision of, a certified speech pathologist or audiologist who is a member of the interdisciplinary team.

(12) Occupational therapy.

(a) Occupational therapy shall be provided by or under the supervision of a qualified occupational therapist to residents as required by the resident's needs.

(b) The occupational therapist shall act upon the program designed by the professional interdisciplinary team of which the therapist is a member.

(13) Physical therapy.

(a) Physical therapy shall be provided by or under the supervision of a licensed physical therapist to residents as required by the resident's needs.

(b) The physical therapist shall act upon the program designed by the professional interdisciplinary team of which the therapist is a member.

(14) Psychological services. Psychological services as needed shall be provided by a licensed or certified psychologist pursuant to KRS Chapter 319 who shall participate in the evaluation and periodic review, individual treatment, and consultation and training of program staff as a member of the interdisciplinary team.

(15) Transportation.

(a) If transportation of residents is provided by the facility to community agencies or other activities, the following shall apply:

1. Special provision shall be made for residents who use wheelchairs.

2. An escort or assistant to the driver shall be provided in transporting residents to and from the facility if necessary for the resident's safety.

(b) The facility shall arrange for appropriate transportation in case of medical emergencies.

(16) Residential care services. All facilities shall provide residential care services to all residents including: room accommodations, housekeeping and maintenance services, and dietary services. All facilities shall meet the following requirements relating to the provision of residential care services:

(a) Room accommodations.

1. Each resident shall be provided a standard size bed at least thirty-six (36) inches wide, equipped with substantial spring, a clean comfortable mattress, a mattress cover, two (2)

sheets and a pillow, an such bed covering as is required to keep the resident comfortable. Rubber or other impervious sheets shall be placed over the mattress cover whenever necessary. Beds occupied by residents shall be placed so that no resident may experience discomfort because of proximity to radiators, heat outlets, or by exposure to drafts.

2. The facility shall provide window coverings, bedside tables with reading lamps (if appropriate), comfortable chairs, chests or dressers with mirrors, a night light, and storage space for clothing and other possessions.

3. Residents shall not be housed in unapproved rooms or unapproved detached buildings.

4. Basement rooms shall not be used for sleeping rooms for residents.

5. Residents may have personal items and furniture when it is physically feasible.

6. Each living room or lounge area shall have an adequate number of reading lamps, and tables and chairs or settees of sound construction and satisfactory design.

7. Dining room furnishings shall be adequate in number, well constructed, and of satisfactory design for the residents.

8. Each resident shall be permitted to have his own radio and television set in his room unless it interferes with or is disturbing to other residents.

(b) Housekeeping and maintenance services.

1. The facility shall maintain a clean and safe facility free of unpleasant odors. Odors shall be eliminated at their source by prompt and thorough cleaning of commodes, urinals, bedpans and other sources.

2. An adequate supply of clean linen shall be on hand at all times. Soiled clothing and linens shall receive immediate attention and shall not be allowed to accumulate. Clothing or bedding used by one resident shall not be used by another until it has been laundered or dry cleaned.

3. Soiled linen shall be placed in washable or disposable containers, transported in a sanitary manner and stored in separate, well-ventilated areas in a manner to prevent contamination and odors. Equipment or areas used to transport or store soiled linen shall not be used for handling or storing of clean linen.

4. Soiled linen shall be sorted and laundered in the soiled linen room in the laundry area. Handwashing facilities with hot and cold water, soap dispenser and paper towels shall be provided in the laundry area.

5. Clean linen shall be sorted, dried, ironed, folded, transported, stored and distributed in a sanitary manner.

6. Clean linen shall be stored in clean linen closets on each floor, close to the nurses' station.

7. Personal laundry of residents or staff shall be collected, transported, sorted, washed and dried in a sanitary manner, separate from bed linens.

8. Resident's personal clothing shall be laundered by the facility as often as necessary. Resident's personal clothing shall be laundered by the facility unless the resident or the resident's family accepts this responsibility. Residents capable of laundering their own personal clothing may be provided the facilities to do so. Resident's personal clothing laundered by the facility shall be marked to identify the resident owner and returned to the correct

resident.

9. Maintenance. The premises shall be well kept and in good repair. Requirements shall include:

a. The facility shall insure that the grounds are well kept and the exterior of the building, including the sidewalks, steps, porches, ramps and fences are in good repair.

b. The interior of the building including walls, ceilings, floors, windows, window coverings, doors, plumbing and electrical fixtures shall be in good repair. Windows and doors shall be screened.

c. Garbage and trash shall be stored in areas separate from those used for the preparation and storage of food and shall be removed from the premises regularly. Containers shall be cleaned regularly.

d. A pest control program shall be in operation in the facility. Pest control services shall be provided by maintenance personnel of the facility or by contract with a pest control company. The compounds shall be stored under lock.

(c) Dietary services. The facility shall provide or contract for food service to meet the dietary needs of the residents including modified diets or dietary restrictions as prescribed by the attending physician. When a facility contracts for food service with an outside food management company, the company shall provide a qualified dietitian on a full time, part time or consultant basis to the facility. The qualified dietitian shall have continuing liaison with the medical and nursing staff of the facility for recommendations on dietetic policies affecting resident care. The company shall comply with all of the appropriate requirements for dietary services in this regulation.

1. Therapeutic diets. If the designated person responsible for food service is not a qualified dietitian or nutritionist, consultation by a qualified dietitian or qualified nutritionist shall be provided.

2. Dietary staffing. There shall be sufficient food service personnel employed and their working hours, schedules of hours on duty, and days off shall be posted. If any food service personnel are assigned duties outside the dietary department, the duties shall not interfere with the sanitation, safety or time required from regular dietary assignments.

3. Menu planning:

a. Menus shall be planned, written and rotated to avoid repetition. Nutrition needs shall be met in accordance with the current recommended dietary allowances of the Food and Nutrition Board of the National Research Council adjusted for age, sex and activity, and in accordance with physician's orders.

b. Meals shall correspond with the posted menu. Menus must be planned and posted one (1) week in advance. When changes in the menu are necessary, substitutions shall provide equal nutritive value and the changes shall be recorded on the menu and kept on file for thirty (30) days.

c. The daily menu shall include regular and all modified diets served within the facility based on a currently approved diet manual. The manual shall be available in the dietary department. The diet manual shall indicate nutritional deficiencies of any diet. The dietitian shall correlate and integrate the dietary aspects of the resident's care with the

resident and resident's chart through such methods as resident instruction, recording diet histories and through participation in rounds and conferences.

4. Food preparation and storage.

a. There shall be at least a three (3) day supply of food to prepare well balanced palatable meals.

b. Food shall be prepared with consideration for any individual dietary requirement. Modified diets, nutrient concentrates and supplements shall be given only on the written orders of a physician.

c. At least three (3) meals per day shall be served with not more than a fifteen (15) hour span between the substantial evening meal and breakfast. Between-meal snacks to include an evening snack before bedtime shall be offered to all residents. Adjustments shall be made when medically contraindicated.

d. Foods shall be prepared by methods that conserve nutritive value, flavor and appearance and shall be attractively served at the proper temperatures, and in a form to meet individual needs. (A file of tested recipes, adjusted to appropriate yield shall be maintained.) Food shall be cut, chopped or ground to meet individual needs. If a resident refuses the food served, nutritious substitutions shall be offered.

e. All opened containers or left-over food items shall be covered and dated when refrigerated.

5. Serving of food. When a resident cannot be served in the dining room, trays shall be provided and shall rest on firm supports. Sturdy tray stands of proper height shall be provided for residents able to be out of bed.

a. Correct positioning of the resident to receive his tray shall be the responsibility of the direct-care staff. Residents requiring help in eating shall be assisted according to their training plan.

b. Adaptive self-help devices shall be provided to contribute to the resident's independence in eating, if assessments deem necessary.

6. Sanitation. All facilities shall comply with all applicable provisions of KRS 219.011 to KRS 219.081 and 902 KAR 45:005 (Kentucky's Food Service Establishment Act and Food Service Code).

WILLIAM M. GARDNER, Inspector General

E. AUSTIN, JR., Secretary

APPROVED BY AGENCY: November 24, 1986

FILED WITH LRC: December 12, 1986 at 11 a.m.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for January 21, 1987, at 9 a.m. in the Vital Statistics Conference Room, 1st Floor, Cabinet for Human Resources, 275 East Main Street, Frankfort, Kentucky. However, this hearing will be cancelled unless interested persons notify the following office in writing by January 16, 1987 of their desire to appear and testify at the hearing: Ryan Halloran, General Counsel, Cabinet for Human Resources, 275 East Main Street, Frankfort, Kentucky 40621.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Delano Miller

(1) Type and number of entities affected: All hospitals/all long term care/All ICF/MRDO facilities.

(a) Direct and indirect costs or savings to those affected: Reducing the number of months that Isonazid must be given from one (1) year to six (6) months and allowing for more flexibility in initial testing and standardizing the testing procedure, will reduce the overall costs associated with combating tuberculosis.

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs (note any effects upon competition): N/A

(b) Reporting and paperwork requirements:

(2) Effects on the promulgating administrative body: None

(a) Direct and indirect costs or savings: Overall cost savings to facilities due to a decrease in the number of skin tests required.

1. First year: None

2. Continuing costs or savings: None

3. Additional factors increasing or decreasing costs: None

(b) Reporting and paperwork requirements: None

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: The regulations, as they stand, do not reflect current medical practice.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict: Not in conflict.

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments:

TIERING: Was tiering applied? No. These are licensure standards. All services are required to meet the same standards.

#### FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate: There are no federal standards relating to tuberculosis testing.

2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: None (see above).

3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: The proposed amendment reduces the amount of time a tuberculosis patient must receive Isonazid therapy from one (1) year to six (6) months, provides for more flexibility in terms of timing of individual testing, and waives the testing requirement upon admission for those persons who have been tested no more than three (3) months prior to their admission to a facility.

#### CABINET FOR HUMAN RESOURCES Office of the Inspector General (Proposed Amendment)

902 KAR 20:200. Tuberculosis testing in long term care facilities.

RELATES TO: KRS 215.520 to 215.600, 216B.010 to 216B.131, 216B.990(1),(2)

PURSUANT TO: KRS 216B.040(2), 216B.105, Executive Order 86-366

NECESSITY AND FUNCTION: KRS 216B.040 and 216B.105 mandate that the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board regulate health facilities and health services. Executive Order 86-366 transferred the authority to regulate health services and health facilities from the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board to the Office of the Inspector General. KRS 215.520 to 215.590 mandates that nursing homes report cases of tuberculosis. The purpose of this regulation is to establish licensure requirements concerning uniform procedures for the identification and control of tuberculosis in skilled nursing facilities, intermediate care facilities, nursing homes, and personal care homes. These procedures are necessary to minimize the transmission of tuberculosis infection among the staff and residents of such facilities.

Section 1. Definitions. (1) "Induration" means a firm area in the skin which develops as a reaction to injection tuberculosis proteins when a person has tuberculosis infection. The diameter of the firm area is measured to the nearest millimeter to gauge the degree of reaction. A reaction of ten (10) millimeters or more of induration is considered highly indicative of tuberculosis infection.

(2) "Skin test" means a tuberculin skin test utilizing the intradermal (Mantoux) technique using five (5) tuberculin units of purified protein derivative (PPD). The results of the test must be read forty-eight (48) to seventy-two (72) hours after injection and recorded in terms of millimeters of induration.

(3) "Two (2) step skin testing" means a series of two (2) tuberculin skin tests administered seven (7) to fourteen (14) days apart.

Section 2. Admission of Patients under Treatment for Pulmonary Tuberculosis Disease. No licensee shall admit a person under medical treatment for pulmonary tuberculosis disease unless there is documentation of three (3) consecutive sputum smears negative for acid-fast bacilli within the month prior to admission and the patient is considered non-infectious by a licensed physician.

Section 3. Tuberculin Skin Testing of Residents. For residents entering a facility, no skin testing is required if one of the following can be documented:

(1) A previous documented skin test has shown ten (10) or more millimeters of induration; or

(2) [if] The resident is currently receiving or has completed six (6) months [one (1) year] of prophylactic therapy or a course of multiple-drug chemotherapy for tuberculosis; or

(3) The resident can document that he/she has had a tuberculin skin test within three (3) months prior to admission.

For all other residents, however, skin testing is required upon admission to the facility. For such residents whose initial skin test shows less than ten (10) millimeters of induration, two (2) step skin testing is required, unless they can document that they have had a tuberculosis skin test within one (1) year prior to their initial testing upon admission to the

facility. The skin test status of all residents must be documented through recording of the date and millimeters of induration of the most recent skin test in the medical record. The front cover of the medical record shall be labeled in a conspicuous manner with the notation "PPD+" for all residents with a reaction of ten (10) or more millimeters of induration.

Section 4. X-raying of Residents. All residents found on admission testing to have a skin test of ten (10) or more millimeters of induration shall receive a chest x-ray, unless a chest x-ray done within two (2) months prior to admission showed no evidence of tuberculosis disease or the resident can document the previous completion of a course [that he has previously had one (1) year] of prophylactic treatment with isoniazid.

Section 5. Monitoring of Residents with a Skin Test of Ten (10) or More Millimeters of Induration. Residents with a skin test of ten (10) or more millimeters of induration shall be monitored for development of pulmonary symptoms such as cough, sputum production or chest pain. If such symptoms develop and persist of three (3) weeks or longer, a chest x-ray shall be taken and three (3) sputum samples shall be submitted to the Division of Laboratory Services, Department for Health Services, Frankfort, Kentucky, for tuberculosis culture and smear.

Section 6. Monitoring of Residents with a Skin Test of Less than Ten (10) Millimeters of Induration. Annual skin testing is required. In addition, if pulmonary symptoms develop and persist for three (3) weeks or more, the tuberculin skin test shall be repeated, three (3) sputum samples shall be submitted to the Division of Laboratory Services, Department for Health Services, Frankfort, Kentucky for tuberculosis culture and smear, and a chest x-ray shall be taken.

Section 7. Tuberculin Skin Testing of Staff. The skin test status of all staff members shall be documented in the employee's personnel record. A skin test shall be initiated on all new staff members before or during the first week of employment and the results shall be documented in the employee's personnel record within the first month of employment. No skin testing is required at the time of initial employment if the employee documents a prior skin test of ten (10) or more millimeters of induration or if the employee is currently receiving or has completed six (6) months [one (1) year] of prophylactic therapy or a course of multiple-drug chemotherapy for tuberculosis. Two (2) step skin testing is required for new employees over age forty-five (45) whose initial test shows less than ten (10) millimeters of induration, unless they can document that they have had a tuberculosis skin test within one (1) year prior to their current employment. All staff who have never had a skin test of ten (10) or more millimeters induration must be skin tested annually on or before [within two (2) weeks before or after] the anniversary of their last skin test.

Section 8. X-raying and Monitoring of Staff with a Skin Test of Ten (10) or more Millimeters

of Induration. All staff who are found to have a skin test of ten (10) or more millimeters induration, on initial employment testing or annual testing, must receive a chest x-ray unless a chest x-ray within the previous two (2) months showed no evidence of tuberculosis or, the individual can document the previous completion of a course of prophylactic treatment with isoniazid. They shall be advised of the symptoms of the disease and instructed to report to their employer and seek medical attention promptly, if symptoms persist.

Section 9. Responsibility for Screening and Monitoring Requirements. The administrator of each long-term care facility is responsible for ensuring that all skin-tests, chest x-rays and sputum sample submissions are done in accordance with Sections 1 through 8 of this regulation. In those facilities not employing professional staff with the technical training to carry out the screening and monitoring requirements, the administrator shall arrange for professional assistance from either the local health department or private medical practitioners. Irrespective of who carries out the screening and monitoring requirements, all skin testing dates and results, all chest x-ray reports and all sputum sample culture and smear results shall be recorded as a permanent part of the medical record and be summarized on the individual's transfer form when an interfacility transfer occurs.

Section 10. Reporting to Local Health Departments. The following shall be reported to the local health department having jurisdiction by the administrator of the long-term care facility immediately upon becoming known: chest x-rays which are suspicious for tuberculosis; sputum smears positive for acid-fast bacilli; sputum cultures positive for mycobacterium tuberculosis; residents or staff who converts from a skin test of less than ten (10) to a skin test of ten (10) or more millimeters of induration; and all residents and staff who have a skin test of ten (10) millimeters or more induration at the time of admission or employment, respectively.

Section 11. Prophylaxis of Persons with Recent Infection but no Disease. Any resident or staff whose skin test status changes on annual testing from less than ten (10) to ten (10) or more millimeters of induration shall be considered to be recently infected with Mycobacterium tuberculosis. Such recently infected persons who have no signs or symptoms of tuberculosis disease on chest x-ray or medical history should be given preventive therapy with isoniazid for six (6) months [a year] unless medically contraindicated as determined by a licensed physician. Medications shall be administered to patients only upon the written order of a physician. If such individual is unable to take isoniazid therapy, the individual shall be advised of the clinical symptoms of the disease, and have an interval medical history and a chest x-ray taken and evaluated for tuberculosis infection every six (6) months during the two (2) years following conversion.

Section 12. Any staff or resident who can document completion of preventive treatment with isoniazid shall be exempt from further screening



requirements except in accordance with Section 5 of this regulation.

WILLIAM M. GARDNER, Inspector General

E. AUSTIN, JR., Secretary

APPROVED BY AGENCY: November 24, 1986

FILED WITH LRC: December 12, 1986 at 11 a.m.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for January 21, 1987, at 9 a.m. in the Vital Statistics Conference Room, 1st Floor, Cabinet for Human Resources, 275 East Main Street, Frankfort, Kentucky. However, this hearing will be cancelled unless interested persons notify the following office in writing by January 16, 1987 of their desire to appear and testify at the hearing: Ryan Halloran, General Counsel, Cabinet for Human Resources, 275 East Main Street, Frankfort, Kentucky 40621.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Delano Miller

(1) Type and number of entities affected: All hospitals/all long term care/All ICF/MRDO facilities.

(a) Direct and indirect costs or savings to those affected: Reducing the number of months that Isonazid must be given from one (1) year to six (6) months and allowing for more flexibility in initial testing and standardizing the testing procedure, will reduce the overall costs associated with combating tuberculosis.

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs (note any effects upon competition): N/A

(b) Reporting and paperwork requirements:

(2) Effects on the promulgating administrative body: None

(a) Direct and indirect costs or savings: Overall cost savings to facilities due to a decrease in the number of skin tests required.

1. First year: None

2. Continuing costs or savings: None

3. Additional factors increasing or decreasing costs: None

(b) Reporting and paperwork requirements: None

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: The regulations, as they stand, do not reflect current medical practice.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict: Not in conflict.

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments:

TIERING: Was tiering applied? No. These are licensure standards. All services are required to meet the same standards.

#### FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate: There are no federal standards relating to tuberculosis testing.

2. Does the proposed regulation impose

stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: None (see above).

3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: The proposed amendment reduces the amount of time a tuberculosis patient must receive Isonazid therapy from one (1) year to six (6) months, provides for more flexibility in terms of timing of individual testing, and waives the testing requirement upon admission for those persons who have been tested no more than three (3) months prior to their admission to a facility.

#### CABINET FOR HUMAN RESOURCES Department for Employment Services Division of Unemployment Insurance (Proposed Amendment)

903 KAR 5:260. Unemployment insurance procedures.

RELATES TO: KRS 341.005 through 341.990

PURSUANT TO: KRS 13A.100, 194.050(1), 341.115

NECESSITY AND FUNCTION: Title III of the Social Security Act authorizes the states to implement an unemployment insurance program. The Cabinet for Human Resources is authorized by KRS 194.050 to adopt such rules and regulations as are necessary to implement programs mandated by federal law or to qualify for receipt of federal funds and as are necessary to cooperate with federal agencies for the proper administration of the cabinet and its programs. The function of this regulation is to implement the procedures required to administer the unemployment insurance program in accordance with applicable state and federal laws and regulations.

Section 1. In order to facilitate the administration of the unemployment insurance program as authorized by Title III of the Social Security Act and KRS Chapter 341, the following operating manuals are adopted by reference:

(1) Unemployment Insurance Local Office Manual as issued February, 1984 and last revised November 6 [October 15], 1986. This manual includes procedures: for requiring proper identification of persons filing claims for benefits; for taking and processing initial, additional, reactivated and continued claims for benefits; for assigning claimants to the appropriate group for the eligibility review program; for conducting the eligibility review program; for stopping and releasing payment of benefits; for entering claim history and benefit payment information into the data base; for taking and processing interstate claims, combined wage claims, claims by former federal employees and ex-servicemembers, and claims for extended benefits and federal supplemental compensation benefits; for conducting investigations and issuing determinations regarding a claimant's separation, ability to work, availability for work, active search for work, benefit entitlement, and deductions from benefits; for processing employers' protests to claims; for taking requests for reconsideration of monetary eligibility; for establishing benefit overpayments and initiating recovery or recoupment by processing partial payment agreements or issuing liens; for initiating

action on lost or returned checks; for detecting and initiating recovery of fraudulent overpayments; for filing appeals to eligibility determinations; for reporting workload time spent; for compiling claims and nonmonetary determination statistics; and for ranking of local offices based on performance criteria.

(2) Unemployment Insurance Benefit Branch Procedures Manual issued May, 1982 and last revised March 7, 1986. This manual includes procedures for administering the payment of unemployment insurance benefits; for maintaining accounts for all benefit income and expenditures; for detecting, establishing and initiating recovery of benefit overpayments; for assigning benefit charges to employer accounts; for conducting a quality review of nonmonetary determinations affecting the payment of benefits; for processing unemployment claims for former federal employees, ex-servicemembers, combined wage claimants, interstate claims, claims for Disaster Unemployment Assistance, claims under the Trade Readjustment Act and claims under the Work Incentive Program; for reconsidering monetary rate determinations; for processing payment for lost or returned benefit checks; and for investigating potential fraud and recommendation of recovery action or criminal prosecution.

(3) Unemployment Insurance Tax Collection and Accounting Branch Manual issued November, 1982 and last revised July 1, 1986. This manual includes procedures: for setting up, transferring and cancelling employer contribution and reimbursement accounts; for collecting quarterly taxes from contributory employers and for billing reimbursing employers for benefits paid; for auditing quarterly wages and tax reports by making adjustments, assessing additional payment and penalties and crediting tax overpayments; for adjusting wages if required when a reconsideration of monetary benefit eligibility is filed; and for collecting delinquent taxes by filing tax liens, recommending suits and temporary restraining orders, garnishing wages, filing claims in bankruptcy or against monies due to delinquent employers from state agencies.

(4) Unemployment Insurance Administrative Support Branch Manual issued December, 1983 and last revised November 9, 1984. This manual includes procedures: for maintaining files of benefit claims, employer records, appeals, and unemployment insurance commission orders; for maintaining mail security operations for all checks received by the division; for gathering statistics and conducting statistical studies; for verifying workload items for the budget process; for publishing statistical reports for the division and for general publication; for maintaining and distributing federal and state-released procedures; for maintaining all procedures manuals; for conducting the unemployment insurance quality appraisal; for training division personnel; for retaining and disposing of records; for providing data processing liaison services; for preparing state and federal budgets; for operating the Cost Model Management System; for maintaining the Cost Information System; for controlling forms control; and for monitoring purchases, expenditures and repairs.

(5) Unemployment Insurance Field Audit Manual issued February, 1984 and last revised January 11, 1985. This manual includes procedures for

handling matters which cannot be handled directly or expediently by the central office tax branch, such as procedures: for locating employers; for conducting investigations of employers, and their payrolls and employment records; for determining an employer's status under the law; for assessing contributions and collecting delinquent contributions; for serving legal papers; for conducting property investigations; for auditing employer records; and for furnishing technical assistance to employers.

(6) Unemployment Insurance Director's Office Manual issued November 18, 1983, and last revised December 12, 1984. This manual includes procedures for operating the Fraud Investigations and Internal Security Unit such as procedures for: administering the unit; detecting fraud; prosecuting fraud cases; closing out fraud cases; preventing fraud; maintaining internal security; and conducting other investigations.

(7) Kentucky Unemployment Insurance Commission Administrative Branch Manual issued September 1, 1985. This manual includes procedures for the daily operations of the branch. Such procedures include staff duties and responsibilities, the review of cases, the conduct of hearings, the preparation of decisions and the proper handling of records and reports.

(8) Unemployment Insurance Appeals Branch Manual issued November 7, 1986. This manual includes procedures for the daily operations of the branch. Such procedures include staff duties and responsibilities, prehearing procedures, conduct of hearings and the decision process.

Section 2. All documents incorporated by reference herein are on file for public inspection in the Office of the Commissioner for Employment Services, 275 East Main Street, Frankfort, Kentucky 40621 and in local unemployment insurance offices located throughout the state.

Section 3. Summary of Amendment. Unemployment Insurance Local Office Manual. (1) Chapter 6000 [2000], Claims Investigation [Initial Claims], strike pages (6032-6032) - (6032-6033) dated 10-14-86, pages (6033-6033) - (6033-6034) dated 6-18-86, and pages (6034-6038) - (6039-6040) dated 8-11-86 [(2020-2020(2)) - (2020-2030) dated 3-5-86], and substitute in lieu thereof pages (6032-6032) - (6040-6040) dated 10-24-86, which advises self-employment income and SUB payments are not deductible from unemployment insurance benefits, adds General Motors to the list of employers with approved SUB plans and deletes CETA basic allowance as deductible income as this program is obsolete. [(2020-2020(2)) - (2020-2030) dated 6-5-86, which advises program 4T is no longer available on IMS. Strike pages (2010-2020) - (2020-2020) dated 3-10-86, (2020-2020(2)) - (2020-2030) dated 6-5-86, (2170-2220) - (2220-2240), dated 8-30-85 and substitute in lieu thereof pages (2010-2020) - (2020-2020), (2020-2020(2)) - (2020-2030) and (2170-2220) - (2220-2240) each dated 8-8-86, which instruct the local offices to enter any earnings reported by the claimant on the payorder card completed by the claimant at the time he files an initial or additional claim for benefits. Strike pages (2020-2020(2)) - (2020-2030) dated 8-8-86, and (2030-2040) dated 3-5-86, and insert in lieu thereof page

(2020-2020(2)) - (2030-2040) dated 8-11-86, which directs the local offices to refer additional claimants for work registration. Strike contents page dated 3-10-86, and pages (2010-2020) - (2020-2020) dated 8-8-86, (2020-2020(2)) - (2030-2040), dated 8-11-86, (2040-2040) - (2050-2060) dated 8-30-85, (2060-2060) - (2060-2060(2)) dated 2-7-86, (2060-2060(3)) - (2060-2060(6)) dated 8-30-86, and (2060-2070) - (2070-2070) dated 2-7-86, and insert in lieu thereof contents page dated 9-15-86 and pages (2010-2020) - (2070-2070) dated 9-15-86, which describe procedures for completing the revised notice of initial claim. Strike pages (2060-2060(6)) - (2060-2070) dated 9-15-86, (2070-2080) - (2090-2130) dated 8-30-85, and (2130-2140) - (2140-2170) dated 8-30-85, and insert in lieu thereof identically numbered pages dated 9-23-86, which updates the manual references in accordance with previous procedural changes. Strike pages (2050-2060) - (2060-2060) dated 9-15-86, (2060-2060(6)) - (2060-2070) dated 9-23-86, (2130-2140) dated 9-23-86, and (2140-2170) dated 8-30-85, and insert in lieu thereof identically numbered pages dated 10-2-86, which corrects an error in a previous manual update and which provides instructions on the completion of forms.]

(2) Chapter 13000 [3000], Statistical Reports [Continued Claim], strike contents dated 6-24-86 [pages (3025-3040) - (3045-3045) dated 1-31-86, and (3060-3080) - (3090-3110) dated 10-30-85], and insert in lieu thereof contents dated 11-6-86, and pages (13370-13385) dated 11-6-86, which adds instructions for completion of the weekly Trade Adjustment Activities Report. [identically numbered pages dated 8-11-86, which provide instructions on how to verify that a claimant has registered for work. Strike page (3050-3060) - (3060-3060) dated 10-30-85, and insert in lieu thereof the identically numbered page dated 8-4-86, which revises computer entries. Strike page (3060-3080) - (3090-3110) dated 8-11-86, and insert in lieu thereof the identically numbered page dated 10-2-86, which instructs the local office on how to handle the claim of a visiting claimant.]

[(3) Chapter 4000, Video Operations, strike pages (4150-4150) - (4150-4200) dated 10-18-85, and substitute in lieu thereof pages (4150-4150) - (4200-4200) dated 6-5-86, which provides instructions for accessing the program on CICS which verifies claimants registration with Employment and Training and provides the DOT code. Strike contents page dated 3-11-86, and substitute in lieu thereof contents page dated 6-5-86. Strike page (4215-4215(2)) - (4215(2)-4216) dated 4-7-86, and substitute in lieu thereof the identically numbered page dated 8-4-86, which adds a new computer entry code.]

[(4) Chapter 5000, Interstate and Combined Wage Claims, strike pages (5250-5260) - (5270-5270) dated 4-1-86, and insert in lieu thereof pages (5250-5260) - (5270-5270) dated 6-2-86, which revises procedures in the local office manual in accordance with procedures in the ET Handbook regarding interstate claims. Strike pages (5040-5070) - (5070-5090) dated 4-1-86, and substitute in lieu thereof pages (5040-5070) - (5070-5090) dated 6-24-86, which removes the exception of Minnesota's claimants as they are now participating in the double bypass system for interstate claims. Strike page (5098-5099) - (5104-5104) dated 4-1-86, and insert in lieu thereof the identically numbered

page dated 9-10-86, which lists new codes for states participating in the Internet System.]

[(5) Chapter 6000, Claims Investigation, strike pages (6015-6016) - (6016-6016) dated 3-14-86, and insert in lieu thereof pages (6015-6016) - (6016-6016) dated 6-2-86, which revises procedures regarding chargeability of benefits paid to school employees between two (2) school terms. Strike pages (6033-6033) - (6039-6040) dated 4-22-86, and insert in lieu thereof pages (6033-6033) - (6039-6040) dated 6-2-86, which adds instructions disallowing the deduction of social security benefits retroactively. Strike pages (6033-6033) - (6033-6034) dated 6-2-86, and insert in lieu thereof pages (6033-6033) - (6033-6034) dated 6-18-86, which adds instructions disallowing the deduction of all pension payments retroactively. Strike pages (6106-6106) - (6106-6106(2)) dated 9-16-85, and pages (6043-6048) - (6048-6050) dated 9-16-85, and insert in lieu thereof pages (6106-6106) - (6106-6106(2)) dated 6-24-86, and pages (6043-6048) - (6048-6050) dated 6-24-86, which amends procedures for completing chargeability forms to indicate when protest is untimely. Strike page (6193-6200) - (6200-6202) dated 3-7-86, and insert in lieu thereof the identically numbered page dated 7-11-86, which states that an overpayment is not recoverable if it was established during the appeals process. Strike page (6034-6038) - (6039-6040) dated 6-2-86, and insert in lieu thereof the identically numbered page dated 8-11-86, which advises that claimants must register for work as part of the claims process. Strike contents page dated 12-11-85, and insert in lieu thereof contents page dated 7-21-86. Strike page (6017-6017(2)) - (6017-6019) dated 12-11-85, and insert in lieu thereof page (6017-6017(2)) - (6018-6019) dated 7-21-86, which clarifies a claimant's eligibility for benefits during a regularly scheduled shutdown. Strike pages (6090-6090) - (6090-6092) dated 10-22-85, and (6092-6092) - (6092-6097) dated 9-16-85, and insert in lieu thereof identically numbered pages dated 8-7-86, which describe the correct form to use when ruling on the termination of a benefit disqualification. Strike page (6040-6041) - (6041-6042) dated 9-16-85, and insert in lieu thereof the identically numbered page dated 8-15-86, which describes the routing of intradepartmental memorandums. Strike page (6090-6090) - (6090-6092) dated 8-7-86, and insert in lieu thereof identically numbered page dated 8-15-86, which clarifies previous instructions concerning proper forms usage. Strike page (6068-6075) - (6075-6080) dated 9-16-85, and insert in lieu thereof page (6068-6075) - (6080-6080) dated 8-11-86, which instructs the local office to advise claimants that their statements may be used against them. Strike page (6015-6016) - (6016-6016) dated 6-2-86, and insert in lieu thereof the identically numbered page dated 9-10-86, which negates previous instructions concerning the chargeability of benefits awarded to educational employees. Strike page (6032-6032) - (6032-6033) dated 3-5-86, and insert in lieu thereof the identically numbered page dated 10-14-86, which clarifies the manual's references to SUB plans.]

[(6) Chapter 7000, Fraud, strike page (7030-7040) - (7040-7040) dated 10-18-85, and insert in lieu thereof the identically numbered page dated 8-11-86, which instructs the fraud investigator to read to the claimant his rights

(mirando).]

[(7) Chapter 8000, Appeals, strike contents page dated 5-5-86, and insert in lieu thereof contents page dated 9-15-86. Strike page (8010-8014) - (8016-8702) dated 5-5-86, and insert in lieu thereof pages (8010-8014) - (8700-8702) dated 9-15-86, which defines the Appeals Branch's responsibility for entering stop codes.]

[(8) Chapter 12000, Personnel Time Distribution Section, strike pages (12000-12002) - (12040-12100) dated 11-15-85, and insert in lieu thereof pages (12000-12002) - (12040-12100) dated 6-24-86, which replaces the old three (3) character program codes with the new four (4) character program codes, deletes instructions for the completion of scanners and adds instructions on the use of the PTL system for employee time reporting.]

[(9) Chapter 13000, Statistical Reports, strike contents dated 11-14-85, and substitute in lieu thereof contents dated 6-24-86. Strike pages (13000-13010) - (13200-13220) dated 11-14-85, and insert in lieu thereof pages (13000-13200) - (13205-13220) dated 6-24-86, which deletes instructions for completion of the ES-203.1 since this information is available in the computer database. Strike page (13220-13360) - (13360-13360) dated 11-14-85, and insert in lieu thereof the identically numbered page dated 7-8-76, which provides mailing instructions to the local office.]

[Section 4. Summary of Amendment. Tax Collections and Accounting Branch Manual. Chapter 5000, Delinquency Control Section, strike entire Chapter 500 dated 9-30-83, and substitute in lieu thereof Chapter 5000 dated 7-1-86, which revises and updates procedures in Chapter 500.]

JAMES P. DANIELS, Commissioner

E. AUSTIN, JR., Secretary

APPROVED BY AGENCY: December 8, 1986

FILED WITH LRC: December 15, 1986 at 11 a.m.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for January 21, 1987 at 9 a.m., in the Vital Statistics Conference Room, 1st Floor, 275 East Main Street, Frankfort, Kentucky. However, this hearing will be cancelled unless interested persons notify the following office in writing by January 16, 1987 of their desire to appear and testify at the hearing: Ryan Halloran, General Counsel, Cabinet for Human Resources, 275 East Main Street, Frankfort, Kentucky 40621.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: James P. Daniels

(1) Type and number of entities affected: Thousands of U.I. claimants.

(a) Direct and indirect costs or savings to those affected:

1. First year: None

2. Continuing costs or savings: None

3. Additional factors increasing or decreasing costs (note any effects upon competition): None

(b) Reporting and paperwork requirements: None

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings:

1. First year: None

2. Continuing costs or savings: None

3. Additional factors increasing or decreasing

costs: None

(b) Reporting and paperwork requirements: None

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: None

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict: N/A

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions: N/A

(6) Any additional information or comments: None

TIERING: Was tiering applied? No. All claimants treated equally.

#### CABINET FOR HUMAN RESOURCES Department for Social Insurance Division of Management & Development (Proposed Amendment)

904 KAR 2:150. Incorporation by reference of materials relating to the Aid to Families with Dependent Children Program.

RELATES TO: KRS 194.030(6), 205.200, 205.220, 205.231

PURSUANT TO: KRS 194.050

NECESSITY AND FUNCTION: The Cabinet for Human Resources has responsibility under the provisions of KRS Chapter 205 to administer public assistance programs under Title IV-A of the Social Security Act, namely Aid to Families with Dependent Children, herein referred to as AFDC. This regulation incorporates into regulatory form, by reference, materials used by the cabinet in the implementation of the AFDC program.

Section 1. Incorporation by Reference. The cabinet shall incorporate by reference materials used in the implementation of the Aid to Families with Dependent Children Program, subject to the provisions contained in 904 KAR 2:140, Section 1, Supplementary policies for programs administered by the Department for Social Insurance.

Section 2. Listing of Incorporated Materials. The following listed materials are hereby incorporated by reference, effective on the date shown:

(1) Federal regulations at 45 CFR Parts 200-299, which set forth the federal requirements and guidelines for the administration of the Aid to Families with Dependent Children Program, effective November [April] 1, 1986; and

(2) Federal action transmittals, which provide operating instructions, procedural detail and technical clarification for use by the department's staff in administering the Aid to Families with Dependent Children Program, as follows: SSA-AT-77-44, 78-13, 78-14, 78-16, 78-21, 78-27, 78-28, 78-38, 79-2, 79-4, 79-5, 79-7, 79-11, 79-14, 79-18, 79-22, 79-26, 79-29, 79-31, 79-32, 79-33, 79-35, 79-42, 79-44, 80-2, 80-3, 80-9, 80-11, 80-19, 80-22, 80-24, 80-29, 80-30, 80-36, 80-38, 80-42, 80-44, 80-45, 80-50, 81-2, 81-7, 81-8, 81-10, 81-11, 81-12, 81-15, 81-16, 81-17, 81-18, 81-23, 81-29, 81-31, 81-33.

81-34, 81-35, 81-36, 81-37, 82-1, 82-5, 82-6, 82-9, 82-11, 82-13, 82-15, 82-16, 82-17, 82-18, 82-19, 82-20, 82-28, 82-33, 82-34, 83-6, 83-7, 83-10, 83-11, 83-13, 83-14, 83-17, 83-18, 83-21, 83-22, 83-23, 83-25, 83-27, 84-2, 84-3, 84-5, 84-6, 84-7, 84-8, 84-9, 84-13, 84-16, 84-25, 85-10, [and] 85-27, 86-1, 86-13, and 86-14 effective November [April] 1, 1986.

Section 3. All documents incorporated by reference herein may be reviewed during regular working hours in the Division of Management and Development, Department for Social Insurance, 275 East Main Street, Frankfort, Kentucky.

MIKE ROBINSON, Commissioner

E. AUSTIN, JR., Secretary

APPROVED BY AGENCY: November 14, 1986

FILED WITH LRC: December 12, 1986 at 11 a.m.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for January 21, 1987, at 9 a.m. in the Vital Statistics Conference Room, 1st Floor, Cabinet for Human Resources, 275 East Main Street, Frankfort, Kentucky. However, this hearing will be cancelled unless interested persons notify the following office in writing by January 16, 1987 of their desire to appear and testify at the hearing: Ryan Halloran, General Counsel, Cabinet for Human Resources, 275 East Main Street, Frankfort, Kentucky 40621.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Janie Miller

(1) Type and number of entities affected: AFDC recipients.

(a) Direct and indirect costs or savings to those affected:

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs (note any effects upon competition):

(b) Reporting and paperwork requirements:

(2) Effects on the promulgating administrative body: None

(a) Direct and indirect costs or savings:

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs:

(b) Reporting and paperwork requirements:

(3) Assessment of anticipated effect on state and local revenues:

(4) Assessment of alternative methods; reasons why alternatives were rejected:

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication:

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments:

TIERING: Was tiering applied? No. Not applicable.

#### CABINET FOR HUMAN RESOURCES Department for Medicaid Services (Proposed Amendment)

907 KAR 1:250. Incorporation by reference of materials relating to the Medical Assistance Program.

RELATES TO: KRS 205.520

PURSUANT TO: KRS 194.050

NECESSITY AND FUNCTION: The Cabinet for Human Resources has responsibility to administer the program of Medical Assistance in accordance with Title XIX of the Social Security Act. KRS 205.520 empowers the cabinet, by regulation, to comply with any requirement that may be imposed, or opportunity presented, by federal law for the provision of medical assistance to Kentucky's indigent citizenry. This regulation incorporates into regulatory form, by reference, materials used by the cabinet in the implementation of the Medical Assistance Program and is applicable for both the categorically and medically needy.

Section 1. Incorporation by Reference. The cabinet shall incorporate by reference materials used in the implementation of the Medical Assistance Program. In the event of a conflict between material incorporated by reference in this regulation and a specific regulation of the cabinet relating to a particular phase of the Medical Assistance Program the latter shall prevail.

Section 2. Listing of Incorporated Material. The following listed materials are hereby incorporated by reference, effective on the date shown:

(1) Federal Medicaid regulations at 42 CFR Parts 430-456 and 1002-1004, and interim final regulations at 42 CFR Parts 430-456, effective November [August] 1, 1986. The regulations contain federal supplementary policies, interpretations and implementing instructions for the Medical Assistance Program as authorized by Title XIX of the Social Security Act.

(2) Federal "State Medicaid Manual," effective November [August] 1, 1986. The "State Medicaid Manual" contains federal interpretations and clarifications of policy relating to implementation of the Medical Assistance Program.

(3) Federal action transmittals and program memoranda issued by the Health Care Financing Administration as follows: HCFA-AT-79-63, 79-72, 79-98, 80-9, 80-59, 81-23, 81-33, 81-35, 82-1, 82-2, 82-20, 83-1, 83-4, 83-7, 83-8, 83-11, 84-1, 84-2, 84-4, 84-5, 84-10, 84-16, 85-1, and HCFA PM-85-4, 85-10, 85-13, 86-7, 86-8, 86-12, [and] 86-13, 86-15, 86-16 and 86-17 effective November [August] 1, 1986. Action transmittals and program memoranda contain federal instructions relating to implementation of the Medical Assistance Program.

(4) Federal transmittal notices issued by the Health Care Financing Administration as follows: DQC-1-82, 10-82; DPO-76-81, 77-81, 78-81; MCD-46-81, 48-81, 55-81, 61-81, 62-81, 64-81, 67-81, 82-81, 86-81, 87-81, 89-81, 92-31, 1-82, 2-82, 6-82, 7-82, 10-82, 14-82, 16-82, 17-82, 18-82, 19-82, 25-82, 26-82, 28-82, 30-82, 33-82, 34-82, 35-82, 38-82, 41-82, 42-82, 50-82, 52-82, 2-83, 5-83, 9-83, 11-83, 12-83, 13-83, 14-83, 15-83, 19-83, 20-83, 26-83, 28-83, 29-83, 30-83, 35-83, 39-83, 40-83, 42-83, 1-84, 6-84, 7-84, 8-84, 9-84, 11-84, 13-84, 14-84, 15-84, 16-84.

18-84, 20-84, 23-84, 24-84, 25-84, 26-84, 27-84, 29-84, 34-84, 35-84, 36-84, 39-84, 48-84, 50-84, 51-84, 55-84, 2-85, 4-85, 5-85, 6-85, 8-85, 10-85, 11-85, 14-85, 18-85, 19-85, 21-85, 22-85, 23-85, 24-85, 25-85, 27-85, 28-85, 29-85, 30-85, 31-85, 32-85, 33-85, 34-85, 36-85, 37-85, 38-85, 39-85, 41-85, 42-85, 43-85, 44-85, 46-85, 47-85, 01-86, 03-86, 04-86, 05-86, 07-86, 10-86, 11-86, 14-86, 16-86, 17-86, 18-86, 20-86, 21-86 (May 9, 1986), 21-86 (May 27, 1986), 24-86, 25-86, 26-86, 27-86, 32-86, [and] 33-86, 34-86, 35-86, 36-86, 37-86, 38-86, 39-86, 40-86, 41-86, 42-86, 43-86, and 44-86 effective November [August] 1, 1986. Transmittal notices contain federal clarifications of policy relating to implementation of the Medical Assistance Program.

(5) Medicare and Medicaid Guide, Volumes I, II, III, and IV, as published by the Commerce Clearing House, Inc., with the following related new developments transfer binders: 1981-1, 1981-2, 1982, 1983-1, 1983-2, and 1984-1, effective November [August] 1, 1986. The Medicare and Medicaid Guide contains reprints of federal laws and regulations relating to the Medicare and Medicaid programs; reprints of Medicare/Medicaid related court decisions; Medicare principles of reimbursement; summaries of state plan characteristics; and other items of general information relating to the Medicare and Medicaid programs. Although the cabinet is bound by federal Medicaid law regulations and notices in the implementation of the Medical Assistance Program, the Guide is used principally as supplementary material for reimbursement issues in situations where the cabinet's vendor reimbursement system uses the Medicare cost principles in unaddressed areas.

(6) State Medicaid Program policies and procedures manuals and letters issued by the cabinet, and which contain benefit descriptions and operating instructions used by agency staff and participating vendors in the provision of, and billing for, Medical Assistance benefits provided eligible program recipients, as follows:

(a) Home and Community Based Services Waiver Project Adult Day Health Care Services, effective November 1, 1986 [October 1, 1985];

(b) Alternative Intermediate Services/Mental Retardation Project, effective November 1, 1986 [October 1, 1985];

(c) Birthing Center Services, effective May 1, 1986;

(d) Community Mental Health Benefits, effective November 1, 1986 [July 1, 1985];

(e) Dental Benefits, effective November [August] 1, 1986;

(f) Early and Periodic Screening, Diagnosis and Treatment Benefits, effective November [August] 1, 1986;

(g) Family Planning Benefits, effective November [May] 1, 1986;

(h) Hearing Services Benefits, effective November 1, 1986 [October 1, 1985];

(i) Home and Community Based Services Waiver Project, effective November 1, 1986 [October 1, 1985];

(j) Home Health Benefits, effective November [August] 1, 1986;

(k) Hospital Services Benefits, effective November 1, 1986 [October 1, 1985];

(l) Independent Laboratory Services Benefits, effective November [May] 1, 1986;

(m) Intermediate Care Facility Benefits, effective November [August] 1, 1986;

(n) Mental Hospital Services Benefits,

effective November [May] 1, 1986;

(o) Nurse Anesthetist Services, effective November [May] 1, 1986;

(p) Nurse Midwife, effective November [May] 1, 1986;

(q) Pharmacy Services, effective November [August] 1, 1986 and updated Outpatient Drug List, including preauthorization list, effective October [July] 1, 1986;

(r) Physician Services Benefits, effective November [August] 1, 1986;

(s) Primary Care Benefits, effective November [May] 1, 1986;

(t) Rural Health Clinic Benefits, effective November [May] 1, 1986;

(u) Skilled Nursing Facility Benefits, effective November [August] 1, 1986;

(v) Ambulance Transportation Benefits, effective November [May] 1, 1986, [as revised];

(w) Vision Services Benefits, effective November [August] 1, 1986;

(x) Podiatry Services, effective November 1, 1986 [October 1, 1985];

(y) Ambulatory Surgical Center Benefits, effective November 1, 1986 [July 1, 1985];

(z) Renal Dialysis Center Benefits, effective November 1, 1986 [October 1, 1985];

(aa) General Provider Letter A-8 and A-9, effective August 1, 1986;

(bb) Medical Director's Letter dated April 26, 1985, effective July 1, 1985;

(cc) EDS Federal Hospital Letter (as fiscal agent for the Medicaid Program) dated April 1, 1985, effective July 1, 1985;

(dd) Provider letters dated September 20 and 23, 1985 relating to KenPac, effective February 1, 1986; [and]

(ee) KenPAC Benefits, effective August 1, 1986;

(ff) Hospice Benefits, effective November 1, 1986; and

(gg) Transportation Benefits, effective November 1, 1986.

Section 3. All documents included by reference herein may be reviewed during regular working hours in the Office of the Commissioner, Department for Medicaid Services, 275 East Main Street, Frankfort, Kentucky. Copies may be obtained from that office upon payment of an appropriate fee which will not exceed approximate cost.

R. HUGHES WALKER, Commissioner

E. AUSTIN, JR., Secretary

APPROVED BY AGENCY: November 18, 1986

FILED WITH LRC: November 24, 1986 at noon

PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for January 21, 1987, at 9 a.m. in the Vital Statistics Conference Room, 1st Floor, 275 East Main Street, Frankfort, Kentucky. However, this hearing will be cancelled unless interested persons notify the following office in writing by January 16, 1987, of their desire to appear and testify at the hearing: Ryan Halloran, General Counsel, Cabinet for Human Resources, 275 East Main Street, 4 West, Frankfort, Kentucky 40621.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: R. Hughes Walker

(1) Type and number of entities affected: Potentially all medicaid providers and recipients.

- (a) Direct and indirect costs or savings to those affected: None
1. First year:
  2. Continuing costs or savings:
  3. Additional factors increasing or decreasing costs (note any effects upon competition):
- (b) Reporting and paperwork requirements: None
- (2) Effects on the promulgating administrative body:
- (a) Direct and indirect costs or savings: None\*
1. First year:
  2. Continuing costs or savings:
  3. Additional factors increasing or decreasing costs:
- (b) Reporting and paperwork requirements: None
- (3) Assessment of anticipated effect on state and local revenues: None
- (4) Assessment of alternative methods; reasons why alternatives were rejected: N/A
- (5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None
- (a) Necessity of proposed regulation if in conflict:
- (b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:
- (6) Any additional information or comments:
- \*Any cost impact is reflected in the specific

program regulation relating to the particular issue.

TIERING: Was tiering applied? No. Not applicable for Medicaid regulations.

#### FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate: This regulation is for the purpose of incorporating, by reference, various federal and state materials used in the implementation of the Medicaid Program and is made to comply with KRS Chapter 13A. It does not, in itself, impose standards.

2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: The regulation does not impose standards.

3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: The regulation does not impose additional requirements or responsibilities, but simply incorporates policy materials as shown in Item 1, above.

## PROPOSED REGULATIONS RECEIVED THROUGH DECEMBER 15

### COUNCIL ON HIGHER EDUCATION

#### 13 KAR 2:040. Residency classification policy.

RELATES TO: KRS 164.020

PURSUANT TO: KRS 164.020

NECESSITY AND FUNCTION: Public institutions of higher education were established and are maintained by the Commonwealth primarily for the benefit of qualified residents of Kentucky. The substantial commitment of public resources to higher education is predicated on the proposition that the state benefits significantly from the existence of an educated citizenry. As a matter of policy, access to higher education is provided so far as practicable at reasonable cost to residents of the state. It is the long-standing practice of the Council on Higher Education to require students who are not Kentucky residents to meet higher admission standards and to pay a higher level of tuition than resident students whose presence in the state reasonably assures that they or, in appropriate instances, their parents have already contributed, or will contribute, substantially to the state in their capacity as resident citizens. The Commonwealth of Kentucky employs residency requirements in various ways to determine voting rights, income tax liability, employment in certain occupations, etc., and the requirements vary in form and substance for each of these uses. The purpose of this policy is to establish a process and corresponding criteria for the residency classification of students seeking admission to, or enrolled in, public institutions of higher education. Furthermore, it is the intent of the Council on Higher Education that this policy be interpreted and applied in a uniform manner, as described herein, in determining whether

students shall be classified as residents or nonresidents for admission and fee assessment purposes.

Section 1. Definitions. The language of this policy on residency classification contains some legal terms as well as everyday terms which, of necessity, have specialized meaning in the determination of residency for admission and fee assessment purposes. The following definitions shall be controlling in the interpretation and application of this policy. Wherever used in this policy:

(1) The terms "institution of higher education" or "college" shall refer to all institutions, public or private, offering instruction and conferring degrees beyond the secondary school level, such as four (4) year colleges/universities, seminaries, two (2) year institutions (community colleges and junior colleges), and postsecondary vocational/technical schools.

(2) The word "domicile" shall denote a person's true, fixed, and permanent home. It is the place where he/she intends to remain, and to which he/she expects to return when he/she leaves without intending to establish a new domicile elsewhere. "Legal residence" and domicile convey the same notion of permanence and are used interchangeably.

(3) The term "emancipated person" shall mean a person:

(a) Who has attained the age of majority;

(b) Whose parent has not claimed such person as a dependent on federal and/or state income tax returns for the preceding tax year;

(c) Who demonstrates the financial ability to provide at least seventy (70) percent of his/her cost of education, i.e., tuition/fees, books/supplies, room and board/maintenance, and



transportation, as determined by the institution's financial aid policy and the student's residency classification; and

(d) Whose parents' income is not taken into account by any private or governmental agency furnishing educational financial assistance to such person, including scholarships, loans, and other assistance.

(4) The term "unemancipated person" shall mean a person who is unable to meet all of the criteria listed in subsection (3) of this section.

(5) The word "parent" shall mean one of the following:

(a) A person's father or mother; or

(b) A court-appointed legal guardian of an unemancipated person.

The word "parent" shall not apply if the guardianship has been established primarily for the purpose of conferring the status of resident on a person.

(6) Attendance at a college or colleges shall be deemed "continuous" if the person claiming "continuous" attendance has been enrolled for consecutive regular semesters since the beginning of the period for which continuous attendance is claimed. Such person need not attend summer sessions or other such intersession in order to render his/her attendance "continuous." The sequence of continuous attendance is broken if the student fails to enroll, except under extenuating circumstances beyond the student's control, e.g., serious personal illness/injury, illness or death of parent, etc., during either the fall or spring semester.

(7) "Full-time employment" means employment for fifty (50) work weeks at an average of thirty-five (35) hours per week.

(8) A "presumption" refers to a fact which is considered proven unless clear and convincing evidence to the contrary can be established. Each individual must be given the opportunity to rebut the presumption.

(9) "Documentation" refers to the submission of source documents, e.g., official letters, papers, or sworn statements. As a general rule, evidence cited as the basis for domicile must be documented, and the required documentation should accompany the application for residency classification.

Section 2. Guidelines for Determination of Residency. (1) Initial classification of residency shall be determined based upon the facts existing when the conditions governing admission for a specific semester/term have been met.

(2) The domicile of an unemancipated person is that of either parent. The domicile of the parent shall be determined in the same manner as the domicile of an emancipated person.

(3) Any unemancipated person who remains in this state when his/her parent(s), having domicile in this state, moves from this state shall be entitled to classification as a resident while in continuous attendance at the degree level in which he/she is currently enrolled. When continuous attendance is broken or the current degree level is completed, the person's residency classification must be reassessed in accordance with the appropriate sections of this policy.

(4) An unemancipated person whose parent is a member of the Armed Forces and stationed in this

state on active duty pursuant to military orders shall be classified as a resident. The student, while in continuous attendance at the degree level in which he/she is currently enrolled, shall not lose his/her resident status when his/her parent is thereafter transferred on military orders. When continuous attendance is broken or the current degree level is completed, the person's residency classification must be reassessed in accordance with the appropriate sections of this policy. This guideline is invalid if the parent is stationed in Kentucky for the purpose of enrollment at an institution of higher education or on temporary assignment of less than one (1) year.

(5) Upon moving to this state, an emancipated person who provides clear and convincing evidence of domicile may apply for resident classification for his/her unemancipated children. Provided that the person is not in this state primarily as a student, his/her unemancipated children may be classified as residents. If the person is in Kentucky primarily for the purpose of enrollment at an institution of higher education, neither that person nor his/her unemancipated children may be classified as residents.

(6) A member of the Armed Forces of the United States stationed in Kentucky on active military orders is considered domiciled in the state and shall be entitled to classification as a resident while on active duty in this state pursuant to such orders. Individuals classified under this section will be reassessed in accordance with the appropriate sections of this policy when the qualifying condition is terminated. This rule is invalid if the individual is stationed in Kentucky for the purpose of enrollment at an institution of higher education or on temporary assignment of less than one (1) year.

(7) An emancipated person who moves to the Commonwealth within six (6) months from the date of discharge from active duty with the military with the stated intent of becoming a legal resident of the Commonwealth shall be permitted to count such time spent in the military service toward meeting the presumptions outlined in Section 3 of this regulation, provided the individual was a legal resident of Kentucky at the time of induction or his/her home of record and permanent address during and at the time of discharge were Kentucky.

(8) In the event of transfer to, or matriculation in, another Kentucky public institution of higher education, the student's residency classification must be reassessed by the receiving institution.

(9) Any person incarcerated in a penal facility located in Kentucky shall be granted resident status during his/her confinement, but his/her residency classification must be reassessed in accordance with the appropriate sections of this policy upon his release from confinement. Time served during incarceration shall not be used to establish domicile unless the individual resided in the Commonwealth prior to confinement or the conditions of parole restrict the location of the individual to the Commonwealth.

(10) Any person holding an immigration visa or classified as a political refugee has the capacity to remain in Kentucky indefinitely and shall establish domicile in the same manner as any other person.

(11) Any person holding a temporary, nonimmigrant visa which requires the maintenance of a foreign domicile - visa designations B, F, J, or M - does not have the capacity to remain in Kentucky indefinitely and may not attain Kentucky resident status for fee assessment purposes. Likewise, any person holding a nonimmigrant visa designation C, D, or K may not attain Kentucky resident status for fee assessment purposes due to the transitory or temporary nature of the visa.

(12) Any person holding a nonimmigrant visa - visa designations A, E, G, H, I, or L - may remain in Kentucky indefinitely as long as his/her authorized purpose or established need continues and may attain Kentucky resident status for fee assessment purposes. In assessing the residency status of such a person, other sections of this policy shall apply, and the person's purpose and length of stay as well as other conditions governing his/her presence in Kentucky shall be determined and considered. If this review justifies a resident classification, the person shall be classified as a resident for fee assessment purposes.

(13) In the event that an emancipated person or the parent of an unemancipated person moves out-of-state, domicile, having been established in Kentucky, is retained until steps are taken to establish domicile elsewhere. The same facts and conditions which are presumed in establishing a Kentucky domicile are similarly presumed in determining when a former Kentucky domicile has been abandoned. In the absence of clear and convincing evidence as to the domicile of an emancipated person who at one time had domicile in Kentucky, that person is presumed to have lost his/her Kentucky domicile upon a one (1) year absence from the state.

Section 3. Presumptions. Unless the contrary appears from clear and convincing evidence, it shall be presumed that:

(1) The domicile of an unemancipated person whose parents are divorced, separated, or otherwise living apart shall be presumed to be Kentucky if either parent is a resident of the Commonwealth regardless of which parent has legal custody or is entitled to claim that person as a dependent pursuant to Kentucky income tax provisions.

(2) Every emancipated person remaining in this state in a nonstudent status (i.e., not enrolled in an institution of higher education) for the twelve (12) months immediately preceding the last date for enrollment in the institution and fulfilling conditions associated with domicile shall be presumed to be a resident for admission and fee assessment purposes.

(3) No emancipated person shall be presumed to have gained resident status while attending any institution of higher education more than half time (half time being equal to one-half of full time), as such status is defined by the governing board of such institution, in the absence of a clear demonstration that he/she had established domicile in the state.

(4) Attending college half time (half time being equal to one-half of full time) or less will not prevent an emancipated person who has full time employment from establishing domicile.

(5) A student who has been classified nonresident is presumed to continue as nonresident while working part time.

(6) The domicile of a married person shall be

determined in the same manner as the domicile of an unmarried person. While no person shall be presumed, solely by reason of marriage or cohabitation, to have established or to have lost domicile in Kentucky, the fact of marriage or cohabitation and the place of domicile of the spouse or cohabitant are deemed relevant evidence in ascertaining domicile.

(7) A student whose admissions records show him/her to be a graduate of an out-of-state high school or his/her residence to be outside of Kentucky at the time of application for admission is presumed to be a nonresident and will be initially so classified.

Section 4. Types of Evidence to be Considered for Establishment of Domicile. Evidence submitted on behalf of an unemancipated person must pertain to the domicile of either parent. Initial classifications generally are made on the basis of information derived from admissions materials, and individuals who enroll in college immediately following graduation from high school and remain enrolled are treated as unemancipated persons unless the contrary is evident from the information submitted. In such cases, domicile will be inferred from the student's permanent address, parent's mailing address, and/or location of high school of graduation. A person claiming emancipated status must document his/her independent status under Section 1(3) of this regulation and must demonstrate that he/she has established a domicile in Kentucky by his/her own acts. If an emancipated person asserts that he/she has established domicile in Kentucky, he/she has the burden of proving he/she has done so. The following statements pertain to the kinds of evidence and required documentation that will be considered in reviewing an assertion by an emancipated person that he/she is domiciled in Kentucky.

(1) The following facts, although not conclusive, have probative value in support of a claim for resident classification:

(a) Acceptance of an offer of full-time employment or transfer to an employer in Kentucky or contiguous area while maintaining legal residence in Kentucky;

(b) Continuous physical presence in a nonstudent status for the twelve (12) months immediately preceding the last date for enrollment in the institution;

(c) Filing of Kentucky resident income tax returns when absent from the state;

(d) Full-time employment of at least one (1) year while living in Kentucky;

(e) Attendance as a full-time, nonresident student at an out-of-state institution of higher education while determined to be a resident of Kentucky; or

(f) Abandonment of a former domicile and establishing domicile in Kentucky with attendance at an institution of higher education following and only incidental to such change in domicile.

(2) The following facts are not necessarily sufficient evidence of domicile:

(a) Employment by an institution of higher education as a fellow, scholar, assistant, or in any position normally filled by students;

(b) A statement of intent to acquire a domicile in Kentucky;

(c) Voting or registration for voting;

(d) Lease of living quarters;

- (e) Payment of local and state taxes;
- (f) Kentucky automobile registration;
- (g) Kentucky operator's license;
- (h) Continued presence in Kentucky during vacation periods;
- (i) Marriage to or cohabitation with a Kentucky resident; or
- (j) Ownership of any real property in Kentucky.

Domicile shall not ordinarily be conferred by the performance of acts which are auxiliary to fulfilling educational objectives or are performed as a matter of convenience. Mere physical presence in the state for educational purposes is not sufficient evidence of domicile.

(3) The determination of domicile must be based upon verifiable circumstances or actions. Subsections (1) and (2) of this section list some facts that may be relevant in evaluating a claim to domicile, but other facts pertaining to an individual's situation may be considered. No single fact is paramount, and each situation must be evaluated to identify those facts which are essential to the determination of domicile. When reviewing the evidence and documentation submitted, institutions may request additional evidence and/or documentation to clarify the person's circumstances and to formulate a classification decision which considers all relevant facts.

(4) Responsibilities. The responsibility for registering under the proper residency classification is that of the student. It is the student's obligation, prior to the time of registration, to raise questions about residency classification with the administrative officials of the institution in which he/she is registering for an official determination of status. A student classified as resident who becomes nonresident by virtue of a change of domicile by his/her own action or by person(s) controlling his/her domicile is required to notify the proper administrative officials of the institution at once. A student classified as nonresident will be considered to retain that status until he/she makes written application for reclassification in the form prescribed by the institution and is officially reclassified by the proper administrative officials. The effective date of a residency classification cannot predate the date of application for reclassification. Each institution is responsible for establishing procedures for the collection of sufficient information in support of residency classifications, maintaining accurate files, and administering this policy in a consistent manner.

#### Section 5. Residency Classification Procedure.

(1) Each institution shall establish a procedure for the initial determination of residency classification based upon this policy. To consider student requests for reclassification, each institution shall establish a committee, hereafter, the "committee," to consider changes in residency classification. Application for change of residency classification shall be made in writing to the administrative office or to the person designated by the institution for this purpose. To support full consideration of a request for a change in residency classification, each application shall consist of a complete affidavit, the content of which prescribes the necessary documentation to substantiate facts cited. The student must provide all information relevant to a

determination of his/her current residency status. Each applicant is encouraged to submit a formal statement indicating the basis for his/her claim to resident status. The student working with the institutional classification officer is responsible for ensuring that all needed documentation is submitted with his/her affidavit. Incomplete applications may be deferred at the discretion of the chair of the committee. The chair will present each case to the committee for a decision, and the student will be notified in writing as to the disposition of his/her application. In the event of a ruling by the committee which is unsatisfactory to the student, the student may appeal the institutional decision and request that a complete copy of his/her file, e.g., affidavit, documentation, the student's statement if submitted, be submitted by the administrative office or the person designated by the institution to the Executive Director of the Council on Higher Education.

(2) Appeal procedure. The Executive Director of the Council on Higher Education shall appoint a person to serve as an appeals officer. The appeals officer shall review all residency appeals from the public institutions of higher education. A student may appeal the decision of the committee within fourteen (14) calendar days of such decision to the Council on Higher Education by giving written notice to the chair of the committee or the person or office designated by the institution. The institutional representative designated to handle appeals is responsible for forwarding a complete record of the matter to the Executive Director of the Council on Higher Education.

(a) The student's written notice of appeal need not be in any prescribed form, but it must clearly state reasons for the appeal.

(b) The institution shall forward a complete copy of the student's file within fourteen (14) calendar days of the receipt of a notice of appeal. The student may review the content of his/her file before it is forwarded to the Council on Higher Education. Significant new evidence may warrant a new hearing by the committee before the matter is referred to the Council on Higher Education.

(c) The appeal shall be considered on the written record alone.

(d) The appeals officer shall review findings of fact, draw conclusions, and formulate a recommendation consistent with the facts and this policy. Within fourteen (14) calendar days, the report of the appeals officer shall be forwarded to the institutional representative designated to handle appeals for final disposition by the institution in accordance with established institutional procedures. A copy of that report shall be forwarded to the Executive Director of the Council on Higher Education. The institution shall act on the appeal within twenty-one (21) calendar days of the receipt of the appeals officer's report.

(e) Within seven (7) calendar days, the institution shall notify the student of the final disposition of his/her appeal.

Section 6. Statewide Meetings. To enhance consistency among the institutions in the interpretation and application of this policy, the institutional residency officers shall meet twice a year with council staff and the appeals officer to discuss the residency policy,

institutional classification procedures, and decisions made by the appeals officer.

Section 7. Effective Date. These revised guidelines become effective on July 1, 1987, and supersede all previous policies of the council relating to classification of students for fee assessment purposes.

Section 8. 13 KAR 2:010, Residency classification for participation in contract programs, is hereby repealed.

GARY S. COX, Acting Executive Director

APPROVED BY AGENCY: November 25, 1986

FILED WITH LRC: December 3, 1986 at 2 p.m.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on January 23, 1987 at 10 a.m. at the office of the Council on Higher Education on U.S. 127 in Frankfort. Those interested in attending this hearing should contact: Norm Snider, Director for Communication Services, Council on Higher Education, 1050 U.S. 127 South, Frankfort, Kentucky 40601.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Debbie McGuffey

(1) Type and number of entities affected: None

(a) Direct and indirect costs or savings to those affected:

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs (note any effects upon competition):

(b) Reporting and paperwork requirements:

(2) Effects on the promulgating administrative body: None

(a) Direct and indirect costs or savings:

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs:

(b) Reporting and paperwork requirements:

(3) Assessment of anticipated effect on state and local revenues: No effect

(4) Assessment of alternative methods; reasons why alternatives were rejected: Not applicable

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments:

TIERING: Was tiering applied? No. 13 KAR 2:040 will have no effect on local governments.

#### COUNCIL ON HIGHER EDUCATION

13 KAR 2:050. Tuition policy.

RELATES TO: KRS 164.020(3)

PURSUANT TO: KRS 13A.100, 164.020(3), 164.030, 164.284

NECESSITY AND FUNCTION: The Council on Higher Education is empowered and charged with the responsibility, pursuant to KRS 164.020(3), to determine tuition for attendance at public institutions of higher education in the Commonwealth. This regulation sets forth the current tuition policy established by the

council.

Section 1. General. The Council on Higher Education sets the tuition for all students enrolled in each public institution of higher education and professional school in Kentucky. These include Eastern Kentucky University, Kentucky State University, Morehead State University, Murray State University, Northern Kentucky University, University of Kentucky, University of Louisville, Western Kentucky University, and University of Kentucky Community College System.

Section 2. Tuition Policy. (1) The council shall conduct an annual survey of doctoral, master's, community college system, and professional school (dentistry, law, and medicine) benchmarks' tuition consistent with the following tuition-setting principles:

(a) Maintain tuition levels for Kentucky residents as a reasonable percentage of per capita personal income (PCPI) in order to provide economic access to higher education;

(b) Use appropriate benchmarks as points of reference for determining tuition; and

(c) Effect equitable and planned movement of present tuition charges toward the objective of a reasonable percentage of Kentucky PCPI.

(2) A resident tuition objective, expressing tuition as a percentage of PCPI, is set for each type of institution and professional school. Resident undergraduate and professional school tuition rates are expressed as a percentage of PCPI. Graduate resident tuition rates are expressed as a percentage of the undergraduate resident tuition rates. Nonresident undergraduate and graduate rates are expressed as a percentage of appropriate resident rates. Nonresident tuition rates in the dental and law schools are determined consistently with appropriate provisions of the "Strategic Plan for Higher Education in Kentucky."

Section 3. 13 KAR 2:030, Tuition schedule, is hereby repealed.

GARY S. COX, Acting Executive Director

APPROVED BY AGENCY: November 25, 1986

FILED WITH LRC: December 3, 1986 at 2 p.m.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on January 23, 1987 at 9 a.m. at the office of the Council on Higher Education on U.S. 127 in Frankfort. Those interested in attending this hearing should contact: Norm Snider, Director for Communication Services, Council on Higher Education, 1050 U.S. 127 South, Frankfort, Kentucky 40601.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Debbie McGuffey

(1) Type and number of entities affected: None

(a) Direct and indirect costs or savings to those affected:

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs (note any effects upon competition):

(b) Reporting and paperwork requirements:

(2) Effects on the promulgating administrative body: None

(a) Direct and indirect costs or savings:

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs:

(b) Reporting and paperwork requirements:

(3) Assessment of anticipated effect on state and local revenues: No effect

(4) Assessment of alternative methods; reasons why alternatives were rejected: Not applicable

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments:

TIERING: Was tiering applied? No. 13 KAR 2:050 will have no effect on local governments.

# GENERAL GOVERNMENT CABINET Kentucky Real Estate Commission

201 KAR 11:200. Education and testing requirements.

RELATES TO: KRS 324.010, 324.045, 324.046

PURSUANT TO: KRS 13A.100(3)

NECESSITY AND FUNCTION: To set forth procedures and standards for education requirements, testing, and license applications.

Section 1. Applicants for licensure must successfully complete education requirements prior to taking the examination.

Section 2. Those persons who successfully pass the entire real estate examination must apply for a license within sixty (60) days of the examination. Failure to do so results in the candidate being re-examined.

Section 3. Candidates for licensure must successfully pass the entire examination within a two (2) year period prior to licensure. Candidates for licensure must provide proof of high school graduation or successful passage of the General Educational Development test. In lieu of the above, candidates may submit a transcript which indicates completion of a degree program at a post secondary institution, or a transcript which indicates successful completion of twenty-eight (28) academic semester hours or equivalent from a post secondary institution.

Section 4. Applicants attending an "approved real estate school" as defined by KRS 324.010, must provide official documentation indicating successful completion of course, date of completion, clock hours awarded, and other information which would indicate compliance with statutory requirements.

Section 5. Sixteen (16) clock hours from an approved school will be equal to one (1) academic semester hour from a college or university.

Section 6. A real estate course shall be one which is designated specifically as a real estate course by the educational institution which offers the course. The curriculum for the course must specifically focus on real estate academic content areas. The course must be for

academic credit and not a continuing education unit, examination preparation or review, experiential education, or competency testing. Candidates may not submit completion of the same course or essentially same course twice for licensure credit.

Section 7. An official transcript is a document imprinted with the institution's seal, signed by the registrar, and sent directly from the institution to the commission.

Section 8. An applicant for licensure cannot engage in any real estate activities until the license has been issued and received by the principal broker.

Section 9. An applicant for licensure accepts responsibility to meet all statutory and regulatory licensing requirements. Applicants having questions regarding applicability of education courses, pending complaints, past criminal convictions, or any other requirement should contact the commission in writing prior to the examination.

Section 10. 201 KAR 11:080, Broker's requirements when not regularly engaged in business, is hereby repealed.

SUSAN G. STOPHER, Executive Director  
APPROVED BY AGENCY: November 19, 1986

FILED WITH LRC: December 1, 1986 at 1 p.m.

PUBLIC HEARING SCHEDULED: A public hearing has been scheduled on January 21, 1987 at the offices of the Kentucky Real Estate Commission, 222 South First Street, Suite 300, Louisville, Kentucky 40202. Persons interested in attending the hearing shall notify in writing at least five days prior to the hearing: Susan G. Stopher, Executive Director, Kentucky Real Estate Commission, 222 South First Street, Suite 300, Louisville, Kentucky 40202.

## REGULATORY IMPACT ANALYSIS

Agency Contact Person: Susan G. Stopher

(1) Type and number of entities affected:

(a) Direct and indirect costs or savings to those affected: None

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs (note any effects upon competition):

(b) Reporting and paperwork requirements: None

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings: None

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs:

(b) Reporting and paperwork requirements: None

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: None

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict: None

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions: None

(6) Any additional information or comments: Will provide clarification of statutes and procedures for license education requirements and issuance.

TIERING: Was tiering applied? No. Not applicable.

**GENERAL GOVERNMENT CABINET**  
**Board of Speech-Language Pathology & Audiology**

201 KAR 17:090. Continuing education requirements.

RELATES TO: KRS 334A.170

PURSUANT TO: KRS 334A.080

**NECESSITY AND FUNCTION:** This regulation delineates the requirements for continuing education and prescribes methods and standards for the accreditation of continuing education courses.

**Section 1. Continuing Education Unit Defined; Accrual of Continuing Education Units Mandatory; Computation of Accrual.** A continuing education unit (CEU) shall be the basic unit of measurement used to credit individuals with continuing education activities for licensure. One CEU is defined as ten (10) contact hours of participating in continuing educational experiences. Beginning in 1987 for each licensee, a minimum of one and five-tenths (1.5) CEU's must be accrued during the licensure period for licensure renewal for the following year. The licensure period shall be January 1 through December 31 of each calendar year. All units must be in or related to the field of speech-language pathology or audiology and in the specific area for which licensure is sought. Individuals who hold a license in both speech-language pathology and audiology will be required to complete a minimum of two and five-tenths (2.5) CEU's during the licensure period for licensure renewal for the following year. It is expected that such individuals will obtain CEU credit in both areas of licensure.

**Section 2. Methods of acquiring continuing education units.** The following educational activities are generally recognized as methods of acquiring continuing education units provided they are directly related to the professional growth and development of speech-language pathologists and/or audiologists:

(1) Short courses, miniseminars, and teleconferences of the American Speech-Language-Hearing Association national and/or regional conventions.

(2) Educational sessions of the Kentucky Speech-Language-Hearing Association state convention and/or regional conferences.

(3) The following types of educational activities may be submitted to the board for approval provided they are directly related to the fields of speech-language pathology and/or audiology:

(a) Educational sessions provided within the licensee's work setting;

(b) College credit courses approved by and/or acceptable to the board taken for credit or through official audit;

(c) Scientific and educational lectures, workshops or seminars;

(d) Scientific and educational lectures, workshops, or seminars presented by the

licensee: A maximum of two-tenths (.2) CEU may be credited for scientific and educational lectures, workshops, or seminars presented by the licensee. The two-tenths (.2) CEU maximum credit for presentations by the licensee will be applicable to only one (1) licensee (speech-language pathology or audiology) for those individuals who hold dual licensure.

**Section 3. Procedures for accreditation of sponsors and approval of continuing education activities.**

(1) An institution, organization, agency, or individual desiring to be designated as an accredited sponsor of continuing education activities shall apply on a form provided by the board. If approved by the board, such institution, organization, agency, or individual shall be designated as an accredited sponsor of continuing education activities, and the activities of such an approved sponsor which are relevant to speech-language pathology and audiology shall be deemed automatically approved for continuing education credit for a period of one (1) year from the date of approval by the board.

(2) An institution, organization, agency, or individual shall be qualified for approval as a sponsor of continuing education activities if the board determines that:

(a) The sponsor is approved by the American Speech-Language-Hearing Association; or

(b) The sponsor presents organized programs of learning; and

(c) The sponsor presents subject matter which integrally relates to the practice of speech-language pathology and/or audiology; and

(d) The sponsor's program activities contribute to the professional competency of the licensee; and

(e) The sponsor's program presenters are individuals who have education, training, or experience acceptable to the board.

(3) Prior approval of continuing education activities may be requested from the board by an institution, organization, agency, or individual other than an accredited sponsor which desires approval of a continuing education activity prior to its presentation. A licensee who desires to establish accreditation of continuing education activity prior to attendance shall apply for approval to the board at least forty-five (45) days in advance of the commencement of the activity, on a form provided by the board, stating the type of learning activity, the subject matter, the names and qualifications of the instructors, and the number of continuing education hours offered. A continuing education activity shall be qualified for approval if the board determines that the activity being presented:

(a) Is an organized program of learning; and

(b) Pertains to subject matters which integrally relate to the practice of speech-language pathology and/or audiology; and

(c) Contributes to the professional competency of the licensee; and

(d) Is conducted by individuals who have education training, or experience acceptable to the board.

**Section 4. Responsibilities and Reporting Requirements of Licensees.** The ultimate responsibility for continuing education activities rests with the individual. His

responsibility is to identify his own continuing education needs, to take the initiative in seeking continuing professional education activities to meet these needs, and to seek ways to integrate new knowledge, skills and attitudes. Each licensee has specific responsibility to:

(a) Select approved activities by which to earn CEU's;

(b) Obtain from the board prior approval for continuing education activities not accredited by the board;

(c) Keep records of, and report to the board on forms provided by the board a record of continuing education activities not later than thirty (30) days after the activity;

(d) Document to the board details of all CEU's earned. Documentation of attendance and participation in a continuing education activity may be in the form of, but not limited to, official documents such as transcripts, certificates, affidavits signed by instructors, receipts for fees paid to the sponsor, or less formal evidence such as written summaries of experiences that are not otherwise formally or officially documented in any way. The type of documentation required varies depending on the specific activity submitted to the board for approval.

Section 5. Carry-over of Continuing Education Units Prohibited; One-year Exemption for Newly Licensed Persons. (1) Continuing education units shall not be carried over into the following licensure renewal period.

(2) Those persons newly licensed during the license renewal period shall not be required to complete continuing education as a prerequisite for their first renewal of license.

Section 6. Board to Approve Continuing Education Units; Appeal when Approval Denied. (1) The board reserves the right to appoint a committee to review all applications for approval of CEU's.

(2) In the event of denial, in whole or part, of any application for approval of CEU's, the licensee shall have the right to appeal in writing to the board. Notice of such appeal must be received by the board within thirty (30) days after the entry date of the board's order denying approval of CEU's.

(3) A hearing before the full board may be held at the request of the licensee if the written appeal is denied, provided the board receives written request for such hearing within ten (10) days after the entry date of the board's order denying the written appeal.

Section 7. Interim Licensees. Continuing education requirements do not apply to the holders of interim licenses.

GREG HOLMES, Assistant Attorney General

APPROVED BY AGENCY: December 15, 1986

FILED WITH LRC: December 15, 1986 at 8 a.m.

PUBLIC HEARING SCHEDULED: A public hearing on this proposed regulation will be held on January 27, 1987 at the hour of 10 a.m. EST at the offices of the Kentucky Board of Speech-Language Pathology and Audiology, Berry Hill Annex, Frankfort, Kentucky 40601. Any person interested in commenting on this regulation at that hearing should contact Ms. Janet Watts, Division of Occupations and Professions, Berry Hill Annex,

Frankfort, Kentucky 40601, in writing, by January 22, 1987.

## REGULATORY IMPACT ANALYSIS

Agency Contact Person: Janet Watts

(1) Type and number of entities affected: Approximately 625.

(a) Direct and indirect costs or savings to those affected: Slight costs for attendance at CE courses.

1. First year: Same first year.

2. Continuing costs or savings: Same continuing costs or savings.

3. Additional factors increasing or decreasing costs (note any effects upon competition): N/A

(b) Reporting and paperwork requirements: Forms for course accreditation and proof of attendance must be filed with the board.

(2) Effects on the promulgating administrative body: Slight costs for attendance at CE courses.

(a) Direct and indirect costs or savings: Same

1. First year: Same

2. Continuing costs or savings: Same

3. Additional factors increasing or decreasing costs: N/A

(b) Reporting and paperwork requirements: Forms for course accreditation and proof of attendance must be filed with the board.

(3) Assessment of anticipated effect on state and local revenues: N/A

(4) Assessment of alternative methods; reasons why alternatives were rejected: N/A

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: N/A

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments: None

TIERING: Was tiering applied? No. Not applicable.

## DEPARTMENT OF AGRICULTURE

### 302 KAR 31:011. Informal proceedings.

RELATES TO: KRS Chapter 217B

PURSUANT TO: KRS Chapter 217B, 217B.050

NECESSITY AND FUNCTION: To establish rules regarding informal proceedings for the settlement of administrative complaints brought pursuant to KRS 217B.545.

Section 1. Commencement of Informal Proceedings. At any time after the service of an administrative complaint upon a licensee and before hearing, the responding licensee may seek an informal dispensation of any pending allegation upon signing a waiver that states that the licensee waives his right to raise any constitutional, statutory, or common law objection should the Pest Control Advisory Board reject the informal proposal or if informal proceedings are curtailed by the department's general counsel. The general counsel shall have complete discretion to negotiate with the responding licensee concerning stipulations of fact, conclusions of law, and proposed discipline or dismissal of complaints. The general counsel shall also have discretion to



reject any or all offers of informal dispensation and may commence informal proceedings on his own initiative.

Section 2. Presentation of Proposal to Board. Whenever the general counsel believes that an appropriate informal dispensation has been negotiated he shall cause to be presented to the board the responding licensee's signed waiver, stipulations of fact, proposed conclusions of law, and proposed written recommendations for disposition of the complaints, including proposed suspension, revocation or modification of the license. The documents shall include a line for the signature of the chairman of the board and shall become effective upon being accepted by the board, signed by the chairman, and forwarded to the commissioner for action.

Section 3. Effect of Rejection. If the board rejects an offer of informal dispensation, the matter shall continue to proceed as a formal proceeding; or upon the joint request of the parties, the offer shall be submitted directly to the commissioner for decision along with the board's reasons for rejecting the offer and a recommendation from the board that the commissioner not approve the offer. The commissioner shall accept or reject the offer after reviewing the whole record. He may allow oral argument on the proposed offer before he makes a decision if either party moves for it and it appears that such argument would substantially contribute to the decision-making process. If the commissioner approves the offer, he shall enter an appropriate order in conformance with the proposal. If the commissioner rejects the offer, the matter shall continue to proceed as a formal proceeding. Rejection shall not be taken as a finding or determination of any kind on behalf of the board and no orders or other pleadings shall be filed in regard to any rejected proposal.

Section 4. Action by the Commissioner. If the commissioner approves of the board's recommendation, or a joint request by the parties for informal dispensation after rejection by the board, then he shall enter an order setting out the terms of the discipline against the licensee or dismissing the complaint in whole or in part. If the commissioner rejects the recommendations the matter shall continue to proceed as a formal proceeding.

DAVID E. BOSWELL, Commissioner

APPROVED BY AGENCY: November 24, 1986

FILED WITH LRC: December 2, 1986 at 1 p.m.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on January 23, 1987 at 1:30 p.m. in Room 713 of the Capital Plaza Tower, Frankfort, Kentucky. Those interested in attending this hearing shall contact: Thomas M. Troth, General Counsel, Department of Agriculture, Room 705, Capital Plaza Tower, Frankfort, Kentucky 40601. Unless written notification of intent to attend a public hearing is received by the promulgating agency at least five (5) days before the hearing date, the hearing may be cancelled.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Mike Stivers

(1) Type and number of entities affected:

(a) Direct and indirect costs or savings to those affected: None

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs (note any effects upon competition): N/A

(b) Reporting and paperwork requirements: No additional requirements.

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings: None

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs: N/A

(b) Reporting and paperwork requirements: No additional requirements.

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: Most feasible alternative.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict: N/A

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions: N/A

(6) Any additional information or comments:

TIERING: Was tiering applied? No. This regulation will apply evenly across the Pest Control Industry.

#### NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET Kentucky Nature Preserves Commission

#### 400 KAR 2:060. Definitions.

RELATES TO: KRS 146.425, 146.460, 146.490

PURSUANT TO: KRS 146.485

NECESSITY AND FUNCTION: KRS 146.485 requires the Kentucky Nature Preserves Commission to develop regulations for the selection, acquisition, management, protection and use of natural areas and nature preserves, and for the conduct of commission affairs. This regulation provides for the defining of certain essential terms used in 400 KAR 2:060 through 400 KAR 2:100.

Section 1. (1) "Advisor" means any individual selected by the commission to serve in an advisory capacity to the commission pursuant to KRS 146.435;

(2) "Articles of dedication" means the writing by which any estate, interest, or right in a natural area and/or buffer area is formally dedicated as provided in KRS 146.410 to 146.530;

(3) "Act" means the enabling legislation of the Kentucky Nature Preserves Commission KRS 146.410 to 146.530;

(4) "Commission" means the Kentucky Nature Preserves Commission;

(5) "Cabinet" means the Natural Resources and Environmental Protection Cabinet;

(6) "Secretary" means the Secretary of the Natural Resources and Environmental Protection Cabinet;

(7) "Custodian" means any person, organization, agency, or institution selected by the commission to serve as the managing agent

for a nature preserve;

(8) "Natural area" means any area of land or water, or of both land and water, in public or private ownership, which either retains or has reestablished to some degree, in the judgment of the commission, its natural character, though it need not be completely natural and undisturbed, or which has natural flora, fauna, biological, ecological, geological, scenic or archaeological features of scientific, aesthetic, cultural or educational interest;

(9) "Nature preserve" means a natural area, and land necessary for its protection, any estate, interest or right which has been formerly dedicated under the provisions of KRS 146.410 to 146.530 to be maintained as nearly as possible in its natural condition and to be used in a manner and under limitations consistent with its continued preservation, without impairment, disturbance, or artificial development, for the public purposes of present and future scientific research, education, aesthetic enjoyment, and habitat for plant and animal species and other natural objects;

(10) "Inventory of natural types, flora and fauna" is a list of flora and fauna occurring in Kentucky, and of natural types identified by the commission to be monitored for the purpose of complying with the provisions of the Act;

(11) "Register of natural areas" means the list of those natural areas worthy of preservation but not available for dedication. Terrestrial natural areas may only be registered with the consent of the landowner; stream segments may be registered upon such a determination by the commission.

Section 2. Pursuant to the Opinion and Summary Judgment entered by the Franklin Circuit Court on December 1, 1986, the following regulations are void and are therefore repealed: 400 KAR 2:010; 400 KAR 2:020; 400 KAR 2:030; 400 KAR 2:040; and 400 KAR 2:050.

RICHARD R. HANNAN, Director

APPROVED BY AGENCY: December 11, 1986

FILED WITH LRC: December 12, 1986 at 8 a.m.

PUBLIC HEARING SCHEDULED: A public hearing concerning this regulation has been scheduled for January 30, 1987 at 5 p.m. at the offices of the Nature Preserves Commission, 407 Broadway, Frankfort, Kentucky 40601. Those interested in attending should provide written notice to Richard R. Hannan at the above address.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Richard R. Hannan, Director

(1) Type and number of entities affected: The Nature Preserves Commission administers land dedicated to the state as nature preserves. There are currently sixteen such areas. The Nature Preserves Commission is not a regulatory body, and as such, its regulations do not impose any direct or indirect costs or savings or additional reporting or paperwork requirements on those affected.

(a) Direct and indirect costs or savings to those affected:

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs (note any effects upon competition):

(b) Reporting and paperwork requirements:

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings: This regulation merely defines terms used in subsequent regulations and does not impose any direct or indirect costs or savings upon the promulgating agency.

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs:

(b) Reporting and paperwork requirements: This regulation merely defines terms used in subsequent regulations and does not create any reporting and paperwork requirements.

(3) Assessment of anticipated effect on state and local revenues: This regulation formalizes definitions which have been in use for some time and will have no anticipated effect on state and local revenues.

(4) Assessment of alternative methods; reasons why alternatives were rejected: Several of the definitions contained in the definitions page are drawn from this statute and alternatives were not considered. The remainder of the definitions are necessary to effect the stated purposes of the statute.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: The definitions are not in conflict with any provision in the statute, administrative regulation, or policy. Several of the definitions do not establish procedures and are assembled from various points in the statute for ease of reference:

Section 1(2) Drawn from KRS 146.415(3)

Section 1(4) Drawn from KRS 146.415(4)

Section 1(8) Drawn from KRS 146.415(1)

Section 1(9) Drawn from KRS 146.415(2)

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments: None

TIERING: Was tiering applied? No. Since the Nature Preserves Commission is not a regulatory agency, and since these regulations do not impose any costs or savings or reporting or paperwork requirements of those affected, tiering was not applied.

#### NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET Kentucky Nature Preserves Commission

400 KAR 2:070. The Nature Preserves Commission.

RELATES TO: KRS 146.410, 146.425, 146.430

PURSUANT TO: KRS 146.425(2), 146.485

NECESSITY AND FUNCTION: KRS 146.485 requires the Kentucky Nature Preserves Commission to make and publish regulations for the conduct of commission affairs. This regulation sets forth the administrative structure of the commission and rules for transacting the business of the commission.

Section 1. Officers. (1) The officers of the commission shall be a chairman and a secretary.

(2) The chairman and secretary shall be

elected annually by the commission at its first regular meeting in the calendar year.

(3) Duties of officers.

(a) The chairman shall preside at meetings of the commission. In the name of the commission, and subject to its approval, he shall sign the minutes of each meeting, certifying that the minutes have been approved by the commission to be recorded as the minutes of that meeting. On behalf of the commission, and with its consent, he shall approve and sign contracts, memoranda of agreement, Articles of Dedication, natural areas registration certificates, out-of-state travel vouchers, and such other agreements as may be entered into, and approved by, the commission, unless such authority is delegated to the secretary or director of the commission.

(b) The secretary of the commission shall perform the duties of the chairman when the chairman is unable to execute his duties due to absence or other disability. The secretary shall record the minutes of the meetings of the commission in the manner set forth in this regulation. The secretary shall sign the minutes of each meeting, to certify that they are an accurate record of the meeting and are to be recorded as the minutes of the meeting.

Section 2. Director. The commission may hire a full-time director who shall be qualified by training and experience to administer the duties of the commission, which shall include the following:

(1) Employing personnel, upon the advice and consent of the commission;

(2) Approval, as indicated by his signature thereto, of documents necessary to perform the administrative function of the commission, including, but not limited to, time sheets, leave and compensatory time request forms, in-state travel approval, and request for purchase and payment forms;

(3) Signing of documents requiring the signature and approval of the chairman of the commission to certify that the documents have been reviewed by the commission staff;

(4) Managing the day to day affairs of the commission, and its staff;

(5) Preparing a report on the condition of each nature preserve and each registered natural area to be submitted to the commission at its final quarterly meeting in each even numbered year.

(6) Such other duties as may be directed by the commission and recorded in the minutes of its meetings.

Section 3. Meetings. (1) There shall be four (4) quarterly meetings of the commission each year. A schedule of meetings including times and places for the coming year shall be set by the commission at its last meeting of the calendar year. This schedule may be altered upon motion approved by a quorum of the commission.

(2) Special meetings of the commission may be called at such time and place as designated by the chairman or four (4) members of the commission.

(3) Notice of regular quarterly meetings of the commission shall be given to each member of the commission and advisors, in writing by mailing not less than seven (7) nor more than twenty-one (21) days prior to the meeting. The notice shall contain a date, time, and place of the meeting, and set forth the agenda of the

meeting. Special meetings shall require three (3) days notice.

(4) Minutes of meetings. Minutes shall be kept of all meetings of the commission and recorded in volumes kept for that purpose in the office of the commission.

(5) Conduct of meetings.

(a) "Robert's Rules of Order, Revised" shall govern the conduct of all meetings of the commission.

(b) The order of business at all meetings of the commission shall be as follows:

1. Roll call and establishment of a quorum, which shall consist of three (3) members of the commission;

2. Reading and disposition of the minutes of the previous meetings;

3. Report of the director;

4. Old business;

5. New business.

RICHARD R. HANNAN, Director

APPROVED BY AGENCY: December 11, 1986

FILED WITH LRC: December 12, 1986 at 8 a.m.

PUBLIC HEARING SCHEDULED: A public hearing concerning this regulation has been scheduled for January 30, 1987 at 5 p.m. at the offices of the Nature Preserves Commission, 407 Broadway, Frankfort, Kentucky 40601. Those interested in attending should provide written notice to Richard R. Hannan at the above address.

# REGULATORY IMPACT ANALYSIS

Agency Contact Person: Richard R. Hannan, Director

(1) Type and number of entities affected: The Nature Preserves Commission administers land dedicated to the state as nature preserves. Currently there are sixteen such nature preserves. The Nature Preserves Commission is not a regulatory agency and its regulations will have no direct or indirect costs or savings on those affected and will not create any new reporting or paperwork requirements.

(a) Direct and indirect costs or savings to those affected:

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs (note any effects upon competition):

(b) Reporting and paperwork requirements:

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings: This regulation formalizes procedures which have been in place for some time and will cause no additional direct or indirect costs or savings to the agency.

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs:

(b) Reporting and paperwork requirements: This regulation causes no additional reporting or paperwork requirements on the agency.

(3) Assessment of anticipated effect on state and local revenues: Since this regulation formalizes existing procedures, they will have no effect on state or local revenues.

(4) Assessment of alternative methods; reasons why alternatives were rejected: This regulation establishes internal procedures and is necessary to effect the purposes of the statute.

(5) Identify any statute, administrative

regulation or government policy which may be in conflict, overlapping, or duplication: The regulation is in conflict with no statute, administrative regulation or government policy.

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments:  
None

TIERING: Was tiering applied? No. Since the Nature Preserves Commission is not a regulatory agency, and since these regulations will have no direct or indirect costs or savings to those affected and will create no new reporting or paperwork requirements, then tiering was not applied.

**NATURAL RESOURCES AND  
ENVIRONMENTAL PROTECTION CABINET  
Kentucky Nature Preserves Commission**

**400 KAR 2:080. Dedication of nature preserves and registration of natural areas.**

RELATES TO: KRS 146.410, 146.420, 146.440, 146.470, 146.490, 146.505

PURSUANT TO: KRS 146.460, 146.465, 146.475, 146.485, 146.495

NECESSITY AND FUNCTION: KRS 146.485 requires the commission to establish rules for the selection, acquisition, management, protection, and use of natural areas and nature preserves, and to maintain a state registry of natural areas, an inventory of natural types, flora and fauna, and other records of natural areas and nature preserves. This regulation sets forth procedures for the dedication and maintenance of nature preserves, and the registration and maintenance of inventories relating to natural areas and nature preserves.

Section 1. Dedication of Nature Preserves. (1) Upon the determination by the director of the commission that an area constitutes a natural area worthy of protection through dedication as a nature preserve, and that the owner is willing to have his land or a portion thereof dedicated as a nature preserve, the director may recommend to the commission that the area be dedicated as a nature preserve.

(2)(a) A natural area shall become a nature preserve upon acceptance of articles of dedication by the commission.

(b) Articles of dedication shall be recorded in the county in which the natural area is located, the office of the secretary of state, and the office of the commission.

Section 2. Articles of Dedication. (1) The articles of dedication shall be used as the guidelines for the management of each nature preserve. Management, use, development and public access of each nature preserve shall be in accordance with the provisions set forth in the articles of dedication.

(2) The articles of dedication may contain restrictions relating to management, use, development, transfer, and public access, as well as such other provisions as may be necessary to further the purposes of the Act.

(3) Articles of dedication may vary in provisions from one (1) nature preserve to

another in accordance with differences in the characteristics and conditions of the area involved, or for other reasons found necessary by the commission and the landowner, grantor, deviser, or donor.

(4) Before the Commonwealth of Kentucky, through the commission, acquires a nature preserve, it shall be the responsibility of the director to propose to the commission provisions for incorporation into the articles of dedication.

Section 3. Amendment of Articles of Dedication. (1) Articles of dedication may be amended by the commission upon a finding by the commission that such amendment will not permit an impairment, disturbance, use or development of the nature preserve inconsistent with the purposes for which the area was dedicated or inconsistent with the Act.

(2) If fee simple ownership is not held by the Commonwealth of Kentucky, no amendment to the articles of dedication shall be made without the written consent of the owner of other interests therein.

(3) Findings and determinations of the commission to amend articles of dedication may be set forth in the minutes of the commission.

Section 4. Buffer Areas. (1) For the purpose of protecting a nature preserve, adjoining land that is not otherwise suitable for dedication as part of the nature preserve may be dedicated as a buffer area in the same manner as a nature preserve.

(2) The articles of dedication may contain provisions for the management, use, development, and public access of the buffer area that differ from those for the adjacent nature preserve.

Section 5. Registration of Natural Areas. (1) Upon the determination by the director of the commission that an area constitutes a natural area worthy of preservation, which is not otherwise available for dedication, the director may recommend to the commission that the area be entered into the register of natural areas.

(2) No area shall be registered without the consent of the landowner or managing public agency.

(a) Such consent may include an agreement by the landowner to give notice to the commission of any change in ownership, allow limited public access, or include voluntary management agreements designed to protect the natural features of the area.

(b) Upon request of the landowner or managing public agency the location of registered areas shall be kept confidential and not released as a public record of the commission. Specific information as to the location of the registered natural area also may, upon determination by the commission, be restricted so as to assure protection of the natural features and limit uncontrolled visitation.

(3) Registration by the commission of certain natural areas, where no landowner or managing public agency can give consent, involving stream segments deemed waters of the Commonwealth, shall be by determination of the commission.

Section 6. Identification of Natural Areas. (1) For the purposes of identifying natural areas for potential protection as nature preserves areas, the commission may develop,

maintain, and periodically update an inventory of natural types, flora and fauna. The commission shall use the inventory, and the best available scientific information, to identify species of animals and plants to be monitored by the commission.

(2) The commission may develop, maintain, and update a list of natural areas which warrant protection through dedication as a nature preserve or registration as a natural area.

Section 7. Selection of Custodian. (1) When the commission has acquired an interest less than fee simple in a nature preserve, the selection of a custodian may be made by the owner of the other interest therein subject to the rules and regulations of the commission and the articles of dedication for the nature preserve. Otherwise the commission shall determine the custodian, if any.

(a) The custodian shall demonstrate to the commission the ability to administer the nature preserve in accordance with the articles of dedication and these regulations.

(b) The commission shall act as custodian of a nature preserve until such time as a custodian is approved, or if the custodian fails to administer a nature preserve in accordance with the articles of dedication and these regulations.

(2) When the commission has acquired a fee simple interest in a nature preserve, the commission may select a custodian.

(a) The commission shall publish notice of its intent to select a custodian in the county, or counties, in which the preserve is located, and for the state at large.

(b) The notice shall state:

1. The location of the nature preserve.
2. Where the articles of dedication are recorded.
3. That a written proposal is to be submitted to the commission.
4. The date by which the proposal shall be submitted.
5. The address to which the proposal shall be submitted.

(c) The date by which the written proposal is to be submitted to the commission shall be not less than sixty (60) days after the date of publication of the notice.

(d) A hearing shall be conducted for the purpose of selecting a custodian pursuant to the provisions of 400 KAR 2:100.

RICHARD R. HANNAN, Director

APPROVED BY AGENCY: December 11, 1986

FILED WITH LRC: December 12, 1986 at 8 a.m.

PUBLIC HEARING SCHEDULED: A public hearing concerning this regulation has been scheduled for January 30, 1987 at 5 p.m. at the offices of the Nature Preserves Commission, 407 Broadway, Frankfort, Kentucky 40601. Those interested in attending should provide written notice to Richard R. Hannan at the above address.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Richard R. Hannan, Director

(1) Type and number of entities affected: The Nature Preserves Commission administers lands dedicated to the state as nature preserves. Currently the Nature Preserves Commission administers sixteen such nature preserves. It is not a regulatory agency and its regulations will

have no direct or indirect costs or savings on those affected and will not create any new reporting or paperwork requirements.

(a) Direct and indirect costs or savings to those affected: None

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs (note any effects upon competition):

(b) Reporting and paperwork requirements: None

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings: This regulation formalizes procedures which have been in place for some time and will cause no additional direct or indirect cost or savings to the agency.

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs:

(b) Reporting and paperwork requirements: This regulation causes no additional reporting or paperwork requirements on the agency.

(3) Assessment of anticipated effect on state and local revenues: Since this regulation formalizes existing procedures, it will have no effect on state or local revenues.

(4) Assessment of alternative methods; reasons why alternatives were rejected: Certain parts of this regulation are established by the enabling statute, and alternatives to those portions were not considered. The remainder of the regulation is necessary to effect the purposes of the statute.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: The regulation is not in conflict with any statute, administrative regulation or governmental policy. Certain information contained in the statute is also set forth in the regulation for the purpose of clarity and convenience:

Section 1(2)(b) Drawn from KRS 146.465(5)

Section 3(1) & (2) Drawn from KRS 146.465(7)

Section 4(1) & (2) Drawn from KRS 146.465(4)

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments: None

TIERING: Was tiering applied? No. Since the Nature Preserves Commission is not a regulatory agency, and since these regulations will have no direct or indirect costs or savings to those affected and will create no new reporting or paperwork requirements, then tiering was not applied.

#### NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET Kentucky Nature Preserves Commission

400 KAR 2:090. Management, use, and protection of nature preserves.

RELATES TO: KRS 146.410, 146.440

PURSUANT TO: KRS 146.465, 146.475, 146.485

NECESSITY AND FUNCTION: KRS 146.485 requires the commission to establish rules for the management, use, and protection of nature preserves. This regulation sets forth rules to

be applied to the management and use of all nature preserves, and to fulfill the purposes of KRS 146.440.

Section 1. Applicability. These rules shall apply to all nature preserves unless exceptions are set forth in the articles of dedication. The reasons for any exceptions shall be set forth in the records of the commission.

Section 2. Boundary Markers. (1) Nature preserves boundaries shall be made evident by posting boundary markers in a conspicuous manner, or as approved by the commission.

(2) Boundary fences and barriers may be installed as approved by the commission; such shall not be in a form that will create a detrimental effect on movement of wildlife or other natural objects.

Section 3. Intrusions. There shall be no intrusions of structures, easements, rights-of-way, or land uses which do not conform with these rules and with the purposes and definition of a nature preserve as specified in the Act, except as allowed by the articles of dedication.

Section 4. Emergency Situations. (1) Emergency situations shall be reported immediately to the director by the custodian of the nature preserve.

(2) Emergency situations that require immediate action to prevent injury to persons or damage to property, as determined by the director or the commission, shall be handled in such a manner as to cause minimal damage to natural conditions.

Section 5. Access Lanes. Vehicular access lanes shall be installed and maintained within a nature preserve only where essential for patrol, fire control, or other management or research activities and shall be in accordance with plans approved by the commission. Such lanes shall be closed to all except service vehicles. They shall provide a single track, and clearing shall not extend more than seven (7) feet on each side of the center of the lane. Service vehicles only shall be used on such designated access lanes except in emergency situations.

Section 6. Fire Control. (1) When boundary firebreaks are needed, they shall be constructed in a buffer area outside the nature preserve if possible. Firebreaks within a nature preserve shall be kept to a minimum and shall be constructed only in accordance with plans approved by the commission. Temporary firebreaks, made by mowing, raking, or wetting, may be used in conjunction with a managed burn.

(2) All wildfires shall be brought under control as quickly as possible. After a fire within a nature preserve, there shall be no cleanup, fire hazard reduction, or replanting except with the approval of the commission. Approval shall be based upon health and safety considerations, or the need for restoration.

(3) Prescribed burning may be undertaken as approved by the commission. A written plan shall be prepared for each prescribed burn. Approval may be given if the prescribed burning plan is in compliance with this section. Fire shall be kept away from fences and other structures that may be damaged. Burning shall not be done under conditions more hazardous than specified in the

prescribed burn plan. No firefighting chemicals that are known to cause damage to or alteration of natural conditions shall be used. Use of equipment and vehicles shall be specified in the prescribed burn plan. No equipment or vehicles that would cause damage or alteration to the natural features of the nature preserve shall be used.

Section 7. Trails. (1) A trail system shall conform to the objectives of the nature preserve. Trails shall be designed so as to affect only part of the nature preserve and to have minimal impact on natural features. Trails shall be designed to have no significant impact on species of animals or plants monitored by the commission.

(2) Location and form of any trails other than natural wildlife paths shall be approved by the commission. Trails shall be adequate to provide for permitted use of a nature preserve and to prevent erosion, trampling of vegetation, and other deterioration, but otherwise shall be kept to a minimum. Use of paving materials, footbridges, and elevated walks is permissible when provided for in the trail plan approved by the commission. Synthetic materials, painted or chemically treated wood, or stone or earth materials from outside the nature preserve may be used in trail construction only as specified by the commission.

(3) No species of animals or plants monitored by the commission shall be removed, damaged, or altered in trail construction or maintenance.

Section 8. Other Structures and Improvements. Necessary signs, information booths, trash receptacles, and minor structures required to house research instruments or hand tools are permitted within nature preserves if specifically approved by the commission or by permission of the commission for research activities. All other structures and service facilities shall be located in service areas. Signs and structures shall be approved by the commission.

Section 9. Service Areas. Service areas may be established within nature preserves to provide access and parking, management facilities, and visitor facilities. Provision for necessary service areas may be included in the articles of dedication or as approved on a case specific basis by the commission.

Section 10. Scenic and Landscape Management. (1) No measures shall be taken to alter natural growth or features for the purpose of enhancing the beauty, neatness, or amenities of a nature preserve. There shall be no cutting of grass, brush, or other vegetation, thinning of trees, removal of dead wood, opening of scenic vistas, or planting, except as approved by the commission.

(2) Installation of guard rails, fences, steps, and other devices necessary for visitor safety may be approved by the commission. Dead trees or branches that constitute a safety hazard to persons on trails or in other authorized use areas may be felled or cleared.

(3) Except as provided in the articles of dedication or as approved by the commission, there shall be no removal or consumptive use of any material, product, or object from a nature preserve and there shall be no introduction of

any material, product, or object to a nature preserve. Prohibited activities include, but are not limited to, grazing by domestic animals; farming; gathering of firewood or other plant products; mining or quarrying; and dumping, burying or spreading of garbage, trash or other materials.

(4) As approved by the commission, artifacts may be removed or demolished as follows:

(a) Old interior fences may be removed, giving consideration to leaving posts to mark boundaries between former land uses;

(b) Rubbish may be removed; and

(c) Structures having no utilitarian, historical, scientific, or habitat value may be demolished or removed.

Section 11. Water Level Control. Natural water levels shall not be altered. Water levels which have been altered by man may be changed if identified as being essential for the maintenance and restoration of natural conditions.

Section 12. Erosion Control. Erosion and soil deposition due to past or present disturbance by man or natural conditions within or outside of a nature preserve may be controlled as approved by the commission.

Section 13. Management of Animals and Plants  
(1) Control of plant succession.

(a) Control of plant succession by deliberate manipulation may be undertaken if preservation or restoration of a particular vegetation type or preservation of a species of animals or plants monitored by the commission is designated an objective of the nature preserve by the commission.

(b) Plant succession control measures may be undertaken in such a manner as approved by the commission.

(c) Vegetation may be managed within the following limitations:

1. Plant species not native to the site or vicinity may be eliminated by cutting, girdling, grubbing, or basal or spot foliar application of specified herbicide;

2. The time of burning during the year, the frequency of burning, and the fractional amount of the area that may be burned each year shall be specified;

3. Invading native woody species may be eliminated or controlled by cutting, girdling, grubbing, or basal application of specified herbicide.

(d) The use of herbicides may be specified by the commission.

(2) Control of noxious species.

(a) Species of plants and animals which are noxious in fact shall be controlled only if they are determined by the commission to be jeopardizing the natural integrity of the nature preserve.

(b) Except for removal from trails, access lanes, and firebreaks as approved by the commission, there shall be no control of native plants which are not noxious but may otherwise appear undesirable.

(c) There shall be no control of predators, rodents, insects, snakes, or other animals except as approved by the commission, even though they may appear harmful or undesirable.

(d) There shall be no use of pesticides except as approved by the commission.

(3) Control of exotic species.

(a) Control of exotic plants and animals may be undertaken in a manner approved by the commission. There may be no attempt to eradicate exotic species that have become a stable part of the biotic community unless this can be accomplished without disturbance of natural conditions.

(b) Control of exotic plants may be undertaken by control of plant succession as provided in this regulation or by management practices allowed in this regulation.

(4) Any measures for population control of any species to be applied must be provided for in a written plan approved by the commission. Except as provided in the articles of dedication or approved by the commission, control measures shall be undertaken only by the commission staff or others approved by the commission.

(5) Management of species of plants and animals monitored by the commission and species of management concern.

(a) Habitat manipulations and protective measures in favor of particular species shall be undertaken only as approved by the commission. Approval shall be based upon a finding by the commission that describes the proposed activities and addresses species life history, habitat requirements of the species, characteristics and objectives of the preserve and other relevant information.

(b) Control of plant succession in favor of particular species shall be as provided in this regulation.

(6) Introduction of plants and animals. No plants or animals or their reproductive bodies shall be brought into a nature preserve or moved from one (1) place to another within a preserve except with approval of the commission.

Section 14. Use Tolerance. Human use of a nature preserve shall be allowed only to such extent and in such manner as will not impair natural conditions. The articles of dedication may specify the controls and restrictions to be placed on access and use. The commission as owner, or the landowner and the commission upon agreement, may further restrict access and use as necessary to protect the nature preserve.

Section 15. Character of Visitor Activity. (1) Visitor activity shall be regulated to prevent disturbance of a nature preserve beyond what it can tolerate without permanent deterioration. Visitors without permits for research or educational activities shall be restricted to trails and areas open to off-trail use and may be otherwise restricted in movement. Persons wishing to traverse a nature preserve elsewhere than on trails or other areas open to visitation shall obtain permission from the commission.

(2) Public use shall be in accordance with the articles of dedication of the preserve, and such rules as may be approved by the commission for a nature preserve.

(3) Hunting, fishing, and trapping shall not be allowed unless provided for in the articles of dedication for the nature preserve and shall be subject to restrictions approved by the commission. Additional rules, regulations, or restrictions may be adopted by the commission on a preserve basis to ensure that the preserve is protected adequately from an inappropriate overbalance of game species or impending disease problems of game or nongame species.



(4) Visitors shall not bring pets into a nature preserve, except as allowed pursuant to permission to hunt in a nature preserve.

(5) Deadly weapons shall not be carried by visitors to a nature preserve except as allowed pursuant to permission to hunt in a nature preserve.

Section 16. Access Control. (1) Ingress and egress shall be allowed only at such locations and under such conditions as may be specified by the commission.

(2) The owner, custodian, and commission have the authority to further limit access as may be necessary for protection and proper management of the nature preserve.

Section 17. Orientation and Guidance of Visitors. Orientation and guidance of visitors shall be in accordance with the articles of dedication, and as approved by the commission. Interpretive signs, structures or labels shall be approved by the commission.

Section 18. Permission for Research or Educational Activities. (1) A person wishing to engage in research or educational activities on a nature preserve not otherwise permitted by these rules or by the articles of dedication for the nature preserve shall secure permission of the commission. If the activities are to be carried on by a group, permission may be issued to the group leader who shall be responsible for the actions of the group.

(2) Permission is required for educational use of a preserve only if activities are to include collecting or activities other than walking and observation.

(3) The application for permission shall be on a form prescribed by the commission. It shall include the name, address, position, professional qualifications, and general field of interest of the applicant and a description of the proposed activities including the objective, methods and procedures to be followed, records to be kept, duration of the project areas to be visited, frequency and length of visits, and detailed description of disturbances to be made. If collecting is to be done it shall be in accordance with this regulation. Information shall be provided on the species or objects to be taken, number of specimens, method of taking, and disposition of specimens. The commission shall provide permission application forms to persons requesting them.

(4) The permission may contain specific provisions and restrictions. Permission may be modified, suspended, or revoked by the commission for violations of the conditions of permission, this section, or based upon a determination of the commission that the activity jeopardizes the nature preserve. Each holder of permission shall submit to the commission an annual report in such form as may be prescribed by the commission. Permission for an activity of no more than the calendar year expires on December 31 of that year. Permission for an activity of longer than one (1) year may be extended annually upon submission of an annual report.

Section 19. Collecting on Nature Preserves. (1) Persons wishing to collect scientific specimens for deposition in a permanent

institutional collection available to the public or for purposes of an approved research project may do so pursuant to terms of permission as specified in this regulation.

(2) Permission may restrict the collecting of certain species or specimens. There shall be no collecting of material for classroom or laboratory observation and study or mass collecting by class groups. Exceptions may be provided in the articles of dedication of the nature preserve, or as set forth by the commission.

Section 20. Record. A record shall be kept for each nature preserve. One (1) copy shall be held by the commission at its Frankfort office. The record shall include annual reports of the custodian and all other pertinent documentary material, studies, reports, and descriptions of significant events. Responsibility for assembling the record shall be with the commission director, in conjunction with the custodian of the nature preserve.

RICHARD R. HANNAN, Director

APPROVED BY AGENCY: December 11, 1986

FILED WITH LRC: December 12, 1986 at 8 a.m.

PUBLIC HEARING SCHEDULED: A public hearing concerning this regulation has been scheduled for January 30, 1987 at 5 p.m. at the offices of the Nature Preserves Commission, 407 Broadway, Frankfort, Kentucky 40601. Those interested in attending should provide written notice to Richard R. Hannan at the above address.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Richard R. Hannan, Director

(1) Type and number of entities affected: The Nature Preserves Commission administers lands dedicated to the state as nature preserves. Currently the Nature Preserves Commission administers sixteen such nature preserves. It is not a regulatory agency and its regulations will have no direct or indirect costs or savings on those affected and will not create any new reporting or paperwork requirements.

(a) Direct and indirect costs or savings to those affected: None

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs (note any effects upon competition):

(b) Reporting and paperwork requirements: None

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings: This regulation merely formalizes procedures and processes which have been in place for some time and will cause no additional direct or indirect costs or savings to the agency.

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs:

(b) Reporting and paperwork requirements: This regulation causes no additional reporting or paperwork requirements on the agency.

(3) Assessment of anticipated effect on state and local revenues: Since this regulation formalizes existing procedures, it will have no effect on state or local revenues.

(4) Assessment of alternative methods; reasons why alternatives were rejected: The regulation

is necessary to effect the purposes of the statute and formalizes existing processes.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: This regulation does not overlap, duplicate, or conflict with any statute, administrative regulation or government policy.

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments: None

TIERING: Was tiering applied? No. Since the Nature Preserves Commission is not a regulatory agency, and since this regulation will have no direct or indirect costs or savings to those affected and will create no new reporting or paperwork requirements, then tiering was not applied.

**NATURAL RESOURCES AND  
ENVIRONMENTAL PROTECTION CABINET  
Kentucky Nature Preserves Commission**

**400 KAR 2:100. Hearings and appeals.**

RELATES TO: KRS 146.465, 146.480, 146.495, Chapter 424

PURSUANT TO: KRS 146.475, 146.485, 146.530  
NECESSITY AND FUNCTION: KRS 146.475 and 146.485 require the commission to establish rules for the protection of nature preserves. KRS 146.530 requires the commission to establish a procedure whereby orders and final determinations of the commission may be appealed administratively. This regulation sets forth the procedure to be followed by the commission in conducting hearings on issues related to nature preserves.

Section 1. Applicability. This regulation shall apply to hearings conducted by the commission including the following purposes:

(1) Determining whether there exists an imperative and unavoidable public necessity that justifies the taking of a nature preserve, or any part thereof, by another public body, or disposition of a nature preserve or any part thereof by the commission.

(2) Determining whether proposed amendments to the articles of dedication of a nature preserve will not permit an impairment, disturbance, use or development of the nature preserve that is inconsistent with the articles of dedication or the Act.

(3) Determining whether differences exist in the characteristics and conditions of a proposed nature preserve, or other reasons, that justify making an exception in the articles of dedication to the requirements of these regulations.

(4) Determining the custodian of a nature preserve when the nature preserve is owned by the commission in fee simple.

Section 2. Notice of Hearings. Notice of hearing shall be given in accordance with KRS Chapter 424. (1) The notice shall:

(a) State the time, place, and purpose of the hearing;

(b) Be published not less than seven (7) nor

more than twenty-one (21) days prior to the hearing; or

(c) Be published in the county, or counties, in which the nature preserve is located, and for the state at large.

(2) The notice may:

(a) Be published more than once as directed by the commission;

(b) Set forth the address to which written comments on the purpose of the hearing may be submitted, and the date by which those written comments shall be submitted.

Section 3. Hearings. (1) The hearing shall be conducted in the following manner:

(a) The hearing shall be held at a time and place to be set by the commission and may be held in conjunction with a regular meeting of the commission.

(b) Any interested person may appear at the hearing and make an oral or written presentation regarding the purpose of the hearing. The commission may regulate the length, order, and excessive repetition of oral presentations.

(c) The director may make a presentation and recommendation for action to the commission at the hearing.

(d) The commission shall consider all written and oral presentations in making its determination.

(e) The commission, through the chairman, shall issue a final determination within sixty (60) days of the hearing. The determination shall set forth the findings of the commission in reaching its determination.

(2)(a) The final determination of the commission shall be submitted to the secretary of the cabinet for the secretary's approval within five (5) days of its issuance.

(b) Copies of the final determination shall be sent to any person who made a written or oral presentation to the commission and any other person who makes a request in writing to the commission for a copy.

Section 4. Appeals. (1) Any final determination of the commission may be appealed to the secretary of the cabinet.

(2) The appeal shall be taken by filing with the secretary of the cabinet exceptions to the final determination of the commission within fifteen (15) days of its issuance. The exceptions shall state specifically the grounds relied upon by the appellant.

(3) The secretary shall approve the final determination of the commission unless, based upon the findings set forth in the final determination or any exceptions thereto, the secretary finds:

(a) There is no imperative and unavoidable public necessity due to the existence of a viable alternative to the proposed granting or disposition of a nature preserve or any part thereof;

(b) The determination of the commission is inconsistent with the articles of dedication or the Act; or

(c) The commission acted without or in excess of its power.

(4) The secretary shall, within forty-five (45) days, approve the final determination of the commission, or notify the commission in writing of the secretary's refusal to approve the final determination and set forth the reasons therefor. Failure of the secretary to so

act shall constitute approval of the commission's action.

(5) Notice of the secretary's approval or disapproval shall be sent to all persons as provided for in Section 3(2) of this regulation.

RICHARD R. HANNAN, Director

APPROVED BY AGENCY: December 11, 1986

FILED WITH LRC: December 12, 1986 at 8 a.m.

PUBLIC HEARING SCHEDULED: A public hearing concerning this regulation has been scheduled for January 30, 1987 at 5 p.m. at the offices of the Nature Preserves Commission, 407 Broadway, Frankfort, Kentucky 40601. Those interested in attending should provide written notice to Richard R. Hannan at the above address.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Richard R. Hannan

(1) Type and number of entities affected: This regulation formalizes the procedures by which the commission will make several specific determinations required by the statute. This regulation merely makes formal and certain procedures which have been administered informally and as a matter of policy for years. As such, it will have no direct or indirect costs or savings on those affected and will not create any new reporting or paperwork requirements.

(a) Direct and indirect costs or savings to those affected: None

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs (note any effects upon competition):

(b) Reporting and paperwork requirements: None

(2) Effects on the promulgating administrative body: This procedural regulation will have no new direct or indirect costs or savings for the promulgating body and will create no new paperwork requirements which are any more burdensome than the informal paperwork burdens which are being replaced.

(a) Direct and indirect costs or savings:

1. First year:

2. Continuing costs or savings:

3. Additional factors increasing or decreasing costs:

(b) Reporting and paperwork requirements:

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: The regulation is intended to create a quick and easy method for reaching statutory determinations consistent with due process of law and with hearing all competing points of view. More formal methods of decision making are unnecessary, and less formal methods would not insure adequate consideration of relevant factors in making a determination.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: This regulation does not overlap, duplicate, or conflict with any statute, administrative regulation or government policy.

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments: None

TIERING: Was tiering applied? No. Nature Preserves Commission is not a regulatory agency, and this regulation does not create substantive requirements. It establishes only procedures, and for that reason tiering is not appropriate.

#### NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET Department for Environmental Protection Division of Air Pollution

401 KAR 57:050. Inorganic arsenic emissions from primary copper smelters.

RELATES TO: KRS 224.320, 224.330, 224.340

PURSUANT TO: KRS 224.033

NECESSITY AND FUNCTION: KRS 224.033 requires the Natural Resources and Environmental Protection Cabinet to prescribe regulations for the prevention, abatement, and control of air pollution. This regulation provides for the control of inorganic arsenic from primary copper smelters.

Section 1. General References. In the federal regulation adopted by reference in this regulation, "Regional Administrator" shall be read as "secretary," "EPA" and "Agency" shall be read as "cabinet," and "this subpart" shall be read as "this regulation."

Section 2. The federal regulation for inorganic arsenic emissions from primary copper smelters contained in 40 CFR 61, Subpart O, as made effective by Federal Register 51 FR 28029, August 4, 1986, is hereby adopted and filed herein by reference. The methods for determining compliance as required in 40 CFR 61, Subpart O are filed by reference in 401 KAR 50:015.

Section 3. Summary. The federal regulation adopted herein by reference, 40 CFR 61, Subpart O, limits emissions of inorganic arsenic from primary copper smelters. The affected facility is each copper converter at any new or existing primary copper smelter. The provisions of this regulation shall not apply to any copper converter at a facility where the total arsenic charging rate for the copper converter department averaged over a one (1) year period is less than seventy-five (75) kg/hr, as determined by the test methods and procedures specified in the federal regulation. The standards in the federal regulation represent the best demonstrated technology for the industry.

Section 4. Availability. (1) Copies of the Code of Federal Regulations (CFR) and Federal Register are available for sale from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(2) Copies of the material incorporated by reference in this regulation shall be available for public review at the following offices of the Division of Air Pollution Control:

(a) Director's Office, Division of Air Pollution Control, Fort Boone Plaza, 18 Reilly Road, Frankfort, Kentucky 40601, (502) 564-3382;

(b) Ashland Regional Office, 3700 Thirteenth Street, Ashland, Kentucky 41101, (606) 325-8569;

(c) Bowling Green Regional Office, 1508 Western Avenue, Bowling Green, Kentucky 42101, (502) 842-8131;

(d) Florence Regional Office, 7964 Kentucky Drive, Suite 8, Florence, Kentucky 41042, (606) 371-0598;

(e) Hazard Regional Office, 233 Birch Street, Hazard, Kentucky 41701, (606) 439-2391;

(f) Owensboro Regional Office, 311 West Second Street, Owensboro, Kentucky 42301, (502) 686-3304; and

(g) Paducah Regional Office, 1390 Irvin Cobb Drive, Paducah, Kentucky 42001, (502) 444-8295.

CHARLOTTE E. BALDWIN, Secretary

APPROVED BY AGENCY: December 15, 1986

FILED WITH LRC: December 15, 1986 at noon

PUBLIC HEARING SCHEDULED: A public hearing to receive comments on this proposed regulation will be conducted on January 27, 1987, at 10 a.m. (EST) in Room G-2 of the Capital Plaza Tower, Frankfort, Kentucky. Those persons interested in attending this public hearing shall contact, in writing at least five days prior to the hearing, Mr. William S. Coakley, Manager, Program Development Branch, Division of Air Pollution Control, 18 Reilly Road, Fort Boone Plaza, Frankfort, Kentucky 40601.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Roger B. McCann

(1) Type and number of entities affected: This regulation adopts by reference the federal regulation on National Emission Standards for Hazardous Air Pollutants (NESHAP) for inorganic arsenic emissions from primary copper smelters, 40 CFR 61, Subpart O. The federal regulation applies to each copper converter at any new or existing primary copper smelter. This regulation does not apply to any copper converter at a facility where the total arsenic charging rate for the copper converter department averaged over a one year period is less than 75 kg/hr, as determined by the test methods and procedures specified in the federal regulation. The cabinet is adopting by reference the federal regulation, 40 CFR 61, Subpart O, so that Kentucky's regulation will be identical to the federal regulation. There are no existing sources in Kentucky which would be affected by this regulation, however, any new source would be subject to the requirements in the federal regulation, irrespective of its location.

(a) Direct and indirect costs or savings to those affected: Since there are no sources presently affected by this regulation, no costs or savings are incurred. Future sources in Kentucky will have the same controls as required anywhere else in the country; therefore, there are no economic disadvantages to Kentucky caused by promulgating this regulation.

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs (note any effects upon competition): N/A

(b) Reporting and paperwork requirements: New facilities will be required to apply for construction and operating permits. The recordkeeping and reporting requirements appear in 40 CFR 61.176 and 40 CFR 61.177. In addition, all sources subject to this regulation will be required to submit annual reports of emissions data for emission inventory purposes.

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings: None presently; the following applies for sources

which construct in the future.

1. First year: The division will review and process construction and operating permits. Costs will be recovered by a permit fee pursuant to 401 KAR 50:036.

2. Continuing costs or savings: The division presently inspects all permitted sources of air pollutants and maintains plant and emissions data for emissions inventory purposes. Such activities are part of the division's normal day-to-day operations and are budgeted accordingly. Any new source will be inspected and the costs will be absorbed as a part of the operating budget.

3. Additional factors increasing or decreasing costs: None

(b) Reporting and paperwork requirements: The division will review and issue construction and operating permits for new sources and will issue reports of inspections and emissions data as in 1 and 2 above.

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: No alternative methods were considered since this regulation contains the same provisions as the federal regulation. Kentucky is promulgating this regulation so that the Commonwealth will have the delegated authority to enforce the provisions of the federal regulation, thereby allowing sources to work with the state to obtain the necessary permits rather than the federal government.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict: N/A

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions: N/A

(6) Any additional information or comments: In the Federal Register of August 4, 1986 (51 FR 28029), the United States Environmental Protection Agency (U.S. EPA) promulgated a national emission standard for hazardous air pollutants (NESHAP) limiting emissions of inorganic arsenic from primary copper smelters. Each copper converter at any new or existing primary copper smelter is an affected facility and would be subject to the requirements in the federal regulation. The cabinet is promulgating this regulation to adopt by reference the federal regulation so that the cabinet may be granted authority to implement the provisions of this NESHAP and issue permits to new sources.

TIERING: Was tiering applied? Yes. Tiering is applied in this regulation because some copper converters are exempt. A copper converter at a facility where the total arsenic charging rate for the copper converter department averaged over a one year period is less than 75 kg/hr will be exempt from the provisions of this regulation as stated in 40 CFR 61.172.

#### FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate: This regulation adopts by reference the federal regulation so that the state's regulation will be identical to the federal regulation, 40 CFR 61, Subpart O. Therefore, this regulation has

the same requirements as the federal regulation.

2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: No. This regulation is identical to the federal regulation.

3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: N/A

**NATURAL RESOURCES AND  
ENVIRONMENTAL PROTECTION CABINET  
Department for Environmental Protection  
Division of Air Pollution**

**401 KAR 57:055. Inorganic arsenic emissions from arsenic trioxide and metallic arsenic production facilities.**

RELATES TO: KRS 224.320, 224.330, 224.340

PURSUANT TO: KRS 224.033

NECESSITY AND FUNCTION: KRS 224.033 requires the Natural Resources and Environmental Protection Cabinet to prescribe regulations for the prevention, abatement, and control of air pollution. This regulation provides for the control of inorganic arsenic from arsenic trioxide and metallic arsenic production facilities.

Section 1. General References. In the federal regulation adopted by reference in this regulation, "Regional Administrator" shall be read as "secretary," "EPA" and "Agency" shall be read as "cabinet," and "this subpart" shall be read as "this regulation."

Section 2. The federal regulation for the control of inorganic arsenic emissions from arsenic trioxide and metallic arsenic production facilities contained in 40 CFR 61, Subpart P, made effective by Federal Register 51 FR 28033, August 4, 1986, and as amended by Federal Register 51 FR 35355, October 3, 1986, is hereby adopted and filed herein by reference. The methods for determining compliance as required in 40 CFR 61, Subpart P are filed by reference in 401 KAR 50:015.

Section 3. Summary. The federal regulation adopted herein by reference, 40 CFR 61, Subpart P, as amended, limits emissions of inorganic arsenic from arsenic trioxide and metallic arsenic production facilities. The provisions of this regulation are applicable to each metallic arsenic production plant and to each arsenic trioxide plant that processes low-grade arsenic bearing materials by a roasting condensation process.

Section 4. Availability. (1) Copies of the Code of Federal Regulations (CFR) and Federal Register are available for sale from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(2) Copies of the material incorporated by reference in this regulation shall be available for public review at the following offices of the Division of Air Pollution Control:

(a) Director's Office, Division of Air Pollution Control, Fort Boone Plaza, 18 Reilly Road, Frankfort, Kentucky 40601, (502) 564-3382;

(b) Ashland Regional Office, 3700 Thirteenth

Street, Ashland, Kentucky 41101, (606) 325-8569;

(c) Bowling Green Regional Office, 1508 Western Avenue, Bowling Green, Kentucky 42101, (502) 842-8131;

(d) Florence Regional Office, 7964 Kentucky Drive, Suite 8, Florence, Kentucky 41042, (606) 371-0598;

(e) Hazard Regional Office, 233 Birch Street, Hazard, Kentucky 41701, (606) 439-2391;

(f) Owensboro Regional Office, 311 West Second Street, Owensboro, Kentucky 42301, (502) 686-3304; and

(g) Paducah Regional Office, 1390 Irvin Cobb Drive, Paducah, Kentucky 42001, (502) 444-8295.

CHARLOTTE E. BALDWIN, Secretary

APPROVED BY AGENCY: December 15, 1986

FILED WITH LRC: December 15, 1986 at noon

PUBLIC HEARING SCHEDULED: A public hearing to receive comments on this proposed regulation will be conducted on January 27, 1987, at 10 a.m. (EST) in Room G-2 of the Capital Plaza Tower, Frankfort, Kentucky. Those persons interested in attending this public hearing shall contact, in writing at least five days prior to the hearing, Mr. William S. Coakley, Manager, Program Development Branch, Division of Air Pollution Control, 18 Reilly Road, Fort Boone Plaza, Frankfort, Kentucky 40601.

**REGULATORY IMPACT ANALYSIS**

Agency Contact Person: Roger B. McCann

(1) Type and number of entities affected: This regulation adopts by reference the federal regulation on National Emission Standards for Hazardous Air Pollutants (NESHAP) for inorganic arsenic emissions from arsenic trioxide and metallic arsenic production facilities, 40 CFR 61, Subpart P. The federal regulation applies to each metallic arsenic production plant and to each arsenic trioxide plant that processes low-grade arsenic bearing materials by a roasting condensation process. The cabinet is adopting by reference the federal regulation, 40 CFR 61, Subpart P, as amended, so that Kentucky's regulation will be identical to the federal regulation. There are no existing sources in Kentucky which would be affected by this regulation, however, any new source would be subject to the requirements in the federal regulation, irrespective of its location.

(a) Direct and indirect costs or savings to those affected: Since there are no sources presently affected by this regulation, no costs or savings are incurred. Future sources in Kentucky will have the same controls as required anywhere else in the country; therefore, there are no economic disadvantages to Kentucky caused by promulgating this regulation.

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs (note any effects upon competition): N/A

(b) Reporting and paperwork requirements: New plants will be required to apply for construction and operating permits. The recordkeeping and reporting requirements appear in 40 CFR 61.185 and 40 CFR 61.186. In addition, all sources subject to this regulation will be required to submit annual reports of emission data for emission inventory purposes.

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings: None

presently; the following applies for sources which construct in the future.

1. First year: The division will review and process construction and operating permits. Costs will be recovered by a permit fee pursuant to 401 KAR 50:036.

2. Continuing costs or savings: The division presently inspects all permitted sources of air pollutants and maintains plant and emissions data for emissions inventory purposes. Such activities are part of the division's normal day-to-day operations and are budgeted accordingly. Any new source will be inspected and the costs will be absorbed as a part of the operating budget.

3. Additional factors increasing or decreasing costs: None

(b) Reporting and paperwork requirements: The division will review and issue construction and operating permits for new sources and will issue reports of inspections and emissions data as in 1 and 2 above.

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: No alternative methods were considered since this regulation contains the same provisions as the federal regulation. Kentucky is promulgating this regulation so that the Commonwealth will have the delegated authority to enforce the provisions of the federal regulation, thereby allowing sources to work with the state to obtain the necessary permits rather than the federal government.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict: N/A

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions: N/A

(6) Any additional information or comments: In the Federal Register of August 4, 1986 (51 FR 28033), the United States Environmental Protection Agency (U.S. EPA) promulgated a national emission standard for hazardous air pollutants (NESHAP) limiting emissions of inorganic arsenic from arsenic trioxide and metallic arsenic production facilities. The regulation was amended by the Federal Register of October 3, 1986 (51 FR 35355) to correct a typographical error. The provisions of this regulation are applicable to each metallic arsenic production plant and to each arsenic trioxide plant that processes low-grade arsenic bearing materials by a roasting condensation process. The cabinet is promulgating this regulation to adopt by reference the federal regulation so that the cabinet may be granted authority to implement the provisions of this NESHAP and issue permits to new sources.

TIERING: Was tiering applied? No. Tiering was not applied because this regulation is identical to the federal regulation where tiering is not allowed. Tiering is not applicable in this regulation.

#### FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate: This regulation adopts by reference the federal

regulation so that the state's regulation will be identical to the federal regulation, 40 CFR 61, Subpart P as made effective by the Federal Register of August 4, 1986 (51 FR 28033) and as amended by the Federal Register of October 3, 1986 (51 FR 35355). Therefore, this regulation has the same requirements as the federal regulation.

2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: No. This regulation is identical to the federal regulation.

3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: N/A

#### NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET Department for Environmental Protection Division of Air Pollution

401 KAR 59:031. New nitric acid production units.

RELATES TO: KRS 224.320, 224.330, 224.340

PURSUANT TO: KRS 224.033

NECESSITY AND FUNCTION: KRS 224.033 requires the Natural Resources and Environmental Protection Cabinet to prescribe regulations for the prevention, abatement, and control of air pollution. This regulation provides for the control of emissions of nitrogen oxides, measured as nitrogen dioxide, from nitric acid plants.

Section 1. General References. In the federal regulation adopted by reference in this regulation, "Regional Administrator" shall be read as "secretary," "EPA" and "Agency" shall be read as "cabinet," and "this subpart" shall be read as "this regulation."

Section 2. The federal regulation for nitric acid production units contained in 40 CFR 60, Subpart G, as published in the Code of Federal Regulations, Title 40, Parts 53 to 80, July 1, 1985, is hereby adopted and filed herein by reference. The methods for determining compliance as required in 40 CFR 60, Subpart G are filed by reference in 401 KAR 50:015.

Section 3. Summary. The federal regulation adopted herein by reference, 40 CFR 60, Subpart G, as amended, limits emissions of nitrogen oxides, expressed as nitrogen dioxide, from nitric acid plants that commenced construction, modification, or reconstruction after August 17, 1971. The standards in the federal regulation represent the best demonstrated technology for the industry.

Section 4. Availability. (1) Copies of the Code of Federal Regulations (CFR) and Federal Register are available for sale from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(2) Copies of the material incorporated by reference in this regulation shall be available for public review at the following offices of the Division of Air Pollution Control:

(a) Director's Office, Division of Air Pollution Control, Fort Boone Plaza, 18 Reilly

Road, Frankfort, Kentucky 40601, (502) 564-3382;  
 (b) Ashland Regional Office, 3700 Thirteenth Street, Ashland, Kentucky 41101, (606) 325-8569;  
 (c) Bowling Green Regional Office, 1508 Western Avenue, Bowling Green, Kentucky 42101, (502) 842-8131;  
 (d) Florence Regional Office, 7964 Kentucky Drive, Suite 8, Florence, Kentucky 41042, (606) 371-0598;  
 (e) Hazard Regional Office, 233 Birch Street, Hazard, Kentucky 41701, (606) 439-2391;  
 (f) Owensboro Regional Office, 311 West Second Street, Owensboro, Kentucky 42301, (502) 686-3304; and  
 (g) Paducah Regional Office, 1390 Irvin Cobb Drive, Paducah, Kentucky 42001, (502) 444-8295.

Section 5. 401 KAR 59:030, New nitric acid plants, is hereby repealed.

CHARLOTTE E. BALDWIN, Secretary

APPROVED BY AGENCY: December 15, 1986

FILED WITH LRC: December 15, 1986 at noon

PUBLIC HEARING SCHEDULED: A public hearing to receive comments on this proposed regulation will be conducted on January 27, 1987, at 10 a.m. (EST) in Room G-2 of the Capital Plaza Tower, Frankfort, Kentucky. Those persons interested in attending this public hearing shall contact, in writing at least five days prior to the hearing, Mr. William S. Coakley, Manager, Program Development Branch, Division of Air Pollution Control, 18 Reilly Road, Fort Boone Plaza, Frankfort, Kentucky 40601.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Roger B. McCann

(1) Type and number of entities affected: This regulation adopts by reference the revised federal regulation on New Source Performance Standards (NSPS) for new nitric acid production units, 40 CFR 60, Subpart G, and repeals the outdated corresponding state regulation, 401 KAR 59:030. The federal regulation applies to all "weak" nitric acid production units, which are defined as any facility producing weak nitric acid (acid which is 30 to 70 percent in strength) by either the pressure or atmospheric pressure process, that commenced construction, modification, or reconstruction after August 17, 1971. At the present time, there are no sources affected in Kentucky, however, any new source will be subject to this regulation, irrespective of its location. The division currently has a regulation similar to the federal NSPS regulation for these sources, however, the federal regulation was recently amended to allow nitric acid plants to use Method 7B as an alternate test method. The cabinet is therefore adopting by reference the federal regulation, as amended, and is repealing the regulation which is currently in effect, so that Kentucky's regulation will be identical to the federal regulation.

(a) Direct and indirect costs or savings to those affected: The proposed regulation would allow sources to use an alternate test method, Method 7B, to determine nitrogen oxide emissions from stationary sources. As determined by the U.S. Environmental Protection Agency (EPA), this revision will shorten the sample analytical time and improve the precision.

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs (note any effects upon competition): N/A

(b) Reporting and paperwork requirements: There will be no additional requirements due to the proposed regulation. New plants will be required to apply for construction and operating permits. All sources are required to submit annual or biennial reports of emission data for emission inventory purposes, depending on the size of the source.

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings: None presently; the following applies for sources which construct in the future.

1. First year: The division will continue to review and process construction and operating permits. Costs will be recovered by a permit fee pursuant to 401 KAR 50:036.

2. Continuing costs or savings: The division presently inspects all permitted sources of air pollutants and maintains plant and emissions data for emissions inventory purposes. Such activities are part of the division's normal day-to-day operations and are budgeted accordingly. Any new source will be inspected and the costs will be absorbed as a part of the operating budget.

3. Additional factors increasing or decreasing costs: None

(b) Reporting and paperwork requirements: The division will review and issue construction and operating permits for new sources and will issue reports of inspections and emissions data as in 1 and 2 above.

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: No alternative methods were considered since this regulation contains the same provisions as the federal regulation. Kentucky is promulgating this regulation so that the Commonwealth will continue to have the delegated authority to enforce the provisions of the federal regulation, thereby allowing sources to work with the state to obtain the necessary permits rather than the federal government.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: The regulations on the prevention of significant deterioration (PSD) and new source review in non-attainment areas, 401 KAR 51:017 and 401 KAR 51:052, respectively, may be overlapping if a new or modified source has emissions of greater than 100 tons per year. The standards in this NSPS regulation establish the minimum amount of controls necessary, however, 401 KAR 51:017 or 401 KAR 51:052 may require additional controls over those which are required by this NSPS regulation. In any case, the regulation with the more stringent emission limitation would apply to the sources for the purposes of PSD and new source review in non-attainment areas.

(a) Necessity of proposed regulation if in conflict: N/A

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions: N/A

(6) Any additional information or comments: In the Federal Register of June 14, 1974 (39 FR 20794), the U.S. EPA promulgated, as amended, a new source performance standard (NSPS) limiting emissions of nitrogen oxides, expressed as



nitrogen dioxide, from weak (30 to 70 percent in strength) nitric acid production units. The U.S. EPA granted Kentucky the delegation of authority to enforce the provisions of the federal regulation based on the state's regulation, 401 KAR 59:030. The federal regulation was amended on April 23, 1985 (50 FR 15894) to allow the use of an alternate test method, Method 7B, for determining the amount of nitrogen oxide emissions. The cabinet is promulgating this regulation to adopt by reference the federal regulation, as amended, so that the state's regulation will be identical to the federal NSPS regulation. In addition, this regulation repeals the present regulation (401 KAR 59:030) so that there would not be a duplication or conflict of requirements for these sources.

**TIERING:** Was tiering applied? No. Tiering was not applied because this regulation is identical to the federal regulation where tiering is not allowed. Tiering is not applicable in this regulation.

#### FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate: This regulation adopts by reference the federal regulation so that the state's regulation will be identical to the federal regulation, 40 CFR 60, Subpart G. Therefore, this regulation has the same requirements as the federal regulation.

2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: No. This regulation is identical to the federal regulation.

3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: N/A

#### NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET Department for Environmental Protection Division of Air Pollution

**401 KAR 59:041. New hot mix asphalt facilities.**

RELATES TO: KRS 224.320, 224.330, 224.340

PURSUANT TO: KRS 224.033

**NECESSITY AND FUNCTION:** KRS 224.033 requires the Natural Resources and Environmental Protection Cabinet to prescribe regulations for the prevention, abatement, and control of air pollution. This regulation provides for the control of emissions from new hot mix asphalt facilities.

**Section 1. General References.** In the federal regulation adopted by reference in this regulation, "Regional Administrator" shall be read as "secretary," "EPA" and "Agency" shall be read as "cabinet," and "this subpart" shall be read as "this regulation."

**Section 2.** The federal regulation for hot mix asphalt facilities contained in 40 CFR 60, Subpart I, as published in the Code of Federal Regulations, Title 40, Parts 53 to 80, July 1, 1985, and as amended by Federal Register 51 FR 12325, April 10, 1986, is hereby adopted and

filed herein by reference. The methods for determining compliance as required in 40 CFR 60, Subpart I are filed by reference in 401 KAR 50:015.

**Section 3. Summary.** The federal regulation adopted herein by reference, 40 CFR 60, Subpart I, limits emissions of particulate matter from affected facilities that commenced construction, modification, or reconstruction after June 11, 1973. The provisions of this regulation shall apply to each hot mix asphalt facility which is comprised only of any combination of the following: dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler; systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with emission control systems.

**Section 4. Availability.** (1) Copies of the Code of Federal Regulations (CFR) and Federal Register are available for sale from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(2) Copies of the material incorporated by reference in this regulation shall be available for public review at the following offices of the Division of Air Pollution Control:

(a) Director's Office, Division of Air Pollution Control, Fort Boone Plaza, 18 Reilly Road, Frankfort, Kentucky 40601, (502) 564-3382;

(b) Ashland Regional Office, 3700 Thirteenth Street, Ashland, Kentucky 41101, (606) 325-8569;

(c) Bowling Green Regional Office, 1508 Western Avenue, Bowling Green, Kentucky 42101, (502) 842-8131;

(d) Florence Regional Office, 7964 Kentucky Drive, Suite 8, Florence, Kentucky 41042, (606) 371-0598;

(e) Hazard Regional Office, 233 Birch Street, Hazard, Kentucky 41701, (606) 439-2391;

(f) Owensboro Regional Office, 311 West Second Street, Owensboro, Kentucky 42301, (502) 686-3304; and

(g) Paducah Regional Office, 1390 Irvin Cobb Drive, Paducah, Kentucky 42001, (502) 444-8295.

**Section 5.** 401 KAR 59:040, New asphalt concrete plants, is hereby repealed.

CHARLOTTE E. BALDWIN, Secretary

APPROVED BY AGENCY: December 15, 1986

FILED WITH LRC: December 15, 1986 at noon

**PUBLIC HEARING SCHEDULED:** A public hearing to receive comments on this proposed regulation will be conducted on January 27, 1987, at 10 a.m. (EST) in Room G-2 of the Capital Plaza Tower, Frankfort, Kentucky. Those persons interested in attending this public hearing shall contact, in writing at least five days prior to the hearing, Mr. William S. Coakley, Manager, Program Development Branch, Division of Air Pollution Control, 18 Reilly Road, Fort Boone Plaza, Frankfort, Kentucky 40601.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Roger B. McCann

(1) Type and number of entities affected: This regulation adopts by reference the revised federal regulation on New Source Performance Standards (NSPS) for hot mix asphalt facilities, 40 CFR 60, Subpart I. The federal regulation applies to affected facilities that commenced

construction, modification, or reconstruction after June 11, 1973. The division currently has a regulation similar to the federal NSPS regulation for these sources, however, the federal regulation was recently amended to standardize the terminology used in the asphalt concrete industry. The amendment to the federal regulation, however, does not revise emission standards, monitoring requirements, or recordkeeping requirements. The cabinet is adopting by reference the federal regulation, as amended, and is repealing the regulation which is currently in effect, so that Kentucky's regulation will be identical to the federal regulation. There are some existing sources in the Commonwealth, however, these sources are already subject to the requirements of the NSPS and are in compliance with its requirements. Any new source would be subject to the requirements in the federal regulation, irrespective of its location.

(a) Direct and indirect costs or savings to those affected: Since there are no sources presently affected by this regulation, no costs or savings are incurred. Future sources in Kentucky will have the same controls as required anywhere else in the country; therefore, there are no economic disadvantages to Kentucky caused by promulgating this regulation.

1. First year: N/A

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs (note any effects upon competition): N/A

(b) Reporting and paperwork requirements: Sources are required to submit annual or biennial reports of emission data for emission inventory purposes, depending on the size of the source.

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings: None presently; the following applies for sources which construct in the future.

1. First year: The division will review and process construction and operating permits. Costs will be recovered by a permit fee pursuant to 401 KAR 50:036.

2. Continuing costs or savings: The division presently inspects all permitted sources of air pollutants and maintains plant and emissions data for emissions inventory purposes. Such activities are part of the division's normal day-to-day operations and are budgeted accordingly. Any new source will be inspected and the costs will be absorbed as a part of the operating budget.

3. Additional factors increasing or decreasing costs: None

(b) Reporting and paperwork requirements: The division will review and issue construction and operating permits for new sources and will issue reports of inspections and emissions data as in 1 and 2 above.

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: No alternative methods were considered since this regulation contains the same provisions as the federal regulation. Kentucky is promulgating this regulation so that the Commonwealth will maintain the delegated authority to enforce the provisions of the federal regulation, thereby allowing sources to work with the state to obtain the necessary permits rather than the

federal government.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: The regulations on the prevention of significant deterioration (PSD) and new source review in non-attainment areas, 401 KAR 51:017 and 401 KAR 51:052, respectively, may be overlapping if a source subject to PSD has emissions of greater than 250 tons per year or if a source subject to new source review in non-attainment areas has emissions greater than 100 tons per year. The standards in this NSPS regulation establish the minimum amount of controls necessary, however, 401 KAR 51:017 or 401 KAR 51:052 may require additional controls over those which are required by this NSPS regulation. In any case, the regulation with the more stringent emission limitation would apply to the sources for the purposes of PSD and new source review in non-attainment areas.

(a) Necessity of proposed regulation if in conflict: N/A

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions: N/A

(6) Any additional information or comments: In the Federal Register of March 8, 1974 (39 FR 9314), the U.S. EPA promulgated a regulation to control particulate emissions from asphalt concrete plants. The U.S. EPA granted Kentucky the delegation of authority to enforce the provisions of the federal regulation based on the state's regulation, 401 KAR 59:040, which was made effective by Kentucky on June 6, 1979. Pursuant to Section 111 of the Clean Air Act, the U.S. EPA is required to review each NSPS category at least every four years and, if appropriate, revise the standards. Therefore, in the Federal Register of April 10, 1986 (51 FR 12325), the U.S. EPA amended the federal regulation, 40 CFR 60, Subpart I. Although no revisions were made to the existing standards, minor changes in the terminology used in the asphalt concrete industry have been made. These changes in the terminology will not have any economic impact on any source located in the Commonwealth of Kentucky. The cabinet is promulgating this regulation to adopt by reference the federal regulation so that Kentucky's regulation will be identical to the federal NSPS regulation and so that the previously granted delegation of authority to implement the provisions of this regulation will continue and the cabinet will be able to continue to issue permits to new sources. In addition, this regulation repeals the present regulation on new asphalt concrete plants, 401 KAR 59:040, so that there would not be a duplication or conflict of requirements for these sources.

TIERING: Was tiering applied? No. Tiering was not applied since this regulation is identical to the federal regulation where no tiering is allowed.

#### FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate: This regulation adopts by reference the federal regulation so that the state's regulation will be identical to the federal regulation, 40 CFR 60, Subpart I. This regulation has the same

requirements as the federal regulation.

2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: No. This regulation is identical to the federal regulation.

3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: N/A

**TRANSPORTATION CABINET**  
Department of Vehicle Regulation  
Division of Motor Carriers

601 KAR 1:140. U-Drive-It permit and usage tax.

RELATES TO: KRS Chapter 138, 186, 281

PURSUANT TO: KRS 138.463, 186.005, 281.600

NECESSITY AND FUNCTION: The Transportation Cabinet has the authority and responsibility to assess and collect the monthly U-Drive-It usage tax and to qualify U-Drive-It operators. This regulation sets out the procedures to be followed by an applicant for a U-Drive-It permit. It also establishes procedures for obtaining a vehicle identification document and for the payment of the monthly usage tax.

Section 1. The application for a permit to engage in the business of U-Drive-It as defined by KRS 281.014(4) or for the annual renewal of the permit shall be on the forms prescribed and furnished by the Transportation Cabinet, Department of Vehicle Regulation, Division of Motor Carriers, and shall be accompanied by a filing fee of twenty-five (25) dollars. Payments made by check or money order shall be made payable to "Kentucky State Treasurer."

Section 2. (1) All initial applications for a U-Drive-It permit shall be the subject of a hearing before the cabinet in accordance with the procedures established by administrative regulation 601 KAR 1:030.

(2) Applicants for a U-Drive-It permit shall be required to meet the standards established by KRS 281.626. Prior to any application being docketed and noticed for hearing, the applicant shall submit to the Division of Motor Carriers evidence, which may include affidavits, attesting to the fact that the applicant is fit, willing and able to provide the requested service, and that the operation proposed by the applicant is a bona fide operation. (For the purposes of this regulation a bona fide operation is one in which each transaction is arm's length and is based on a fair rental value of the vehicle.) Upon determination by the division that the application is complete, the cabinet shall set the matter for hearing.

(3) The cabinet shall give a minimum of thirty (30) days written notice of each hearing to all required and interested parties. Such notice shall state the time and place the hearing will be held, shall fully describe the matter to be heard, shall contain the name and address of the party initiating or involved in the matter to be heard, and shall contain the docket number assigned to the matter by the cabinet. The notice shall state that anyone having an interest in the matter may file a protest or other proper pleading in accordance with the

requirements of the regulations of the cabinet. Any application filed may in the discretion of the Commissioner of the Department of Vehicle Regulation be considered at a consolidated hearing or may be heard independently at a time set by the cabinet.

(4) All protests, pleadings, motions, and other papers must be filed with the cabinet in duplicate and shall be typewritten and double-spaced on white eight and one-half (8 1/2) inch by eleven (11) inch size paper, properly styled with the matter to which they are relative, and the docket number assigned thereto by the cabinet, if any. All protests must be filed no later than ten (10) days prior to the scheduled hearing. Any protests, pleading, motion, or other paper may be printed and, if printed, need not be on eight and one-half (8 1/2) inch by eleven (11) inch size paper and double-spaced. Pleadings, protests, motions or other papers filed by the parties represented by an attorney shall be signed by at least one (1) attorney of record in his individual name and shall state his address. Except when specifically provided otherwise, pleadings need not be verified or accompanied by an affidavit. The attorney's signature shall constitute the certification by him that he has read the matter; that to the best of his knowledge, information, and belief the statements contained therein are true; and that it is not interposed for delay. If the matter is not signed or is signed with the intent to defeat the purpose of this rule, it may be stricken as sham and false, and the matter may proceed as though there had been no filing. All protests must state the statutory grounds of such protest and the reasons therefor. That which is not filed in conformance herewith will not be considered or accepted as a matter of record.

(5) Any application which is protested or which is brought into question by the cabinet shall be set for a separate hearing.

Section 3. Any U-Drive-It permit holder who under the terms of KRS 154.690 claims exemption from the payment of usage taxes shall file annually with the Department of Vehicle Regulation a copy of his certificate from the Enterprise Zone Authority of Kentucky. If a U-Drive-It permit holder obtains an exemption under KRS 154.690 at any time after his initial application for a U-Drive-It permit, he shall be required to file a copy of the certification with the department. If any U-Drive-It permit holder ceases to be certified under KRS 154.690, then he shall immediately notify the department in writing.

Section 4. Payment of all applicable seat taxes imposed by KRS 186.281 shall be due and payable to the department at the time of application for the vehicle identification document (fee receipt card). Seat taxes shall be applicable to cargo-carrying vehicles operated in Kentucky to the extent of the normal passenger carrying capacity of the vehicle. At the time a U-Drive-It permit holder pays to the department the annual seat tax imposed by KRS 186.281 he shall apply for a vehicle identification document for each vehicle to be operated under the U-Drive-It permit in Kentucky. The application for a vehicle identification document shall be made to the

Department of Vehicle Regulation, Division of Motor Carriers, on forms prescribed and furnished by the department. The application shall be accompanied by a vehicle equipment list which identifies each vehicle. For each vehicle listed for the first time on an equipment list, the applicant shall provide a copy of both front and back of either the manufacturer's statement of origin or the registration of the vehicle. The vehicle identification document (fee receipt card) must be renewed annually prior to the expiration of the vehicle's registration license plate.

Section 5. A photocopy of the vehicle identification document (fee receipt card) shall at all times, be carried in the vehicle for which it was issued and shall be subject to inspection by any proper representative of the Transportation Cabinet or other law enforcement agency. A copy of the vehicle identification document must be presented to the county clerk upon the initial registration of any vehicle being registered under a U-Drive-It permit. The vehicle identification document shall be used to assess the usage tax imposed by KRS Chapter 138.

Section 6. No vehicle may be operated under a U-Drive-It permit until the permit holder has paid the applicable seat tax imposed by KRS 186.281 and obtained a vehicle identification document for the vehicle. When a vehicle ceases to be operated under a U-Drive-It permit, the permit holder shall advise the department in writing within fifteen (15) days. The notice shall include a complete description of the vehicle including its identification number.

Section 7. The U-Drive-It permit holder who is eligible under KRS 138.463 to elect as to the payment of the usage tax shall make his election at the time of his application for his vehicle identification document (fee receipt card). No change in the method of the payment of the usage tax will be permitted during the term of the ownership of the vehicle. Any U-Drive-It permit holder who loses his certificate under KRS 154.690 and who is eligible under KRS 138.463 to elect as to the payment of the usage tax shall make such election at the time he notifies the department of his loss of certification.

Section 8. Any holder of a U-Drive-It permit who reports and pays the tax imposed by KRS 138.463 shall report such taxes on a monthly basis on the forms prescribed and furnished by the department. Tax reports and payments shall be due on or before the end of the succeeding month following the period covered by the tax report. Any holder of a U-Drive-It permit with vehicles registered pursuant to an approved fleet registration allocation shall report and pay to the department the monthly usage tax at the rate imposed by KRS 138.463 on all vehicles rented from all its Kentucky locations, regardless of the state of licensing of those vehicles. Such holder must also license in Kentucky, pay the applicable seat tax imposed by KRS 186.281, and obtain a vehicle identification document (fee receipt card) for the number of vehicles at least equal to the number of vehicles to be registered in Kentucky by the approved allocation formula. Tax payments not timely made shall be subject to penalties and interest.

Section 9. Tax records, and records of the payment thereof, shall be maintained by U-Drive-It permit holders for a period as set forth in KRS 138.463(5), and shall be subject to audit by proper representatives of the Transportation Cabinet.

Section 10. If a vehicle on which the usage tax is being paid pursuant to KRS 138.463 is transferred to another party within 180 days of its registration and if less than 5,000 miles have been placed on the vehicle during its registration as a U-Drive-It vehicle, then the new owner is required to pay the usage tax imposed by KRS 138.460 based on the taxable value of the vehicle as required by KRS 138.450(4)(e). In such a case, the U-Drive-It permit holder cannot claim credit for any usage tax remitted for the vehicle.

JOHN K. PENROD, Commissioner  
C. LESLIE DAWSON, Secretary

APPROVED BY AGENCY: December 12, 1986

FILED WITH LRC: December 15, 1986 at noon

PUBLIC HEARING SCHEDULED: A public comment hearing will be held on this proposed administrative regulation at 3 p.m. local prevailing time on January 23, 1987. The hearing will be held in the fourth floor hearing room of the State Office Building located at the corner of High and Clinton Streets in Frankfort, Kentucky. Any person who intends to attend this hearing must, in writing, by January 18, 1987 so notify: Sandra G. Pullen, Executive's Staff Advisor, Transportation Cabinet, 1003 State Office Building, Frankfort, Kentucky 40622.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Sandra G. Pullen

(1) Type and number of entities affected: Approximately 460 U-Drive-It leasing and rental companies.

(a) Direct and indirect costs or savings to those affected: Additional cost of less than \$20,000 annually relating to assessing the \$2.50 to approximately 2,000 vehicles.

1. First year: Other than "cars".

2. Continuing costs or savings: Same as above.

3. Additional factors increasing or decreasing costs (note any effects upon competition): Eliminates discrimination of assessing fees on cars but not trucks or vans.

(b) Reporting and paperwork requirements: Nominal increase in reporting and paperwork requirements.

(2) Effects on the promulgating administrative body: Proposed regulation pursuant to SB 372 enacted by 1986 General Assembly.

(a) Direct and indirect costs or savings: No additional costs relating to promulgating the administrative regulations.

1. First year:

2. Continuing costs or savings: N/A

3. Additional factors increasing or decreasing costs: SB 372 adds additional workload.

(b) Reporting and paperwork requirements: Due to computerization of U-Drive-It process, a reduction in paperwork is anticipated.

(3) Assessment of anticipated effect on state and local revenues: Income revenue by approximately \$20,000.

(4) Assessment of alternative methods; reasons why alternatives were rejected: None

(5) Identify any statute, administrative

regulation or government policy which may be in conflict, overlapping, or duplication: (a) KRS 186.281 sets the normal seat fee at \$2.50 for "each passenger car". No reference is made of other types of motor vehicles that could be leased or rented. In order to avoid discrimination between the traditional "car" vs. vans, trucks, pickups, etc., the Department is proposing to clarify by regulation that the \$2.50 per seat apply to all passenger-carrying type vehicles. A truck would be considered at least two (2) seats. (b) Administrative rulings provided by the department was considered, but the cabinet is of the opinion that a regulation would be required.

(a) Necessity of proposed regulation if in conflict: N/A

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions: N/A

(6) Any additional information or comments: Proposed regulation is pursuant to requirement set forth by SB 372.

TIERING: Was tiering applied? No. N/A

#### TRANSPORTATION CABINET Department of Highways

603 KAR 5:210. Extended weight coal haul road system.

RELATES TO: KRS 177.9771, 189.230

PURSUANT TO: KRS 177.9771(10)

NECESSITY AND FUNCTION: KRS 177.9771(2) requires the Secretary of Transportation to certify those public highways which meet certain criteria as the extended weight coal haul road system. KRS 177.9771(9) requires the Secretary of Transportation to meet with certain local governing bodies and give consideration to their concerns before adding to or deleting from the extended weight coal haul road system. This regulation identifies the extended weight coal haul road system and establishes procedures to be followed by local governing bodies requesting consideration be given to their concerns. The Transportation Cabinet will promulgate a separate administrative regulation pursuant to KRS 177.9771(10) and 189.230 regarding bridge weight limits.

Section 1. The following terms when used in the regulation shall have the following meanings:

(1) "Local governing body" means the fiscal court of any county, the city council or commission of a city of the first through fourth classes, or the council of an urban county government.

(2) "KY" means a state numbered highway maintained by the Kentucky Department of Highways.

(3) "US" means a United States numbered highway maintained by the Kentucky Department of Highways.

(4) "I" means an interstate and defense highway maintained by the Kentucky Department of Highways.

(5) "CR" means a public highway, road, or street not maintained by the Kentucky Department of Highways.

(6) "LENGTH" means the length of a road segment in miles.

(7) "FROM" means the beginning milepoint and terminus of a road segment.

(8) "TO" means the ending milepoint and terminus of a road.

(9) "LN" means line.

(10) "RD" means road.

(11) "CO" means county.

Section 2. Resolutions of local governing bodies issued pursuant to KRS 177.9771(9) making recommendations to the Secretary of Transportation shall be submitted to: Secretary of Transportation, Transportation Cabinet, State Office Building, Frankfort, Kentucky 40622. The resolution must set forth a specific description of the road or road segments under consideration. The resolution must further set forth with specificity those conditions which give rise to inherent and definite hazards or create special conditions which the Secretary of the Transportation Cabinet needs to consider.

Section 3. The following highways, or portions thereof, are certified as meeting the criteria of and are hereby designated as the extended weight coal haul road system:

(See roads on following pages)

# ADMINISTRATIVE REGISTER - 1337

| BATH COUNTY | ROAD                 | FROM               | TO | LENGTH |
|-------------|----------------------|--------------------|----|--------|
| * KY 11     | 0.0 Montgomery CO LN | 12.8 Fleming CO LN |    | 12.8   |
|             |                      | TOTAL ROAD MILEAGE |    | 12.8   |

| BELL COUNTY             | ROAD                   | FROM                      | TO | LENGTH |
|-------------------------|------------------------|---------------------------|----|--------|
| * US 25E                | 0.0 Virginia State LN  | 19.5 Knox CO LN           |    | 19.5   |
| * US 119                | 0.0 US 25E             | 15.8 Harlan CO LN         |    | 15.8   |
| * KY 66                 | 0.0 US 25E             | 8.4 Little Creek RD       |    | 8.4    |
|                         | 9.8 Titan Tipple       | 18.7 Clay CO LN           |    | 8.9    |
| * KY 72                 | 0.0 US 119             | 3.4 Harlan CO LN          |    | 3.4    |
| * KY 74                 | 0.0 Tennessee State LN | 0.9 KY 535                |    | 0.9    |
|                         | 9.4 Rockhouse BR RD    | 14.0 Stony Fork RD        |    | 4.6    |
|                         | 16.1 KY 2079           | 16.8 US 25E               |    | 0.7    |
| * KY 92                 | 0.0 Whitley CO LN      | 10.8 US 25E               |    | 10.8   |
| * KY 186                | 2.0 Appolo Tipple      | 2.3 Stony Fork RD         |    | 0.3    |
| * KY 188                | 2.8 KY 988             | 4.1 Cranes Creek RD       |    | 1.3    |
| * KY 217                | 0.0 KY 988             | 8.8 KY 987                |    | 8.8    |
| * KY 221                | 0.0 KY 66              | 12.6 Harlan CO LN         |    | 12.6   |
| * KY 535                | 0.0 KY 74              | 0.6 Clear Fork RD         |    | 0.6    |
| * KY 987                | 4.8 Hen Wilder RD      | 8.7 KY 217                |    | 3.9    |
| * KY 988                | 1.2 KY 217             | 1.7 KY 188                |    | 0.5    |
| * KY 1344               | 0.0 KY 217             | 2.1 Wolfpen Branch RD     |    | 2.1    |
| * KY 2011               | 7.7 Mine Access        | 9.0 KY 66                 |    | 1.3    |
| * KY 2012               | 0.0 Private Haul RD    | 0.1 Hen Wilder RD         |    | 0.1    |
| * KY 2079               | 2.1 KY 74              | 2.6 Charter Tipple        |    | 0.5    |
| * Hen Wilder RD         |                        |                           |    |        |
| CR 5001                 | 0.0 KY 987             | 2.0 KY 2012               |    | 2.0    |
| * Cow Fork Road         |                        |                           |    |        |
| CR 5032                 | 0.0 KY 2011            | 2.6 Mine                  |    | 2.6    |
| * Straight Creek Road   |                        |                           |    |        |
| CR 5040                 | 0.0 KY 66              | 0.2 Turkey Pen Gap RD     |    | 0.2    |
| * Turkey Pen Gap Road   |                        |                           |    |        |
| CR 5053                 | 0.0 Straight Creek RD  | 0.5 Knox CO LN            |    | 0.5    |
| * Cranes Creek Road     |                        |                           |    |        |
| CR 5160                 | 0.0 KY 188             | 0.2 Mountain Drive Tipple |    | 0.2    |
| * Stony Fork Road       |                        |                           |    |        |
| CR 5213                 | 0.0 KY 186             | 0.4 KY 74                 |    | 0.4    |
| * Hignite Creek Road    |                        |                           |    |        |
| CR 5219                 | 0.0 KY 74              | 2.3 End of Road           |    | 2.3    |
| * Rockhouse Branch Road |                        |                           |    |        |
| CR 5222                 | 0.0 KY 74              | 0.5 Mine                  |    | 0.5    |
| * Clear Fork Road       |                        |                           |    |        |
| CR 5227                 | 0.0 KY 535             | 0.6 End of Road           |    | 0.6    |
| * Little Creek Road     |                        |                           |    |        |
| CR 5358                 | 0.0 KY 66              | 0.2 Little Creek Tipple   |    | 0.2    |
|                         |                        | TOTAL ROAD MILEAGE        |    | 114.5  |

| BOURBON COUNTY | ROAD            | FROM                | TO | LENGTH |
|----------------|-----------------|---------------------|----|--------|
| * US 27        | 8.3 US 460      | 15.4 Harrison CO LN |    | 7.1    |
| * US 68        | 2.4 US 68X      | 10.8 Nicholas CO LN |    | 8.4    |
| * US 68X       | 1.4 KY 627      | 2.8 US 68 (East)    |    | 1.4    |
| * KY 627       | 0.0 Clark CO LN | 9.5 US 68X          |    | 9.5    |
|                |                 | TOTAL ROAD MILEAGE  |    | 26.4   |

| BOYD COUNTY               | ROAD               | FROM                   | TO | LENGTH |
|---------------------------|--------------------|------------------------|----|--------|
| * US 23                   | 0.0 Lawrence CO LN | 21.1 Greenup CO LN     |    | 21.1   |
| * US 23S                  | 0.0 US 60          | 0.5 Ohio State LN      |    | 0.5    |
| * US 23X                  | 1.4 KY 2148        | 1.5 US 23S             |    | 0.1    |
|                           | 1.6 US 60          | 1.8 US 23              |    | 0.2    |
| * US 60                   | 0.0 Carter CO LN   | 12.4 US 23             |    | 12.4   |
| * KY 5                    | 0.0 US 60          | 1.5 Straight Creek RD  |    | 1.5    |
| * KY 180                  | 0.7 Big Run RD     | 2.5 US 60              |    | 1.8    |
| * KY 757                  | 6.2 US 23          | 10.2 US 23             |    | 4.0    |
| * KY 2148                 | 0.0 US 23          | 0.1 US 23X             |    | 0.1    |
| * Big Run Road            |                    |                        |    |        |
| CR 5263                   | 0.0 KY 180         | 1.5 Mine               |    | 1.5    |
| * Straight Creek Road     |                    |                        |    |        |
| CR 5288                   | 0.0 KY 5           | 0.6 Buena Vista RD     |    | 0.6    |
| * County Line Tipple Road |                    |                        |    |        |
| CR 5300                   | 0.0 US 23          | 0.3 County Line Tipple |    | 0.3    |

# ADMINISTRATIVE REGISTER - 1338

|                         |     |                   |     |                |      |
|-------------------------|-----|-------------------|-----|----------------|------|
| * Cobb Road             |     |                   |     |                |      |
| CR 5490                 | 0.0 | Straight Creek RD | 1.2 | Mine           | 1.2  |
| * Buena Vista Road      |     |                   |     |                |      |
| CR 5493                 | 0.0 | Straight Creek RD | 0.7 | Mine Access RD | 0.7  |
| * 15th Street (Ashland) |     |                   |     |                |      |
|                         | 0.0 | US 23             | 0.2 | Mansbach Dock  | 0.2  |
| * 53rd Street (Ashland) |     |                   |     |                |      |
|                         | 0.0 | US 23             | 0.1 | 53rd ST Dock   | 0.1  |
| TOTAL ROAD MILEAGE      |     |                   |     |                | 46.3 |

## BOYLE COUNTY

| ROAD               |      | FROM          |      | TO            | LENGTH |
|--------------------|------|---------------|------|---------------|--------|
| * US 127           | 7.5  | US 127 Bypass | 9.7  | Mercer CO LN  | 2.2    |
| * US 127B          | 0.0  | US 127        | 5.3  | US 127        | 5.3    |
| * US 150           | 13.9 | KY 33         | 14.2 | KY 34         | 0.3    |
|                    | 16.8 | US 150 Bypass | 18.9 | Lincoln CO LN | 2.1    |
| * US 150B          | 0.0  | US 127        | 2.3  | US 150        | 2.3    |
| * KY 33            | 0.0  | US 150        | 5.0  | Mercer CO LN  | 5.0    |
| * KY 34            | 12.4 | US 150        | 17.3 | Garrard CO LN | 4.9    |
| TOTAL ROAD MILEAGE |      |               |      |               | 22.1   |

## BRACKEN COUNTY

| ROAD               |     | FROM            |      | TO          | LENGTH |
|--------------------|-----|-----------------|------|-------------|--------|
| * KY 8             | 0.0 | Pendleton CO LN | 19.0 | Mason CO LN | 19.0   |
| TOTAL ROAD MILEAGE |     |                 |      |             | 19.0   |

## BREATHITT COUNTY

| ROAD               |      | FROM            |      | TO             | LENGTH |
|--------------------|------|-----------------|------|----------------|--------|
| * KY 15            | 0.0  | Perry CO LN     | 27.5 | Wolfe CO LN    | 27.5   |
| * KY 28            | 5.7  | Perry CO LN     | 7.4  | Perry CO LN    | 1.7    |
| * KY 30            | 14.1 | Elkataka Tipple | 14.8 | KY 15          | 0.7    |
|                    | 30.0 | Mine Access     | 37.5 | Magoffin CO LN | 7.5    |
| * KY 476           | 5.8  | Falcon Haul RD  | 11.4 | KY 15          | 5.6    |
| * KY 542           | 10.0 | Mine Access     | 18.6 | Magoffin CO LN | 8.6    |
| * KY 1098          | 0.0  | KY 15           | 14.8 | Mine Access    | 14.8   |
| * KY 1110          | 15.2 | Haddix Tipple   | 15.7 | KY 15          | 0.5    |
| * KY 1111          | 1.6  | Mine Access     | 2.2  | Big Lovely RD  | 0.6    |
| * KY 3193          | 0.0  | Wolverine RD    | 0.1  | Wolverine RD   | 0.1    |
| * Big Lovely Road  |      |                 |      |                |        |
| CR 5030            | 0.0  | KY 1111         | 1.4  | KY 542         | 1.4    |
| * Springsfork Road |      |                 |      |                |        |
| CR 5032            | 2.2  | KY 542          | 3.6  | Mine Access    | 1.4    |
| * Slusher Road     |      |                 |      |                |        |
| CR 5067            | 0.0  | KY 542          | 2.5  | Mine           | 2.5    |
| * Wolverine Road   |      |                 |      |                |        |
| CR 5318            | 5.1  | Mine            | 5.3  | KY 3193        | 0.2    |
|                    | 5.3  | KY 3193         | 5.7  | KY 15          | 0.4    |
| TOTAL ROAD MILEAGE |      |                 |      |                | 73.5   |

## BUTLER COUNTY

| ROAD                        |      | FROM                  |      | TO                   | LENGTH |
|-----------------------------|------|-----------------------|------|----------------------|--------|
| * Green River Parkway       |      |                       |      |                      |        |
|                             | 18.2 | Warren CO LN          | 35.1 | Ohio CO LN           | 16.9   |
| * US 231                    | 8.4  | Alley-Cassetty Tipple | 18.9 | Ohio CO LN           | 10.5   |
| * KY 70                     | 0.0  | Muhlenberg CO LN      | 14.4 | US 231               | 14.4   |
|                             | 14.4 | US 231                | 25.3 | KY 411               | 10.9   |
| * KY 79                     | 13.4 | KY 70                 | 15.2 | Possum Hollow SCH RD | 1.8    |
| * KY 269                    | 4.2  | Johnson RD            | 6.0  | Ohio CO LN           | 1.8    |
| * KY 411                    | 0.0  | KY 70                 | 2.2  | Mine                 | 2.2    |
| * KY 1328                   | 10.0 | Mine                  | 10.6 | Old Greenwich SCH RD | 0.6    |
|                             | 11.5 | Mine                  | 11.7 | KY 70                | 0.2    |
| * KY 1468                   | 0.0  | KY 70                 | 1.1  | US 231               | 1.1    |
| * Old Greenwich School Road |      |                       |      |                      |        |
| CR 5015                     | 0.0  | KY 1328               | 0.7  | KY 70                | 0.7    |
| * Jolertown Ridge Road      |      |                       |      |                      |        |
| CR 5027                     | 0.0  | Peyton Cemetery RD    | 1.4  | KY 70                | 1.4    |
| * Peyton Cemetery Road      |      |                       |      |                      |        |
| CR 5028                     | 0.6  | Mine                  | 0.9  | Jolertown Ridge RD   | 0.3    |
| * New Cut Road (South)      |      |                       |      |                      |        |
| CR 5243                     | 0.0  | KY 70                 | 0.4  | Mine                 | 0.4    |
| * Hickory Camp Creek Road   |      |                       |      |                      |        |
| CR 5246                     | 0.0  | KY 70                 | 1.4  | G Southerland RD     | 1.4    |
| * Elzie Penally Road        |      |                       |      |                      |        |
| CR 5247                     | 0.0  | KY 70                 | 0.4  | Mine                 | 0.4    |



# ADMINISTRATIVE REGISTER - 1339

|                             |           |                           |      |
|-----------------------------|-----------|---------------------------|------|
| * Possum Hollow School Road |           |                           |      |
| CR 5355                     | 0.0 KY 70 | 0.7 Mine                  | 0.7  |
| * Johnson Road              |           |                           |      |
| CR 5394                     | 0.0 Mine  | 0.1 KY 269                | 0.1  |
| * G Southerland Road        |           |                           |      |
| CR 5406                     | 2.0 Mine  | 3.0 Hickory Camp Creek RD | 1.0  |
|                             |           | TOTAL ROAD MILEAGE        | 67.4 |

| CALDWELL COUNTY          | ROAD           | FROM | TO                 | LENGTH |
|--------------------------|----------------|------|--------------------|--------|
| Western Kentucky Parkway |                |      |                    |        |
|                          | 5.6 Lyon CO LN |      | 21.8 Hopkins CO LN | 16.2   |
|                          |                |      | TOTAL ROAD MILEAGE | 16.2   |

| CAMPBELL COUNTY | ROAD | FROM                | TO                 | LENGTH |
|-----------------|------|---------------------|--------------------|--------|
| US 27           |      | 0.0 Pendleton CO LN | 16.6 I-471         | 16.6   |
|                 |      |                     | TOTAL ROAD MILEAGE | 16.6   |

| CARTER COUNTY | ROAD              | FROM | TO                 | LENGTH |
|---------------|-------------------|------|--------------------|--------|
| * US 60       | 24.1 KY 1         |      | 35.0 Boyd CO LN    | 10.9   |
| * KY 1        | 10.6 US 60 & KY 7 |      | 11.5 I-64          | 0.9    |
| * KY 7        | 0.0 Elliott CO LN |      | 10.9 KY 1          | 10.9   |
|               |                   |      | TOTAL ROAD MILEAGE | 22.7   |

| CHRISTIAN COUNTY         | ROAD                     | FROM | TO                 | LENGTH |
|--------------------------|--------------------------|------|--------------------|--------|
| * US 41                  | 28.5 KY 1296             |      | 31.6 Hopkins CO LN | 3.1    |
| * KY 1296                | 2.7 Campbell Cemetery RD |      | 5.2 US 41          | 2.5    |
| * Campbell Cemetery Road |                          |      |                    |        |
| CR 5418                  | 0.0 KY 1296              |      | 1.6 Mine           | 1.6    |
|                          |                          |      | TOTAL ROAD MILEAGE | 7.2    |

| CLARK COUNTY       | ROAD                 | FROM | TO                 | LENGTH |
|--------------------|----------------------|------|--------------------|--------|
| * Mountain Parkway |                      |      |                    |        |
|                    | 0.0 I-64             |      | 11.9 Powell CO LN  | 11.9   |
| * KY 418           | 5.7 KY 1924          |      | 5.8 KY 627         | 0.1    |
| * KY 627           | 0.1 KY 418           |      | 6.4 KY 1958        | 6.3    |
|                    | 9.3 I-64             |      | 14.8 Bourbon CO LN | 5.5    |
| * KY 1924          | 0.0 Dale Power Plant |      | 1.8 KY 418         | 1.8    |
| * KY 1958          | 0.0 KY 627           |      | 2.8 I-64           | 2.8    |
|                    |                      |      | TOTAL ROAD MILEAGE | 28.4   |

| CLAY COUNTY            | ROAD                      | FROM | TO                     | LENGTH |
|------------------------|---------------------------|------|------------------------|--------|
| * Daniel Boone Parkway |                           |      |                        |        |
|                        | 10.6 Laurel CO LN         |      | 35.9 Leslie CO LN      | 25.3   |
| * US 421               | 2.6 KY 66                 |      | 28.5 KY 1350           | 25.9   |
| * KY 11                | 0.0 Knox CO LN            |      | 8.9 US 421 (South)     | 8.9    |
|                        | 8.9 US 421 (North)        |      | 26.6 Owsley CO LN      | 17.7   |
| * KY 66                | 0.0 Bell CO LN            |      | 6.9 Leslie CO LN       | 6.9    |
|                        | 6.9 Leslie CO LN          |      | 18.5 US 421            | 11.6   |
|                        | 19.1 Daniel Boone Parkway |      | 32.5 KY 1482           | 13.4   |
|                        | 32.8 KY 3014              |      | 33.2 KY 11             | 0.4    |
| * KY 80                | 7.0 Big Creek Tipple      |      | 7.5 US 421             | 0.5    |
| * KY 577               | 4.2 Buncomb RD            |      | 5.4 KY 1350 (South)    | 1.2    |
| * KY 638               | 11.9 Mine Access          |      | 13.4 US 421            | 1.5    |
| * KY 1350              | 0.0 US 421                |      | 4.1 KY 577 (West)      | 4.1    |
| * KY 1482              | 9.4 Mine Access           |      | 10.2 KY 66             | 0.8    |
| * KY 1524              | 0.0 US 421                |      | 6.9 Big John Branch RD | 6.9    |
| * KY 2000              | 0.0 KY 1524               |      | 3.5 Mine               | 3.5    |
| * KY 2432              | 0.0 Sester Road           |      | 0.7 Littleton Road     | 0.7    |
| * KY 2438              | 0.0 US 421                |      | 0.1 KY 2432            | 0.1    |
| * KY 3014              | 0.0 KY 66                 |      | 0.2 Oneida Bottom RD   | 0.2    |
| * Oneida Bottom Road   |                           |      |                        |        |
| CR 5050                | 0.0 KY 3014               |      | 1.0 Mine               | 1.0    |
| * Littleton Road       |                           |      |                        |        |
| CR 5103                | 0.0 KY 2432               |      | 0.9 Panama School RD   | 0.9    |
| * Saplings Fork Road   |                           |      |                        |        |
| CR 5169                | 0.0 KY 1524               |      | 3.5 Buzzard Creek RD   | 3.5    |
| * Swafford Branch Road |                           |      |                        |        |
| CR 5171                | 0.0 Buzzard Creek RD      |      | 1.7 Mine               | 1.7    |

## ADMINISTRATIVE REGISTER - 1340

|                            |                        |                      |  |       |
|----------------------------|------------------------|----------------------|--|-------|
| * Sevier Road              |                        |                      |  |       |
| CR 5180                    | 0.0 US 421             | 0.2 Bridge           |  | 0.2   |
| * Sester Road (Manchester) |                        |                      |  |       |
| CR 5227AA                  | 0.0 KY 2432            | 0.2 Tipple Access    |  | 0.2   |
| * Buzzard Creek Road       |                        |                      |  |       |
| CR 5238                    | 1.7 Swafford Branch RD | 2.7 Saplings Fork RD |  | 1.0   |
| * Panama School Road       |                        |                      |  |       |
| CR 5341                    | 0.0 Littleton Road     | 0.8 Steele RD        |  | 0.8   |
| * Steele Road              |                        |                      |  |       |
| CR 5342                    | 0.0 Panama School RD   | 0.9 End of Road      |  | 0.9   |
| * Buncomb Road             |                        |                      |  |       |
| CR 5376                    | 0.0 KY 577             | 0.4 Mine             |  | 0.4   |
| * Sourwood Road            |                        |                      |  |       |
| CR 5377                    | 0.0 Buncomb RD         | 0.1 Mine             |  | 0.1   |
|                            |                        | TOTAL ROAD MILEAGE   |  | 140.3 |

| DAVISS COUNTY         |                       | FROM                     | TO | LENGTH |
|-----------------------|-----------------------|--------------------------|----|--------|
| ROAD                  |                       |                          |    |        |
| * Green River Parkway |                       |                          |    |        |
|                       | 59.5 Ohio CO LN       | 70.2 US 60 Bypass        |    | 10.7   |
| * US 60               | 10.1 US 60 Bypass     | 27.9 Hancock CO LN       |    | 17.8   |
| * US 60B              | 0.0 US 60             | 10.2 US 60               |    | 10.2   |
| * US 231              | 0.0 Ohio CO LN        | 11.3 US 60 Bypass        |    | 11.3   |
| * KY 54               | 2.5 US 60 Bypass      | 15.2 KY 764 (South)      |    | 12.7   |
| * KY 81               | 0.0 McLean CO LN      | 11.9 US 60 Bypass        |    | 11.9   |
| * KY 140              | 9.3 Mine              | 9.8 US 231               |    | 0.5    |
| * KY 144              | 0.0 US 60             | 11.9 Floral RD           |    | 11.9   |
| * KY 331              | 0.0 US 60             | 1.8 Owensboro Riverport  |    | 1.8    |
| * KY 554              | 1.9 Mine              | 4.8 KY 81                |    | 2.9    |
| * KY 764              | 1.7 Deserter Creek RD | 3.9 KY 54                |    | 2.2    |
| * KY 951              | 0.0 KY 144            | 1.6 Mine                 |    | 1.6    |
| * Floral Road         |                       |                          |    |        |
| CR 5035               | 0.0 KY 144            | 1.4 Mine                 |    | 1.4    |
| * St Lawrence Road    |                       |                          |    |        |
| CR 5036               | 0.0 KY 144            | 0.2 Mine                 |    | 0.2    |
| * Iceland Road        |                       |                          |    |        |
| CR 5076               | 0.0 US 60             | 0.2 Nerco River Terminal |    | 0.2    |
| * Deserter Creek Road |                       |                          |    |        |
| CR 5151               | 3.3 Mine              | 3.7 KY 764               |    | 0.3    |
|                       |                       | TOTAL ROAD MILEAGE       |    | 97.7   |

| ELLIOTT COUNTY    |                             | FROM                 | TO | LENGTH |
|-------------------|-----------------------------|----------------------|----|--------|
| ROAD              |                             |                      |    |        |
| * KY 7            | 0.0 Morgan CO LN            | 19.3 Carter CO LN    |    | 19.3   |
| * KY 32           | 8.6 KY 7                    | 16.6 Mason Branch RD |    | 8.0    |
| * KY 486          | 0.0 KY 32                   | 2.4 P Skaggs RD      |    | 2.4    |
| * KY 650          | 0.0 Morgan CO LN            | 4.5 KY 7             |    | 4.5    |
| * KY 719          | 0.0 Begin State Maintenance | 4.7 KY 32            |    | 4.7    |
| * Dickerson       |                             |                      |    |        |
| CR 5025           | 0.0 KY 7                    | 0.3 Mine             |    | 0.3    |
| * P Skaggs Road   |                             |                      |    |        |
| CR 5121           | 0.0 KY 486                  | 0.2 Mine             |    | 0.2    |
| * Lick Ford Road  |                             |                      |    |        |
| CR 5123           | 0.0 KY 32                   | 0.7 Mine             |    | 0.7    |
| * Right Fork Road |                             |                      |    |        |
| CR 5269           | 0.0 KY 719                  | 1.8 Morgan CO LN     |    | 1.8    |
|                   |                             | TOTAL ROAD MILEAGE   |    | 41.9   |

| ESTILL COUNTY |                   | FROM                     | TO | LENGTH |
|---------------|-------------------|--------------------------|----|--------|
| ROAD          |                   |                          |    |        |
| * KY 52       | 0.0 Madison CO LN | 7.6 KY 89                |    | 7.6    |
| * KY 89       | 11.4 KY 52        | 13.4 KY 1840             |    | 2.0    |
| * KY 1840     | 0.0 Stump RD      | 0.4 KY 89                |    | 0.4    |
| * Stump Road  |                   |                          |    |        |
| CR 5356       | 0.0 KY 1840       | 0.8 Southeast Prep Plant |    | 0.8    |
|               |                   | TOTAL ROAD MILEAGE       |    | 10.8   |

| FAYETTE COUNTY |                     | FROM       | TO | LENGTH |
|----------------|---------------------|------------|----|--------|
| ROAD           |                     |            |    |        |
| * US 27        | 0.0 Jessamine CO LN | 2.4 KY 4   |    | 2.4    |
| * US 60        | 10.2 KY 4           | 12.1 I-75  |    | 1.9    |
| * US 68        | 0.0 Jessamine CO LN | 3.1 KY 4   |    | 3.1    |
| * KY 4         | 2.2 US 68           | 9.3 KY 922 |    | 7.1    |
|                | 12.7 US 60          | 19.3 US 27 |    | 6.6    |

# ADMINISTRATIVE REGISTER - 1341

|                                   |           |                    |      |
|-----------------------------------|-----------|--------------------|------|
| * KY 922                          | 1.0 KY 4  | 2.9 I-75           | 1.9  |
| * Man-0-War Boulevard (Lexington) |           |                    |      |
|                                   | 0.0 US 68 | 3.3 US 27          | 3.3  |
|                                   |           | TOTAL ROAD MILEAGE | 26.3 |

## FLEMING COUNTY

| ROAD    | FROM                | TO                 | LENGTH |
|---------|---------------------|--------------------|--------|
| * US 68 | 0.0 Robertson CO LN | 5.4 Mason CO LN    | 5.4    |
| * KY 11 | 0.0 Bath CO LN      | 17.2 Mason CO LN   | 17.2   |
|         |                     | TOTAL ROAD MILEAGE | 22.6   |

## FLOYD COUNTY

| ROAD                                       | FROM                     | TO                      | LENGTH |
|--|--------------------------|-------------------------|--------|
| * US 23                                    | 0.0 Pike CO LN           | 24.1 Johnson CO LN      | 24.1   |
| * KY 3                                     | 0.0 US 23 & KY 80        | 2.3 Blackhawk Tipple    | 2.3    |
| * KY 7                                     | 0.0 Knott CO LN          | 8.0 KY 550              | 8.0    |
| * KY 80                                    | 0.0 Knott CO LN          | 14.4 US 23 & KY 3       | 14.4   |
| * KY 114                                   | 9.5 KY 404               | 11.4 US 23              | 1.9    |
| * KY 122                                   | 8.5 KY 80                | 31.6 KY 466             | 23.1   |
| * KY 194                                   | 0.0 KY 1428              | 5.6 Buffalo CR RD       | 5.6    |
|  | 7.4 Copperas RD          | 12.2 Pike CO LN         | 4.8    |
| * KY 404                                   | 0.0 Magoffin CO LN       | 8.1 KY 114              | 8.1    |
| * KY 466                                   | 2.1 Mine                 | 4.1 KY 122              | 2.0    |
| * KY 550                                   | 0.0 Knott CO LN          | 0.2 KY 7                | 0.2    |
|  | 0.2 KY 7                 | 4.6 KY 80               | 4.4    |
| * KY 680                                   | 0.0 KY 122               | 5.4 KY 979              | 5.4    |
| * KY 777                                   | 5.9 Mine                 | 9.0 KY 80               | 3.1    |
| * KY 850                                   | 0.0 KY 550               | 7.5 KY 404              | 7.5    |
| * KY 979                                   | 0.0 KY 122               | 19.3 US 23              | 19.3   |
| * KY 1101                                  | 0.9 Stonecoal BR RD      | 1.0 KY 122              | 0.1    |
| * KY 1210                                  | 0.0 KY 80                | 7.8 KY 404              | 7.8    |
| * KY 1426                                  | 2.5 Mine                 | 6.6 KY 979              | 4.1    |
|  | 6.6 KY 979               | 9.0 Mine                | 2.4    |
| * KY 1428                                  | 5.7 Colliver RD          | 6.2 US 23               | 0.5    |
|  | 6.2 US 23                | 8.8 KY 194              | 2.6    |
|  | 14.1 Mine                | 15.6 US 23              | 1.5    |
| * KY 1498                                  | 0.0 Knott CO LN          | 4.6 KY 122              | 4.6    |
| * KY 1929                                  | 0.0 Ned FK RD            | 2.5 KY 680              | 2.5    |
| * KY 2030                                  | 0.0 KY 122               | 7.8 KY 1426             | 7.8    |
| * KY 2557                                  | 0.0 Betsy Layne BR RD    | 0.3 US 23               | 0.3    |
| * KY 3188                                  | 0.8 Mine                 | 1.3 KY 80               | 0.5    |
| * Powell Branch Road                       |                          |                         |        |
| CR 5022                                    | 0.0 Justell Bridge RD    | 0.3 Camp BR Branch RD   | 0.3    |
| * Justell Bridge Road                      |                          |                         |        |
| CR 5024F                                   | 0.0 US 23                | 0.1 Powell Branch RD    | 0.1    |
| * Clark Branch Road                        |                          |                         |        |
| CR 5040                                    | 0.0 Buffalo Creek RD     | 1.4 Mine                | 1.4    |
| * Buffalo Creek Road                       |                          |                         |        |
| CR 5043                                    | 0.0 KY 194               | 4.0 Clark Branch RD     | 4.0    |
| * Copperas Creek Road                      |                          |                         |        |
| CR 5045                                    | 0.0 KY 194               | 2.1 Mine                | 2.1    |
| * Bull Creek Road                          |                          |                         |        |
| CR 5055                                    | 0.0 KY 3                 | 0.5 Cabin Coal Tipple   | 0.5    |
| * Colliver Road                            |                          |                         |        |
| CR 5074                                    | 0.0 KY 1428              | 1.6 Mine                | 1.6    |
| * Camp Branch Road                         |                          |                         |        |
| CR 5078                                    | 0.0 Powell Branch RD     | 0.9 Right FK/Camp BR RD | 0.9    |
| * Right Fork/Camp Branch Road              |                          |                         |        |
| CR 5078A                                   | 0.0 Camp Branch RD       | 0.2 Mine                | 0.2    |
| * Transcontinental Road (Excluding Bridge) |                          |                         |        |
| CR 5083                                    | 0.0 Transcontinental Tip | 0.8 US 23               | 0.8    |
| * Big Branch/Little Mud Creek Road         |                          |                         |        |
| CR 5108                                    | 0.0 KY 2030              | 3.3 Mine                | 3.3    |
| * Frog Branch Road                         |                          |                         |        |
| CR 5110                                    | 0.0 KY 2030              | 1.0 Mine                | 1.0    |
| * Betsy Layne Branch Road                  |                          |                         |        |
| CR 5111                                    | 0.0 KY 2557              | 0.9 Mine                | 0.9    |
| * Cedar Hill Road                          |                          |                         |        |
| CR 5118                                    | 0.0 KY 1426              | 0.6 Bebe Tipple         | 0.6    |
| * Mink Branch Road                         |                          |                         |        |
| CR 5138                                    | 0.0 KY 979               | 1.5 Mine                | 1.5    |
| * Ned Fork Road                            |                          |                         |        |
| CR 5140                                    | 0.0 KY 1929              | 1.3 Mine                | 1.3    |

# ADMINISTRATIVE REGISTER - 1342

|                                 |                          |                          |       |  |
|---------------------------------|--------------------------|--------------------------|-------|--|
| * Branham Creek Road            |                          |                          |       |  |
| CR 5142                         | 0.0 KY 979               | 3.1 Mine                 | 3.1   |  |
|                                 | 7.7 Left FK/Tinker FK RD | 8.3 Pike CO LN           | 0.6   |  |
| * Left Fork/Tinker Fork Road    |                          |                          |       |  |
| CR 5147                         | 0.0 Branham Creek RD     | 0.2 Mine                 | 0.2   |  |
| * Andy Branch Road              |                          |                          |       |  |
| CR 5148                         | 0.0 Tinker Fork RD       | 0.5 Mine                 | 0.5   |  |
| * Tinker Fork Road              |                          |                          |       |  |
| CR 5152                         | 0.0 KY 979               | 0.6 Andy Branch RD       | 0.6   |  |
| * Red Morg Branch Road          |                          |                          |       |  |
| CR 5153                         | 0.0 KY 979               | 0.9 Mine                 | 0.9   |  |
| * Buzzard Rock Road             |                          |                          |       |  |
| CR 5157                         | 0.2 Mine                 | 0.5 Pike CO LN           | 0.3   |  |
| * Buckhorn Hollow Road          |                          |                          |       |  |
| CR 5159                         | 0.0 KY 979               | 0.4 Mine                 | 0.4   |  |
| * Spewing Camp Branch           |                          |                          |       |  |
| CR 5190                         | 0.0 KY 122               | 2.4 Mine                 | 2.4   |  |
| * Little Muddy Creek Road       |                          |                          |       |  |
| CR 5197                         | 0.0 KY 2030              | 3.0 Mine                 | 3.0   |  |
| * Stonecoal Branch Road         |                          |                          |       |  |
| CR 5234                         | 0.0 KY 1101              | 2.0 Mine                 | 2.0   |  |
| * Goose Creek Road              |                          |                          |       |  |
| CR 5273                         | 0.0 Gosling Branch RD    | 0.8 Mine                 | 0.8   |  |
| * Gosling Branch Road           |                          |                          |       |  |
| CR 5274                         | 0.0 KY 80                | 0.1 Goose Creek RD       | 0.1   |  |
| * Vine Street (Eastern)         |                          |                          |       |  |
| CR 5283C                        | 0.0 KY 80                | 0.1 May I Tipple         | 0.1   |  |
| * Prater Fork Road              |                          |                          |       |  |
| CR 5285                         | 0.0 KY 850               | 1.1 Left FK/Prater CK RD | 1.1   |  |
| * Left Fork/Prater Creek Road   |                          |                          |       |  |
| CR 5285A                        | 0.0 Prater Fork RD       | 0.4 Mine                 | 0.4   |  |
| * Johnson Fork-Conley Fork Road |                          |                          |       |  |
| CR 5409                         | 0.0 KY 1210              | 0.2 Amber Prep Plant     | 0.2   |  |
| TOTAL ROAD MILEAGE              |                          |                          | 206.1 |  |

## GARRARD COUNTY

| ROAD               | FROM            | TO                   | LENGTH |
|--------------------|-----------------|----------------------|--------|
| * US 27            | 10.3 KY 34      | 16.5 Jessamine CO LN | 6.2    |
| * KY 34            | 0.0 Boyle CO LN | 2.7 US 27            | 2.7    |
| TOTAL ROAD MILEAGE |                 |                      | 8.9    |

## GREENUP COUNTY

| ROAD                  | FROM             | TO           | LENGTH |
|-----------------------|------------------|--------------|--------|
| * US 23               | 0.0 Boyd CO LN   | 11.8 KY 2541 | 11.8   |
| * KY 1                | 11.4 KY 207      | 17.3 US 23   | 5.9    |
| * KY 207              | 0.4 Logtown RD   | 9.2 KY 1     | 8.8    |
| * KY 2541             | 1.3 Pilgrim Dock | 1.6 US 23    | 0.3    |
| * Logtown Hollow Road |                  |              |        |
| CR 5168               | 0.0 KY 207       | 0.5 Mine     | 0.5    |
| TOTAL ROAD MILEAGE    |                  |              | 26.8   |

## HANCOCK COUNTY

| ROAD               | FROM              | TO       | LENGTH |
|--------------------|-------------------|----------|--------|
| * US 60            | 0.0 Daviess CO LN | 5.5 Mine | 5.5    |
| TOTAL ROAD MILEAGE |                   |          | 5.5    |

## HARLAN COUNTY

| ROAD     | FROM                  | TO                     | LENGTH |
|----------|-----------------------|------------------------|--------|
| * US 119 | 0.0 Bell CO LN        | 18.7 Rhea Tipple       | 18.7   |
|          | 26.4 Totz Prep Plant  | 28.2 Belt Line         | 1.8    |
|          | 34.3 Mine             | 39.7 Letcher CO LN     | 5.4    |
| * US 421 | 0.0 Virginia State LN | 17.6 US 119 (West)     | 17.6   |
|          | 17.6 US 119 (West)    | 27.4 Leslie CO LN      | 9.8    |
| * KY 38  | 0.0 US 421            | 13.3 Shields School RD | 13.3   |
|          | 16.7 Belt Line        | 17.0 KY 179            | 0.3    |
|          | 28.1 Jerico1 Tipple   | 29.5 Virginia State LN | 1.4    |
| * KY 72  | 0.0 Bell CO LN        | 4.9 Rockhouse Creek RD | 4.9    |
|          | 9.0 KY 2425           | 11.3 US 421            | 2.3    |
| * KY 160 | 8.8 Benham Tipple     | 14.6 Letcher CO LN     | 5.8    |
| * KY 179 | 0.0 KY 38             | 0.6 Mines              | 0.6    |
| * KY 215 | 0.0 KY 38             | 1.1 Mine               | 1.1    |
| * KY 219 | 2.3 Mine              | 5.1 US 119             | 2.8    |
| * KY 221 | 0.0 Bell CO LN        | 8.9 US 421 (South)     | 8.9    |
|          | 8.9 US 421 (North)    | 26.8 Perry CO LN       | 17.9   |

# ADMINISTRATIVE REGISTER - 1343

|                        |                         |                        |       |
|------------------------|-------------------------|------------------------|-------|
| * KY 987               | 10.4 Wilder Branch RD   | 18.5 US 421            | 8.1   |
| * KY 990               | 0.0 US 421              | 1.3 Coalgood Tipple    | 1.3   |
| * KY 1137              | 0.0 US 421              | 2.0 Crummies Creek RD  | 2.0   |
| * KY 2006              | 0.7 Mine                | 4.6 Arch of KY Tipple  | 3.9   |
| * KY 2007              | 0.0 US 119              | 0.5 Layman-Coldiron RD | 0.5   |
| * KY 2008              | 0.0 Leslie CO LN        | 1.4 KY 221             | 1.4   |
| * KY 2009              | 0.0 KY 221              | 2.7 Leslie CO LN       | 2.7   |
| * Totz Road            |                         |                        |       |
| CR 5007B               | 0.0 Haul RD             | 0.1 Totz Washer        | 0.1   |
| * Crummies Creek Road  |                         |                        |       |
| CR 5137                | 0.0 KY 1137             | 1.5 N to End           | 1.5   |
| * Slack Cemetery Road  |                         |                        |       |
| CR 5140                | 0.0 US 421 (North)      | 0.3 Mine               | 0.3   |
| * Barn Branch Road     |                         |                        |       |
| CR 5142                | 0.0 US 421              | 0.4 End                | 0.4   |
| * Old US 421 Road      |                         |                        |       |
| CR 5147                | 0.0 Daniel Carredd RD   | 0.4 US 421             | 0.4   |
| * Daniel Carredd Road  |                         |                        |       |
| CR 5148                | 0.0 Old US 421 RD       | 0.7 End                | 0.7   |
| * Grays Branch Road    |                         |                        |       |
| CR 5206K               | 0.0 US 421 @ Grays Knob | 0.4 End                | 0.4   |
| * Mill Branch Hollow   |                         |                        |       |
| CR 5219                | 0.0 KY 72               | 0.3 Mine               | 0.3   |
| * Frye Street          |                         |                        |       |
| CR 5232A               | 0.0 KY 72               | 0.2 Elcomb DR          | 0.2   |
| * Elcomb Drive         |                         |                        |       |
| CR 5232C               | 0.0 Frye ST             | 0.4 Mine Access        | 0.4   |
| * Layman-Coldiron Road |                         |                        |       |
| CR 5236H               | 0.0 KY 2007             | 0.9 Forester Creek RD  | 0.9   |
| * Rockhouse Creek Road |                         |                        |       |
| CR 5256                | 0.0 KY 72               | 0.2 R B Tipple         | 0.2   |
| * Ages Creek Road      |                         |                        |       |
| CR 5326M               | 0.0 KY 38               | 0.5 Mine               | 0.5   |
| * Abner Fork Road      |                         |                        |       |
| CR 5338                | 0.0 KY 221              | 3.9 Leslie CO LN       | 3.9   |
| * Big Run Hollow Road  |                         |                        |       |
| CR 5344                | 1.4 Mine RD             | 1.7 Bell CO LN         | 0.3   |
| TOTAL ROAD MILEAGE     |                         |                        | 143.0 |

## HARRISON COUNTY

| ROAD               | FROM              | TO                   | LENGTH |
|--------------------|-------------------|----------------------|--------|
| * US 27            | 0.0 Bourbon CO LN | 19.5 Pendleton CO LN | 19.5   |
| TOTAL ROAD MILEAGE |                   |                      | 19.5   |

## HENDERSON COUNTY

| ROAD               | FROM              | TO                 | LENGTH |
|--------------------|-------------------|--------------------|--------|
| * US 41            | 0.0 Webster CO LN | 13.0 KY 812        | 13.0   |
| * KY 812           | 5.6 Mine          | 7.4 US 41          | 1.8    |
| * KY 2097          | 0.0 US 41         | 0.9 Bill Givens RD | 0.9    |
| * Bill Givens Road |                   |                    |        |
| CR 5142            | 0.0 Webster CO LN | 0.2 KY 2097        | 0.2    |
| TOTAL ROAD MILEAGE |                   |                    | 15.9   |

## HOPKINS COUNTY

| ROAD                                   | FROM                   | TO                      | LENGTH |
|--|------------------------|-------------------------|--------|
| * Western Kentucky Parkway             |                        |                         |        |
|  | 21.8 Caldwell CO LN    | 43.4 Muhlenberg CO LN   | 21.6   |
| * Pennyryle Parkway (Non-Toll Segment) |                        |                         |        |
|  | 29.6 US 41             | 45.2 Begin Toll Segment | 15.6   |
| * Pennyryle Parkway (Toll Segment)     |                        |                         |        |
|  | 45.2 Non-Toll Segment  | 55.0 Webster CO LN      | 9.8    |
| * US 41                                | 0.0 Christian CO LN    | 2.3 Pennyryle Parkway   | 2.3    |
|  | 3.0 KY 1751            | 11.8 Webster CO LN      | 8.8    |
| * US 41A                               | 3.7 US 62              | 29.4 Webster CO LN      | 25.7   |
| * US 62                                | 1.7 KY 109             | 21.3 Mine               | 19.6   |
| * KY 70                                | 7.1 KY 109             | 18.7 US 41A             | 11.6   |
|  | 19.9 Pennyryle Parkway | 23.2 KY 85              | 3.3    |
| * KY 85                                | 0.0 KY 70              | 3.3 Mine                | 3.3    |
| * KY 109                               | 2.1 US 62              | 17.2 KY 814             | 15.1   |
| * KY 112                               | 2.8 Mine               | 5.0 Copper Creek RD     | 2.2    |
|  | 5.4 Edro Washer        | 9.8 US 41A              | 4.4    |
| * KY 262                               | 0.0 KY 630             | 0.3 Mine                | 0.3    |
| * KY 281                               | 0.0 US 41A             | 0.7 Pennyryle Parkway   | 0.7    |
| * KY 336                               | 0.0 US 41A             | 2.3 McLeod RD           | 2.3    |

# ADMINISTRATIVE REGISTER - 1344

|                               |                            |                          |       |
|-------------------------------|----------------------------|--------------------------|-------|
| * KY 630                      | 0.0 KY 262                 | 2.0 US 41A               | 2.0   |
| * KY 813                      | 2.6 Farmer Crossing RD     | 2.8 US 62                | 0.2   |
|                               | 4.3 Mine                   | 5.0 Private Haul RD      | 0.7   |
|                               | 10.2 Mortons Gap-WH CTY RD | 12.3 US 41A              | 2.1   |
| * KY 814                      | 0.0 KY 109                 | 1.4 Webster CO LN        | 1.4   |
| * KY 1302                     | 1.9 Bean Cemetery RD       | 2.7 Poole RD             | 0.8   |
| * KY 1687                     | 3.9 Mine                   | 4.6 US 62                | 0.7   |
| * KY 1751                     | 0.0 US 41A                 | 1.4 US 41                | 1.4   |
| * KY 2083                     | 0.9 US 62                  | 1.1 South Hopkins Tipple | 0.2   |
| * KY 2086                     | 0.0 Walnut Grove RD        | 1.2 KY 109               | 1.2   |
| * McLeod Road                 |                            |                          |       |
| CR 5140                       | 0.0 KY 336                 | 0.5 Mine                 | 0.5   |
| * Mortons Gap-White City Road |                            |                          |       |
| CR 5153                       | 0.0 KY 813                 | 1.9 Mine                 | 1.9   |
| * Farmers Crossing Road       |                            |                          |       |
| CR 5161                       | 0.0 KY 813                 | 3.0 Ogelsby RD           | 3.0   |
| * Ogelsby Road                |                            |                          |       |
| CR 5163                       | 0.9 Mine                   | 1.4 Farmer Crossing RD   | 0.5   |
| * Goat Lane                   |                            |                          |       |
| CR 5179                       | 0.0 US 62                  | 0.4 Drakes Creek RD      | 0.4   |
| * Drakes Creek Road           |                            |                          |       |
| CR 5180                       | 1.4 KY 813                 | 1.5 Farmers Crossing RD  | 0.1   |
| * Copper Creek Road           |                            |                          |       |
| CR 5257                       | 0.0 KY 112                 | 1.0 Clyde Lee RD         | 1.0   |
| * Clyde Lee Road              |                            |                          |       |
| CR 5258                       | 0.0 Copper Creek RD        | 0.4 Mine                 | 0.4   |
| * Leonard Jackson Road        |                            |                          |       |
| CR 5262                       | 0.0 Dawson Daylight RD     | 1.0 Private Haul RD      | 1.0   |
| * Walnut Grove Road           |                            |                          |       |
| CR 5301                       | 0.0 Mine                   | 0.6 KY 2086              | 0.6   |
| * Dawson Daylight Road        |                            |                          |       |
| CR 5305                       | 0.0 KY 109                 | 2.4 Leonard Jackson RD   | 2.4   |
| * Ferguson Town Spur          |                            |                          |       |
| CR 5311                       | 0.0 Ferguson Town RD       | 0.1 Roberts Bros Tipple  | 0.1   |
| * Ferguson Town Road          |                            |                          |       |
| CR 5325                       | 3.0 Ferguson Town Spur     | 3.2 KY 109               | 0.2   |
| * Poole Road                  |                            |                          |       |
| CR 5390                       | 0.2 KY 70                  | 0.4 KY 1302              | 0.2   |
| * Bean Cemetery Road          |                            |                          |       |
| CR 5396                       | 0.0 KY 1302                | 0.4 Mine                 | 0.4   |
| TOTAL ROAD MILEAGE            |                            |                          | 170.0 |

## JACKSON COUNTY

| ROAD                   | FROM             | TO                  | LENGTH |
|------------------------|------------------|---------------------|--------|
| * US 421               | 3.8 KY 30        | 10.8 KY 587         | 7.0    |
| * KY 30                | 0.0 Laurel CO LN | 12.5 US 421         | 12.5   |
| * KY 587               | 0.0 US 421       | 5.5 Brushy Ridge RD | 5.5    |
| * Brushy Ridge RD      |                  |                     |        |
| CR 5041                | 0.0 KY 587       | 1.1 Mine            | 1.1    |
| * Old Island City Road |                  |                     |        |
| CR 5165                | 0.0 Clay CO LN   | 1.1 Mine            | 1.1    |
| * Mildred Road         |                  |                     |        |
| CR 5184                | 0.0 US 421       | 1.6 Laurel Fork RD  | 1.6    |
| * Laurel Fork Road     |                  |                     |        |
| CR 5248                | 0.0 Mildred RD   | 0.3 Mine            | 0.3    |
| TOTAL ROAD MILEAGE     |                  |                     | 29.1   |

## JEFFERSON COUNTY

| ROAD                        | FROM                 | TO               | LENGTH |
|-----------------------------|----------------------|------------------|--------|
| * US 31W                    | 3.2 Kosmos Cement CO | 14.8 I-264       | 11.6   |
| * KY 1934                   | 6.8 I-264            | 7.0 Ralph Avenue | 0.2    |
| * Ralph Avenue (Louisville) |                      |                  |        |
| 0.9 KY 1934                 |                      | 1.8 Dupont Plant | 0.9    |
| TOTAL ROAD MILEAGE          |                      |                  | 12.7   |

## JESSAMINE COUNTY

| ROAD               | FROM              | TO                 | LENGTH |
|--------------------|-------------------|--------------------|--------|
| * US 27            | 0.0 Garrard CO LN | 14.1 Fayette CO LN | 14.1   |
| * US 68            | 0.0 Mercer CO LN  | 12.1 Fayette CO LN | 12.1   |
| TOTAL ROAD MILEAGE |                   |                    | 26.2   |

# ADMINISTRATIVE REGISTER - 1345

## JOHNSON COUNTY

| ROAD               | FROM               | TO                  | LENGTH |
|--------------------|--------------------|---------------------|--------|
| * US 23            | 0.0 Floyd CO LN    | 18.4 Lawrence CO LN | 18.4   |
| * US 460           | 0.0 Magoffin CO LN | 8.4 US 23           | 8.4    |
| * KY 3             | 0.1 KY 302         | 4.7 Martin CO LN    | 4.6    |
| * KY 40            | 0.0 Magoffin CO LN | 8.7 US 460          | 8.7    |
| * KY 172           | 2.5 Mine Access    | 12.4 KY 40          | 9.9    |
| * KY 302           | 4.1 KY 2381        | 6.5 KY 3            | 2.4    |
| * KY 469           | 3.0 KY 1614        | 6.2 Lawrence CO LN  | 3.2    |
| * KY 993           | 0.0 KY 581         | 2.8 US 23           | 2.8    |
| * KY 1614          | 0.0 Morgan CO LN   | 1.2 KY 469          | 1.2    |
| * KY 2381          | 0.0 US 23          | 2.1 KY 302          | 2.1    |
| TOTAL ROAD MILEAGE |                    |                     | 61.7   |

## KNOTT COUNTY

| ROAD                                 | FROM                    | TO                         | LENGTH |
|--------------------------------------|-------------------------|----------------------------|--------|
| * KY 7                               | 0.0 Letcher CO LN       | 16.0 Floyd CO LN           | 16.0   |
| * KY 15                              | 0.0 Letcher CO LN       | 9.4 Perry CO LN            | 9.4    |
| * KY 80                              | 0.0 Perry CO LN         | 21.1 Floyd CO LN           | 21.1   |
| * KY 160                             | 0.0 KY 15               | 4.2 Runnells Branch RD     | 4.2    |
|                                      | 8.2 KY 1393             | 12.5 KY 80                 | 4.3    |
| * KY 550                             | 20.6 Mine               | 26.7 Floyd CO LN           | 6.1    |
| * KY 899                             | 0.0 KY 1393             | 4.9 Mine                   | 4.9    |
|                                      | 7.7 Mine                | 12.2 KY 7                  | 4.5    |
| * KY 1087                            | 1.4 KY 3209             | 3.4 Mine                   | 2.0    |
|                                      | 12.0 Sandlick Branch RD | 14.1 KY 80                 | 2.1    |
|                                      | 19.9 Bruce Branch RD    | 20.6 KY 550                | 0.7    |
| * KY 1088                            | 3.9 Youngs Fork RD      | 9.4 KY 15                  | 5.5    |
| * KY 1231                            | 0.0 KY 15               | 1.2 Irishman Creek RD      | 1.2    |
|                                      | 4.8 Mine                | 5.8 Mine                   | 1.0    |
| * KY 1393                            | 2.8 KY 899              | 4.9 KY 160                 | 2.1    |
| * KY 1410                            | 0.0 KY 160              | 4.7 Letcher CO LN          | 4.7    |
| * KY 1498                            | 0.0 KY 7                | 1.5 Floyd CO LN            | 1.5    |
| * KY 3209                            | 0.0 KY 80               | 0.4 KY 1087                | 0.4    |
| * Patten Branch of Beaver Creek Road |                         |                            |        |
| CR 5009                              | 0.0 KY 7                | 0.2 Mine                   | 0.2    |
| * Bruce Branch Road                  |                         |                            |        |
| CR 5026                              | 0.0 KY 1087             | 0.6 Mine                   | 0.6    |
| * Big Springs Branch Road            |                         |                            |        |
| CR 5032                              | 0.0 KY 550              | 0.9 Mine                   | 0.9    |
| * Rock Fork (Bolyn) Road             |                         |                            |        |
| CR 5037                              | 0.0 KY 80               | 0.8 Mine                   | 0.8    |
| * Bates Branch Road                  |                         |                            |        |
| CR 5117                              | 0.0 KY 7                | 1.4 Mine                   | 1.4    |
| * Perkins Branch-Lick Branch Road    |                         |                            |        |
| CR 5145                              | 0.0 KY 15               | 0.4 Mine                   | 0.4    |
| * Runnells Branch Road               |                         |                            |        |
| CR 5156                              | 0.0 KY 160              | 0.5 Left FK Runnells BR RD | 0.5    |
| * Left Fork of Runnells Branch Road  |                         |                            |        |
| CR 5156A                             | 0.0 Runnells Branch RD  | 0.3 Mine                   | 0.3    |
| * Irishman Creek Road                |                         |                            |        |
| CR 5203                              | 0.0 KY 1231             | 2.5 Mine                   | 2.5    |
| * Flaxpatch Branch Road              |                         |                            |        |
| CR 5208                              | 0.0 KY 1231             | 0.6 Mine                   | 0.6    |
| * Defeated Creek Road                |                         |                            |        |
| CR 5212                              | 0.0 KY 15               | 3.2 Mine                   | 3.2    |
| * Youngs Fork Road                   |                         |                            |        |
| CR 5226                              | 0.0 KY 1088             | 1.3 Mine                   | 1.3    |
| TOTAL ROAD MILEAGE                   |                         |                            | 104.4  |

## KNOX COUNTY

| ROAD      | FROM                    | TO                  | LENGTH |
|-----------|-------------------------|---------------------|--------|
| * US 25E  | 0.0 Bell CO LN          | 26.6 Laurel CO LN   | 26.6   |
| * KY 6    | 0.0 Whitley CO LN       | 14.7 KY 11          | 14.7   |
| * KY 11   | 0.0 Whitley CO LN       | 10.1 US 25E         | 10.1   |
|           | 10.1 US 25E             | 22.7 Clay CO LN     | 12.6   |
| * KY 223  | 0.0 US 25E              | 3.9 KY 718          | 3.9    |
| * KY 225  | 5.9 Mine                | 15.0 US 25E         | 9.1    |
| * KY 233  | 4.6 Lynn Camp Branch RD | 6.2 US 25E          | 1.6    |
| * KY 718  | 0.0 KY 223              | 9.2 Alex Creek RD   | 9.2    |
| * KY 1418 | 0.0 Whitley CO LN       | 0.6 Hubbs Hollow RD | 0.6    |
| * KY 1809 | 0.0 Whitley CO LN       | 6.3 KY 11           | 6.3    |
| * KY 2421 | 0.0 KY 225              | 0.9 KY 11           | 0.9    |



# ADMINISTRATIVE REGISTER - 1346

|                           |                           |                          |  |       |
|---------------------------|---------------------------|--------------------------|--|-------|
| * Alex Creek Road         |                           |                          |  |       |
| CR 5031                   | 0.0 KY 718                | 0.8 Mine                 |  | 0.8   |
| * Little Brush Creek Road |                           |                          |  |       |
| CR 5166                   | 0.0 KY 225                | 1.6 Lay Branch RD        |  | 1.6   |
| * Lay Branch Road         |                           |                          |  |       |
| CR 5169                   | 0.0 Little Brush CK RD    | 0.2 Mines                |  | 0.2   |
| * Stoney Fork Road        |                           |                          |  |       |
| CR 5210                   | 0.0 KY 1809               | 1.8 Swanpond Road        |  | 1.8   |
| * Hubbs Road              |                           |                          |  |       |
| CR 5214                   | 0.0 KY 1809               | 1.5 Mine                 |  | 1.5   |
| * Sugartree Road          |                           |                          |  |       |
| CR 5216                   | 0.0 Hubbs RD              | 0.5 Mine                 |  | 0.5   |
| * Old US 25E Loop #6 Road |                           |                          |  |       |
| CR 5304                   | 0.6 Bailey Branch RD      | 1.0 US 25E               |  | 0.4   |
| * Bailey Branch Road      |                           |                          |  |       |
| CR 5305                   | 0.0 Old US 25E Loop #6 RD | 0.5 Bailey Switch Tipple |  | 0.5   |
| * Richland Creek Road     |                           |                          |  |       |
| CR 5311                   | 0.8 Harris RD             | 0.9 Higgins RD           |  | 0.1   |
| * Higgins Road            |                           |                          |  |       |
| CR 5323                   | 0.0 US 25E                | 0.8 Richland Creek RD    |  | 0.8   |
| * Harris Road             |                           |                          |  |       |
| CR 5327                   | 0.7 Mine                  | 0.2 Richland Creek RD    |  | 1.3   |
| * Lynn Camp Branch Road   |                           |                          |  |       |
| CR 5369                   | 0.0 KY 233                | 1.0 Mine                 |  | 1.0   |
| TOTAL ROAD MILEAGE        |                           |                          |  | 106.1 |

## LAUREL COUNTY

| ROAD               |                          | FROM                   | TO                        | LENGTH |
|--------------------|--------------------------|------------------------|---------------------------|--------|
| *                  | Daniel Boone Parkway     | 0.0 US 25 & KY 80      | 10.6 Clay CO LN           | 10.6   |
| *                  | US 25                    | 0.0 US 25E & US 25W    | 16.3 KY 490               | 16.3   |
| *                  | US 25E                   | 0.0 Knox CO LN         | 2.0 I-75                  | 2.0    |
| *                  | US 25W                   | 0.0 Whitley CO LN      | 1.0 US 25 & US 25E        | 1.0    |
| *                  | KY 30                    | 1.4 KY 490             | 9.8 Jackson CO LN         | 8.4    |
| *                  | KY 80                    | 0.0 Pulaski CO LN      | 11.1 US 25 & D Boone PKWY | 11.1   |
|                    |                          | 11.1 US 25             | 11.8 KY 638               | 0.7    |
| *                  | KY 192                   | 18.2 I-75              | 22.0 D Boone PKWY         | 3.8    |
| *                  | KY 490                   | 0.0 US 25              | 0.9 KY 30                 | 0.9    |
|                    |                          | 0.9 KY 30              | 5.7 Victory-Greenmount RD | 4.8    |
| *                  | KY 1006                  | 0.3 J & B Tipple       | 0.5 US 25                 | 0.2    |
| *                  | Railroad Street (London) |                        |                           |        |
|                    | CR 5091N                 | 0.0 KY 80 (4th Street) | 0.5 Balmont Tipple        | 0.5    |
| *                  | Carmichael Road          |                        |                           |        |
|                    | CR 5475                  | 0.0 KY 80              | 4.1 Mine                  | 4.1    |
| TOTAL ROAD MILEAGE |                          |                        |                           | 64.4   |

## LAWRENCE COUNTY

| LAWRENCE COUNTY              |     | FROM          | TO                         | LENGTH |
|------------------------------|-----|---------------|----------------------------|--------|
| * US 23                      | 0.0 | Johnson CO LN | 30.2 Boyd CO LN            | 30.2   |
| * KY 3                       | 0.0 | Martin CO LN  | 15.5 US 23                 | 15.5   |
| * KY 3S                      | 0.0 | KY 3          | 0.1 West Virginia State LN | 0.1    |
| * KY 32                      | 5.9 | KY 469        | 28.9 US 23                 | 23.0   |
| * KY 469                     | 0.0 | Johnson CO LN | 2.0 KY 32                  | 2.0    |
| * KY 645                     | 0.0 | Martin CO LN  | 5.2 US 23                  | 5.2    |
| * KY 1760                    | 0.0 | US 23         | 2.8 Georges Creek RD       | 2.8    |
| * Donithon Branch Road       |     |               |                            |        |
| CR 5118                      | 0.0 | KY 3          | 1.6 Mine                   | 1.6    |
| * Yellow Creek-Tug Fork Road |     |               |                            |        |
| CR 5122                      | 0.0 | KY 3          | 0.8 Mine                   | 0.8    |
| * Laurel Creek Road          |     |               |                            |        |
| CR 5124                      | 0.0 | KY 3          | 1.5 Mine                   | 1.5    |
| * Georges Creek Road         |     |               |                            |        |
| CR 5156                      | 0.0 | KY 1760       | 1.5 Mine                   | 1.5    |
| TOTAL ROAD MILEAGE           |     |               |                            | 84.2   |

## LESLIE COUNTY

| ROAD           | FROM             | TO                  | LENGTH |
|----------------|------------------|---------------------|--------|
| * Daniel Boone |                  |                     |        |
| Parkway        | 35.9 Clay CO LN  | 51.0 Perry CO LN    | 15.1   |
| * US 421       | 0.0 Harlan CO LN | 22.6 KY 118         | 22.6   |
| * KY 66        | 0.0 Clay CO LN   | 2.8 Clay CO LN      | 2.8    |
| * KY 80        | 0.0 US 421       | 9.7 Perry CO LN     | 9.7    |
| * KY 118       | 0.0 US 421       | 3.5 D Boone PKWY    | 3.5    |
| * KY 221       | 0.0 Perry CO LN  | 1.9 KY 699          | 1.9    |
| * KY 257       | 0.0 US 421       | 2.4 Asher Branch RD | 2.4    |

# ADMINISTRATIVE REGISTER - 1347

|                                   |                         |                           |       |
|-----------------------------------|-------------------------|---------------------------|-------|
| * KY 699                          | 0.0 KY 80               | 16.0 Perry CO LN          | 16.0  |
| * KY 1807                         | 0.0 KY 80               | 3.6 End State MAINT       | 3.6   |
| * KY 2008                         | 0.0 KY 2009             | 0.6 White Oak RD          | 0.6   |
|                                   | 1.5 Begin State MAINT   | 3.8 Harlan CO LN          | 2.3   |
| * KY 2009                         | 0.0 Harlan CO LN        | 5.4 Bledsoe Tipple        | 5.4   |
| * KY 2057                         | 0.0 KY 699              | 0.9 Mine                  | 0.9   |
| * KY 2431                         | 0.0 US 421              | 0.1 High School           | 0.1   |
| * KY 6272                         | 0.0 Mine                | 0.5 KY 6274               | 0.5   |
| * KY 6273                         | 1.0 KY 6275             | 1.2 KY 118                | 0.2   |
| * KY 6274                         | 0.0 KY 6272             | 0.3 KY 6275               | 0.3   |
| * KY 6275                         | 0.0 KY 6274             | 0.3 KY 6273               | 0.3   |
| * Wendover Road                   |                         |                           |       |
| CR 5001                           | 0.0 KY 2431             | 1.6 Hurricane Creek RD    | 1.6   |
| * Hurricane Creek Road            |                         |                           |       |
| CR 5002                           | 0.7 Big BR H'Cane CR RD | 3.3 Wendover RD           | 2.6   |
| * Camp Creek Long Fork Road       |                         |                           |       |
| CR 5005                           | 0.0 Hurricane Creek RD  | 0.7 Mine Access           | 0.7   |
| * Big Branch Hurricane Creek Road |                         |                           |       |
| CR 5006                           | 0.0 Hurricane Creek RD  | 1.6 Leeco Prep Plant      | 1.6   |
| * Bailey Branch Road              |                         |                           |       |
| CR 5027                           | 0.0 KY 1807             | 0.6 Mine                  | 0.6   |
| * Long Branch Road                |                         |                           |       |
| CR 5118                           | 0.0 KY 699              | 0.2 Mine                  | 0.2   |
| * Lewis Creek-Napier Road         |                         |                           |       |
| CR 5132                           | 0.0 KY 2008             | 2.0 Mine                  | 2.0   |
| * Abner Branch Road               |                         |                           |       |
| CR 5133                           | 0.0 Harlan CO LN        | 1.3 Lewis Creek-Napier RD | 1.3   |
| * White Oak Road                  |                         |                           |       |
| CR 5135                           | 0.0 KY 2008             | 0.8 Mine                  | 0.8   |
| * Lewis Creek Road                |                         |                           |       |
| CR 5137                           | 0.0 KY 2009             | 1.7 Mine                  | 1.7   |
| * Phillips Fork Road              |                         |                           |       |
| CR 5225                           | 5.0 Mine RD             | 5.2 Mine RD               | 0.2   |
| TOTAL ROAD MILEAGE                |                         |                           | 101.5 |

## LETCHER COUNTY

| ROAD                      | FROM                   | TO                        | LENGTH |
|---------------------------|------------------------|---------------------------|--------|
| * US 23                   | 0.0 Virginia State LN  | 7.1 Pike CO LN            | 7.1    |
| * US 119                  | 0.0 Harlan CO LN       | 10.3 KY 932               | 10.3   |
|                           | 17.6 KY 15             | 27.7 US 23                | 10.1   |
| * KY 7                    | 0.3 KY 1103            | 27.6 Knott CO LN          | 27.3   |
| * KY 15                   | 0.0 US 119             | 9.2 KY 7                  | 9.2    |
|                           | 9.2 KY 7               | 10.7 Knott CO LN          | 1.5    |
| * KY 113                  | 0.0 KY 805             | 4.5 End State MAINT       | 4.5    |
| * KY 160                  | 0.0 Harlan CO LN       | 1.9 KY 463                | 1.9    |
|                           | 13.4 Lucky Branch RD   | 21.8 KY 15                | 8.4    |
| * KY 317                  | 0.0 KY 805             | 8.9 KY 7                  | 8.9    |
| * KY 463                  | 0.0 KY 160             | 3.3 Perry CO LN           | 3.3    |
| * KY 588                  | 3.7 Tolson Loading     | 5.0 KY 160                | 1.3    |
|                           | 5.0 KY 160             | 6.2 Kingdom Come Creek RD | 1.2    |
| * KY 805                  | 0.0 US 119             | 9.2 US 23                 | 9.2    |
| * KY 931                  | 11.5 Mine              | 13.5 Mine                 | 2.0    |
|                           | 15.2 KY 1148           | 18.4 KY 7                 | 3.2    |
| * KY 932                  | 0.0 US 119             | 2.4 Meadow Branch RD      | 2.4    |
| * KY 1103                 | 3.3 Defeated Creek     | 8.2 Tolby Branch RD       | 4.9    |
|                           | 11.8 Mine              | 14.3 KY 7                 | 2.5    |
| * KY 1148                 | 0.0 KY 15              | 4.1 KY 931                | 4.1    |
| * KY 1410                 | 0.0 Knott CO LN        | 1.6 KY 7                  | 1.6    |
| * KY 1862                 | 0.3 Mayking-Cram CR RD | 0.4 US 119                | 0.1    |
| * Millstone-Democrat Road |                        |                           |        |
| CR 5020                   | 1.7 Mine               | 2.7 KY 113                | 1.0    |
| * Beaverdam Branch Road   |                        |                           |        |
| CR 5047                   | 0.0 KY 7               | 2.0 Mine                  | 2.0    |
| * Loves Branch Road       |                        |                           |        |
| CR 5048                   | 0.0 KY 7               | 1.5 Mine                  | 1.5    |
| * Mayking-Cram Creek Road |                        |                           |        |
| CR 5153                   | 0.0 KY 1862            | 1.5 Cram Creek RD         | 1.5    |
| * Cram Creek Road         |                        |                           |        |
| CR 5169                   | 0.0 Mayking-Cram CR RD | 0.5 Mine                  | 0.5    |
| * Meadow Branch Road      |                        |                           |        |
| CR 5187                   | 0.0 KY 932             | 2.1 Mine                  | 2.1    |
| * Kingdom Come Creek Road |                        |                           |        |
| CR 5229                   | 0.0 Ky 588             | 1.2 Mine                  | 1.2    |

# ADMINISTRATIVE REGISTER - 1348

|                                 |                         |                         |  |       |
|---------------------------------|-------------------------|-------------------------|--|-------|
| * Big Branch-Tolson Branch Road |                         |                         |  |       |
| CR 5258                         | 0.0 KY 588              | 4.5 Mine                |  | 4.5   |
| * Whitaker Branch Road          |                         |                         |  |       |
| CR 5259                         | 0.0 KY 1103             | 2.5 Big BR-Tolson BR RD |  | 2.5   |
| * Defeated Creek Road           |                         |                         |  |       |
| CR 5265                         | 5.1 Mine                | 5.6 KY 1103             |  | 0.5   |
| * Lucky Branch Road             |                         |                         |  |       |
| CR 5272                         | 0.0 KY 160              | 0.4 Mine                |  | 0.4   |
| * Johnson Branch Road           |                         |                         |  |       |
| CR 5309                         | 0.0 KY 160              | 0.3 Mine                |  | 0.3   |
| * Hollybush Branch Road         |                         |                         |  |       |
| CR 5312                         | 0.0 KY 160              | 0.4 Mine                |  | 0.4   |
| * Loggy Hollow Road             |                         |                         |  |       |
| CR 5314                         | 0.0 KY 15               | 1.1 Mine                |  | 1.1   |
| * Hicks Branch Road             |                         |                         |  |       |
| CR 5338                         | 0.0 KY 7                | 0.1 Isom #2 Tipple      |  | 0.1   |
| * Caudill Creek Road            |                         |                         |  |       |
| CR 5354                         | 0.0 KY 7                | 2.3 Mine                |  | 2.3   |
| * Lowgap Branch/Elk Creek Road  |                         |                         |  |       |
| CR 5361                         | 0.0 KY 7                | 1.2 Elk Creek RD        |  | 1.2   |
| * Elk Creek Road                |                         |                         |  |       |
| CR 5362                         | 0.0 Lowgap BR/Elk CK RD | 0.5 Mine                |  | 0.5   |
|                                 |                         | TOTAL ROAD MILEAGE      |  | 148.6 |

## LINCOLN COUNTY

| ROAD      | FROM            | TO                    | LENGTH |
|-----------|-----------------|-----------------------|--------|
| * US 27   | 17.2 US 150     | 18.0 US 150 Bypass    | 0.8    |
| * US 150  | 0.0 Boyle CO LN | 4.3 US 150 Bypass     | 4.3    |
|           | 6.4 US 27       | 19.7 Rockcastle CO LN | 13.3   |
| * US 150B | 0.0 US 150      | 1.1 US 27             | 1.1    |
|           |                 | TOTAL ROAD MILEAGE    | 19.5   |

## LIVINGSTON COUNTY

| ROAD     | FROM           | TO                 | LENGTH |
|----------|----------------|--------------------|--------|
| * US 62  | 1.2 KY 453     | 2.9 Lyon CO LN     | 1.7    |
| * KY 453 | 0.5 B R T Dock | 2.8 US 62          | 2.3    |
|          |                | TOTAL ROAD MILEAGE | 4.0    |

## LYON COUNTY

| ROAD                       | FROM                 | TO                            | LENGTH |
|----------------------------|----------------------|-------------------------------|--------|
| * Western Kentucky Parkway |                      |                               |        |
|                            | 3.7 US 62            | 5.6 Caldwell CO LN            | 1.9    |
| * US 62                    | 0.0 Livingston CO LN | 12.2 Western Kentucky Parkway | 12.2   |
|                            |                      | TOTAL ROAD MILEAGE            | 14.1   |

## McCREARY COUNTY

| ROAD                                     | FROM               | TO                    | LENGTH |
|--|--------------------|-----------------------|--------|
| * US 27                                  | 4.6 KY 90          | 22.7 Pulaski CO LN    | 18.1   |
| * KY 90                                  | 0.0 US 27          | 4.9 Eagle Creek RD    | 4.9    |
| * KY 92                                  | 17.3 Railroad DR.  | 28.4 Whitley CO LN    | 11.1   |
| * KY 1673                                | 0.0 Whitley CO LN  | 0.6 Whitley CO LN     | 0.6    |
| * KY 90 - Sawyer Road (Eagle Creek Road) |                    |                       |        |
| CR 5023                                  | 0.0 KY 90          | 1.4 Big Swag Ridge RD | 1.4    |
| * Big Swag Ridge Road                    |                    |                       |        |
| CR 5055                                  | 0.0 Eagle Creek RD | 1.3 Mine              | 1.3    |
| * Railroad Drive                         |                    |                       |        |
| CR 5203                                  | 0.0 KY 92          | 0.3 Revelo Prep Plant | 0.3    |
|  |                    | TOTAL ROAD MILEAGE    | 37.7   |

## McLEAN COUNTY

| ROAD                          | FROM                 | TO                            | LENGTH |
|-------------------------------|----------------------|-------------------------------|--------|
| * US 431                      | 0.0 Muhlenberg CO LN | 9.3 Barrett Hill RD           | 9.3    |
| * KY 81                       | 0.0 Muhlenberg CO LN | 6.2 Mine                      | 6.2    |
|                               | 11.9 KY 256          | 18.3 Daviess CO LN            | 6.4    |
| * KY 136                      | 11.1 KY 1792         | 12.9 KY 81                    | 1.8    |
| * KY 140                      | 0.0 KY 256           | 0.1 KY 1792                   | 0.1    |
| * KY 256                      | 5.6 Mine             | 10.4 KY 81                    | 4.8    |
| * KY 1792                     | 0.0 KY 140           | 2.6 KY 136                    | 2.6    |
| * Barrett Hill Road           |                      |                               |        |
| CR 5014                       | 0.0 US 431           | 2.4 Brierfield Schoolhouse RD | 2.4    |
| * Brierfield Schoolhouse Road |                      |                               |        |
| CR 5015                       | 0.0 Barrett Hill RD  | 0.7 Mine                      | 0.7    |
|                               |                      | TOTAL ROAD MILEAGE            | 34.3   |

# ADMINISTRATIVE REGISTER - 1349

## MADISON COUNTY

| ROAD               | FROM                 | TO                | LENGTH |
|--------------------|----------------------|-------------------|--------|
| * US 25            | 0.0 Rockcastle CO LN | 3.8 KY 21         | 3.8    |
| * KY 21            | 8.6 I-75             | 9.1 US 25         | 0.5    |
| * KY 52            | 13.0 KY 876          | 22.9 Estill CO LN | 9.9    |
| * KY 876           | 8.6 Kit Carson DR    | 10.8 KY 52        | 2.2    |
| TOTAL ROAD MILEAGE |                      |                   | 16.4   |

## MAGOFFIN COUNTY

| ROAD                           | FROM                     | TO                    | LENGTH |
|--------------------------------|--------------------------|-----------------------|--------|
| * Mountain Parkway             | 63.1 Morgan CO LN        | 75.6 US 460           | 12.5   |
| * US 460                       | 0.0 Morgan CO LN         | 20.4 Johnson CO LN    | 20.4   |
| * KY 7                         | 4.8 Brushy Creek RD      | 23.9 Mountain Parkway | 19.1   |
| * KY 30                        | 0.0 Breathitt CO LN      | 8.9 Mountain Parkway  | 8.9    |
| * KY 40                        | 4.6 KY 1081              | 6.9 Johnson CO LN     | 2.3    |
| * KY 364                       | 0.0 KY 1081              | 1.3 Mine              | 1.3    |
| * KY 404                       | 0.0 KY 7                 | 2.7 Floyd CO LN       | 2.7    |
| * KY 542                       | 0.0 Breathitt CO LN      | 5.8 KY 7              | 5.8    |
| * KY 867                       | 4.7 KY 1635              | 5.7 KY 7              | 1.0    |
|                                | 5.7 KY 7                 | 7.4 Hickory Tipple    | 1.7    |
| * KY 1081                      | 8.3 KY 364               | 16.9 KY 40            | 8.6    |
| * KY 1090                      | 0.0 KY 30                | 1.5 Mine              | 1.5    |
| * KY 1397                      | 2.5 Crane Nest Branch RD | 3.0 KY 30             | 0.5    |
| * KY 1471                      | 0.0 Big Half Mountain RD | 4.3 KY 7              | 4.3    |
| * KY 1502                      | 1.3 Mine                 | 3.3 KY 542            | 2.0    |
| * KY 1635                      | 0.0 Tiptop-Bettsmann RD  | 5.7 KY 867            | 5.7    |
| * KY 1734                      | 0.0 KY 7                 | 1.3 Salt Lick RD      | 1.3    |
| * Salt Lick Road               |                          |                       |        |
| CR 5126                        | 0.0 KY 1734              | 0.3 Mine              | 0.3    |
| * Brushy Fork Road             |                          |                       |        |
| CR 5132                        | 0.0 KY 7                 | 1.0 Mine              | 1.0    |
| * Beetree Branch Road          |                          |                       |        |
| CR 5145                        | 0.0 KY 7                 | 0.7 Mine              | 0.7    |
| * Big Half Mountain Road       |                          |                       |        |
| CR 5148                        | 0.0 Mine                 | 0.5 KY 1471           | 0.5    |
| * Tiptop-Bettsmann Branch Road |                          |                       |        |
| CR 5225B                       | 0.0 Breathitt CO LN      | 0.7 KY 1635           | 0.7    |
| * Crane Nest Branch Road       |                          |                       |        |
| CR 5229                        | 0.0 KY 1397              | 0.3 Mine              | 0.3    |
| TOTAL ROAD MILEAGE             |                          |                       | 103.1  |

## MARTIN COUNTY

| ROAD                                   | FROM                     | TO                    | LENGTH |
|--|--------------------------|-----------------------|--------|
| * KY 3                                 | 0.0 Johnson CO LN        | 13.3 KY 40            | 13.3   |
|  | 21.8 Laurel Creek RD     | 23.2 Lawrence CO LN   | 1.4    |
| * KY 40                                | 5.3 KY 3                 | 10.2 KY 3             | 4.9    |
|  | 10.2 KY 3                | 20.2 KY 292           | 10.0   |
| * KY 292                               | 0.0 Pike CO LN           | 13.2 KY 40            | 13.2   |
| * KY 645                               | 0.0 KY 40                | 4.7 Lawrence CO LN    | 4.7    |
| * KY 908                               | 1.7 Mine                 | 6.7 KY 40             | 5.0    |
| * KY 1224                              | 0.5 Mine                 | 4.4 KY 40             | 3.9    |
| * KY 1439                              | 0.0 Meathouse Road       | 6.4 KY 1714           | 6.4    |
| * KY 1714                              | 1.7 Mine                 | 9.2 KY 292            | 7.5    |
| * KY 2032                              | 0.0 KY 1439              | 4.0 KY 40             | 4.0    |
| * Big Branch Road                      |                          |                       |        |
| CR 5102                                | 0.0 KY 1714              | 0.7 Mine              | 0.7    |
| * Emily Branch Road                    |                          |                       |        |
| CR 5105                                | 0.0 KY 1714              | 1.0 Mine              | 1.0    |
| * Meathouse Road                       |                          |                       |        |
| CR 5116                                | 0.0 KY 1439              | 2.6 Lowgap RD         | 2.6    |
| * Lowgap Road                          |                          |                       |        |
| CR 5117                                | 0.0 Pike CO LN           | 2.0 Meathouse RD      | 2.0    |
| * Middle Fork of Wolf Creek Road       |                          |                       |        |
| CR 5205                                | 0.0 Mid FK Rockcastle RD | 4.0 Private Haul Road | 4.0    |
| * Middle Fork of Rockcastle Creek Road |                          |                       |        |
| CR 5206                                | 0.0 KY 3                 | 0.2 Mid FK Wolf CK RD | 0.2    |
| * Venters Branch Road                  |                          |                       |        |
| CR 5212                                | 0.0 KY 3                 | 1.0 Mine              | 1.0    |
| * Little Laurel Creek Road             |                          |                       |        |
| CR 5313                                | 0.0 KY 3                 | 0.6 Mine              | 0.6    |
| TOTAL ROAD MILEAGE                     |                          |                       | 86.4   |

# ADMINISTRATIVE REGISTER - 1350

| MASON COUNTY        |                     |                      |        |
|---------------------|---------------------|----------------------|--------|
| ROAD                | FROM                | TO                   | LENGTH |
| * US 62             | 12.7 US 68          | 17.4 KY 10 (West)    |        |
| 4.7                 |                     |                      |        |
| * US 68             | 0.0 Fleming CO LN   | 11.9 US 62           | 11.9   |
| * KY 8              | 0.0 Bracken CO LN   | 11.0 KY 10           | 11.0   |
| * KY 10             | 9.7 US 68           | 15.9 Spring Creek RD | 6.2    |
| * KY 11             | 0.0 Fleming CO LN   | 11.3 US 62           | 11.3   |
| * Spring Creek Road |                     |                      |        |
| CR 5012             | 0.0 KY 10           | 1.8 Cabin Creek PK   | 1.8    |
| * Cabin Creek Pike  |                     |                      |        |
| CR 5013             | 0.0 Spring Creek RD | 0.7 Dravo Lime CO    | 0.7    |
|                     |                     | TOTAL ROAD MILEAGE   | 47.6   |

| MERCER COUNTY |                 |                         |        |
|---------------|-----------------|-------------------------|--------|
| ROAD          | FROM            | TO                      | LENGTH |
| * US 68       | 6.8 US 127      | 20.3 Jessamine CO LN    | 13.5   |
| * US 127      | 0.0 Boyle CO LN | 4.4 US 68               | 4.4    |
| * KY 33       | 0.0 Boyle CO LN | 7.7 US 68               | 7.7    |
| * KY 342      | 0.0 KY 33       | 1.5 E W Brown Power PLT | 1.5    |
|               |                 | TOTAL ROAD MILEAGE      | 27.1   |

| MONTGOMERY COUNTY |                  |                    |        |
|-------------------|------------------|--------------------|--------|
| ROAD              | FROM             | TO                 | LENGTH |
| * US 460          | 7.3 KY 11        | 8.3 KY 686         | 1.0    |
| * KY 11           | 0.0 Powell CO LN | 9.2 KY 686         | 9.2    |
|                   | 10.0 US 460      | 15.4 Bath CO LN    | 5.4    |
| * KY 686          | 0.0 KY 11        | 2.7 US 460         | 2.7    |
|                   |                  | TOTAL ROAD MILEAGE | 18.3   |

| MORGAN COUNTY             |                      |                          |        |
|---------------------------|----------------------|--------------------------|--------|
| ROAD                      | FROM                 | TO                       | LENGTH |
| * Mountain Parkway        |                      |                          |        |
|                           | 57.7 Wolfe CO LN     | 63.1 Magoffin CO LN      | 5.4    |
| * US 460                  | 13.1 KY 205          | 17.7 KY 7                | 4.6    |
|                           | 23.9 Malone-Jones RD | 28.8 Magoffin CO LN      | 4.9    |
| * KY 7                    | 0.0 US 460           | 11.7 Elliott CO LN       | 11.7   |
| * KY 172                  | 11.8 Laurel Fork RD  | 12.3 Old House Branch RD | 0.5    |
|                           | 18.7 Cinda Branch RD | 22.3 KY 1614             | 3.6    |
| * KY 205                  | 0.0 Wolfe CO LN      | 6.8 US 460               | 6.8    |
| * KY 650                  | 2.9 Mine             | 4.0 Elliott CO LN        | 1.1    |
| * KY 1614                 | 0.0 KY 172           | 0.2 Johnson CO LN        | 0.2    |
| * Old House Branch Road   |                      |                          |        |
| CR 5035                   | 0.0 KY 172           | 0.6 Mine                 | 0.6    |
| * Cinda Branch Road       |                      |                          |        |
| CR 5043                   | 0.0 KY 172           | 0.3 Mine                 | 0.3    |
| * Laurel Fork Road        |                      |                          |        |
| CR 5064                   | 0.0 KY 172           | 2.2 Elliott CO LN        | 2.2    |
| * Jones Creek Road        |                      |                          |        |
| CR 5103                   | 0.0 Malone-Jones RD  | 0.4 Mine                 | 0.4    |
| * Malone-Jones Creek Road |                      |                          |        |
| CR 5175                   | 0.0 KY 7             | 1.3 Jones Creek RD       | 1.3    |
|                           |                      | TOTAL ROAD MILEAGE       | 43.6   |

| MUHLENBERG COUNTY              |                             |                           |        |
|--------------------------------|-----------------------------|---------------------------|--------|
| ROAD                           | FROM                        | TO                        | LENGTH |
| * Western Kentucky Parkway     |                             |                           |        |
|                                | 43.4 Hopkins CO LN          | 65.7 Ohio CO LN           | 22.3   |
| * US 62                        | 8.8 KY 189                  | 10.5 KY 176               | 1.7    |
|                                | 19.8 Cleaton-Green River RD | 26.0 Ohio CO LN           | 6.2    |
| * US 431                       | 9.8 KY 70                   | 27.7 McLean CO LN         | 17.9   |
| * KY 70                        | 15.4 US 431                 | 23.8 Butler CO LN         | 8.4    |
| * KY 81                        | 0.0 US 431                  | 7.4 McLean CO LN          | 7.4    |
| * KY 176                       | 0.0 US 62                   | 12.5 T V A Paradise Plant | 12.5   |
| * KY 189                       | 6.0 Mine Access             | 8.8 US 62                 | 2.8    |
| * Cleaton-Green River Road     |                             |                           |        |
| CR 5022                        | 0.0 US 62                   | 2.4 Gibraltar Haul RD     | 2.4    |
| * Gibraltar Haul Road          |                             |                           |        |
| CR 5040                        | 0.0 Cleaton-Green River RD  | 0.2 Mine                  | 0.2    |
| * Green River Power Plant Road |                             |                           |        |
| CR 5045                        | 0.0 US 431                  | 0.7 KY Utilities Plant    | 0.7    |
|                                |                             | TOTAL ROAD MILEAGE        | 82.5   |

# ADMINISTRATIVE REGISTER - 1351

## NICHOLAS COUNTY

| ROAD    | FROM              | TO                   | LENGTH |
|---------|-------------------|----------------------|--------|
| * US 68 | 0.0 Bourbon CO LN | 12.2 Robertson CO LN | 12.2   |
|         |                   | TOTAL ROAD MILEAGE   | 12.2   |

## OHIO COUNTY

| ROAD                            | FROM                  | TO                    | LENGTH |
|---------------------------------|-----------------------|-----------------------|--------|
| * Western Kentucky Parkway      | 65.7 Muhlenberg CO LN | 76.8 Green River PKWY | 11.1   |
| * Green River Parkway           | 35.1 Butler CO LN     | 59.5 Daviess CO LN    | 24.4   |
| * US 62                         | 0.0 Muhlenberg CO LN  | 19.8 KY 505 (South)   | 19.8   |
| * US 231                        | 0.0 Butler CO LN      | 10.0 US 62 (South)    | 10.0   |
|                                 | 10.0 US 62 (North)    | 24.3 Daviess CO LN    | 14.3   |
| * KY 69                         | 6.9 Mine              | 7.6 KY 85 (South)     | 0.7    |
| * KY 85                         | 7.3 KY 69 (East)      | 11.4 US 62            | 4.1    |
| * KY 269                        | 0.0 Butler CO LN      | 5.6 US 231            | 5.6    |
| * KY 1245                       | 4.6 Pyramid Washer    | 5.2 James RD          | 0.6    |
| * KY 1903                       | 0.0 US 62             | 0.9 Lewis Creek Dock  | 0.9    |
| * Horton-Mount Pleasant Road    |                       |                       |        |
| CR 5124                         | 0.0 US 62             | 0.1 Southwind Tipple  | 0.1    |
| * Daniels Mine Road (West)      |                       |                       |        |
| CR 5206A                        | 0.0 US 62             | 1.6 Mine              | 1.6    |
| * Schultztown-Cool Springs Road |                       |                       |        |
| CR 5267                         | 2.5 Mine              | 3.6 KY 269            | 1.1    |
| * James Road                    |                       |                       |        |
| CR 5322                         | 0.0 US 62             | 0.4 KY 1245           | 0.4    |
|                                 |                       | TOTAL ROAD MILEAGE    | 93.7   |

## OWSLEY COUNTY

| ROAD                 | FROM                 | TO                 | LENGTH |
|----------------------|----------------------|--------------------|--------|
| * KY 11              | 0.0 Clay CO LN       | 10.8 KY 1938       | 10.8   |
| * KY 1938            | 1.6 Minnow Branch RD | 2.5 KY 11          | 0.9    |
| * Minnow Branch Road |                      |                    |        |
| CR 5304              | 0.0 KY 1938          | 0.3 Mine           | 0.3    |
|                      |                      | TOTAL ROAD MILEAGE | 12.0   |

## PENDLETON COUNTY

| ROAD    | FROM                 | TO                  | LENGTH |
|---------|----------------------|---------------------|--------|
| * US 27 | 0.0 Harrison CO LN   | 19.4 Campbell CO LN | 19.4   |
| * KY 8  | 2.2 Black River Lime | 4.3 Bracken CO LN   | 2.1    |
|         |                      | TOTAL ROAD MILEAGE  | 21.5   |

## PERRY COUNTY

| ROAD                   | FROM                        | TO                      | LENGTH |
|------------------------|-----------------------------|-------------------------|--------|
| * Daniel Boone Parkway | 51.0 Leslie CO LN           | 59.1 KY 15              | 8.1    |
| * KY 7                 | 0.0 KY 15                   | 11.4 KY 699             | 11.4   |
| * KY 15                | 0.0 Knott CO LN             | 25.2 Breathitt CO LN    | 25.2   |
| * KY 28                | 3.5 Buckhorn-Breathitt RD   | 6.0 Breathitt CO LN     | 2.5    |
|                        | 6.0 Breathitt CO LN         | 18.1 KY 15              | 12.1   |
| * KY 80                | 0.0 Leslie CO LN            | 4.6 KY 451              | 4.6    |
|                        | 7.9 D Boone Parkway & KY 15 | 15.9 Knott CO LN        | 8.0    |
| * KY 221               | 0.0 Harlan CO LN            | 0.5 Leslie CO LN        | 0.5    |
| * KY 451               | 7.2 Mine                    | 7.7 Daniel Boone PKWY   | 0.5    |
|                        | 7.7 Daniel Boone PKWY       | 7.8 KY 80               | 0.1    |
|                        | 7.8 KY 80                   | 10.9 KY 2021            | 3.1    |
| * KY 463               | 0.0 Letcher CO LN           | 6.5 KY 699              | 6.5    |
| * KY 476               | 2.0 KY 550                  | 2.4 Darfork Tipple      | 0.4    |
|                        | 3.9 KY 1146                 | 18.1 Mine               | 14.2   |
| * KY 550               | 0.0 KY 15 & KY 80           | 2.5 KY 476              | 2.5    |
| * KY 699               | 0.0 Leslie CO LN            | 12.5 KY 7               | 12.5   |
| * KY 1087              | 0.0 KY 476                  | 0.7 Lick Branch RD      | 0.7    |
| * KY 1095              | 0.4 Kelly Fork RD           | 2.9 KY 15               | 2.5    |
| * KY 1096              | 0.0 KY 80                   | 4.0 Whitaker Tipple     | 4.0    |
| * KY 1146              | 2.2 Jakes Fork Tipple       | 2.7 KY 476              | 0.5    |
|                        | 2.7 KY 476                  | 4.0 KY 80               | 1.3    |
|                        | 4.0 KY 80                   | 4.6 Buckhorn Prep Plant | 0.6    |
| * KY 2021              | 2.3 Hurricane Branch RD     | 3.4 KY 451              | 1.1    |
| * KY 3196              | 0.0 Beech Fork RD           | 0.1 KY 699              | 0.1    |
| * Wayne Davidson Road  |                             |                         |        |
| CR 5005                | 0.3 Cumberland Elk Tipple   | 0.5 KY 15               | 0.2    |
| * Coates Branch Road   |                             |                         |        |
| CR 5044                | 0.0 Ky 476                  | 0.5 Mine                | 0.5    |

# ADMINISTRATIVE REGISTER - 1352

|  |                          |                                |  |       |
|--|--------------------------|--------------------------------|--|-------|
| * Lick Branch Road   |                          |                                |  |       |
| CR 5045  | 0.0 KY 1087              | 0.6 Mine                       |  | 0.6   |
| * Jeff-Knott County Line Road                                |                          |                                |  |       |
| CR 5100  | 0.0 Old KY 15 Loop #1 RD | 2.4 Mine                       |  | 2.4   |
| * Old KY 15 Loop #1 Road                                     |                          |                                |  |       |
| CR 5102  | 0.0 KY 15                | 0.5 Jeff-Knott CO LN RD        |  | 0.5   |
| * Oakwood Avenue-Stacy Branch Road                           |                          |                                |  |       |
| CR 5117  | 0.0 Main ST (Vicco)      | 1.3 Chester Tipple             |  | 1.3   |
| * Main Street (Vicco)  |                          |                                |  |       |
| CR 5118B   | 0.0 KY 1095              | 0.6 Knott CO LN                |  | 0.6   |
| * Kelly Fork Road  |                          |                                |  |       |
| CR 5119  | 0.0 KY 1095              | 0.4 Emmons Tipple              |  | 0.4   |
| * Little Leatherwood Creek Road                              |                          |                                |  |       |
| CR 5139  | 0.0 KY 699               | 5.7 Mine                       |  | 5.7   |
| * Beech Fork Road  |                          |                                |  |       |
| CR 5146  | 0.0 KY 3196              | 3.0 Mine                       |  | 3.0   |
| * Jackson Fork Road  |                          |                                |  |       |
| CR 5152  | 0.0 KY 463               | 0.4 Mine                       |  | 0.4   |
| * Coal Waste Road  |                          |                                |  |       |
| CR 5237  | 0.0 Leatherwood Tipple   | 0.8 Leatherwood Lookout TWR RD |  | 0.8   |
| * Leatherwood Lookout Tower Road                             |                          |                                |  |       |
| CR 5238  | 0.0 Coal Waste RD        | 2.2 Leslie CO LN               |  | 2.2   |
| * Hurricane Branch Road                                      |                          |                                |  |       |
| CR 5301  | 0.0 KY 2021              | 1.0 Mine                       |  | 1.0   |
| * Sam Campbell Branch Road (Old Pigeon Roose-Hull School RD) |                          |                                |  |       |
| CR 5319  | 0.0 KY 15                | 4.8 River Processing Tipple    |  | 4.8   |
| * Trace Branch-Tenmile Creek Road                            |                          |                                |  |       |
| CR 5326  | 0.0 KY 15                | 1.1 Mine                       |  | 1.1   |
| * Spencer Creek-Napfor Branch Road                           |                          |                                |  |       |
| CR 5333  | 0.0 KY 28                | 1.9 Mine                       |  | 1.9   |
| * Buckhorn-Breathitt County Line Road                        |                          |                                |  |       |
| CR 5349  | 0.0 KY 28                | 1.2 Mine                       |  | 1.2   |
| TOTAL ROAD MILEAGE   |                          |                                |  | 151.6 |

## PIKE COUNTY

| ROAD         | FROM                      | TO                          | LENGTH |
|--------------|---------------------------|-----------------------------|--------|
| * US 23      | 0.0 Letcher CO LN         | 39.6 Floyd CO LN            | 39.6   |
| * US 23X     | 2.1 KY 1384               | 2.3 US 23                   | 0.2    |
| * US 119     | 0.0 US 23                 | 30.9 West Virginia State LN | 30.9   |
| * US 119 New | 0.0 US 23                 | 2.7 US 119                  | 2.7    |
| * US 460     | 0.0 US 23                 | 24.0 Virginia State LN      | 24.0   |
| * KY 80      | 0.0 US 460                | 6.9 Virginia State LN       | 6.9    |
| * KY 122     | 3.6 Mine                  | 5.2 KY 610                  | 1.6    |
|              | 6.8 Robinson Creek RD     | 10.4 US 23                  | 3.6    |
| * KY 194     | 0.0 Floyd CO LN           | 16.8 US 119                 | 16.8   |
|              | 16.8 US 119               | 27.8 Mine                   | 11.0   |
|              | 31.0 Mine                 | 40.0 KY 1499                | 9.0    |
|              | 47.2 Mine                 | 55.7 KY 632                 | 8.5    |
|              | 66.5 Lynntrough Branch RD | 67.7 KY 2062                | 1.2    |
|              | 69.6 KY 2059              | 73.2 Virginia State LN      | 3.6    |
| * KY 195     | 0.0 KY 197                | 11.6 US 460                 | 11.6   |
| * KY 197     | 0.0 US 23                 | 16.6 KY 80                  | 16.6   |
| * KY 199     | 8.2 KY 1056               | 11.6 US 119                 | 3.4    |
| * KY 292     | 0.0 Goody-AFLX-BURNWL RD  | 4.8 US 119                  | 4.8    |
|              | 4.8 US 119                | 12.7 Martin CO LN           | 7.9    |
| * KY 319     | 3.8 KY 1056 (East)        | 5.8 Hatfield Branch RD      | 2.0    |
|              | 8.9 Mine                  | 12.3 US 119                 | 3.4    |
| * KY 468     | 0.0 US 119                | 13.6 KY 292                 | 13.6   |
| * KY 610     | 0.0 US 23                 | 2.7 Burk Branch RD          | 2.7    |
|              | 8.0 Virgie Tipple         | 8.9 KY 122                  | 0.9    |
| * KY 611     | 0.0 KY 195                | 6.0 US 23                   | 6.0    |
| * KY 612     | 0.0 Turkey CK-Long FK RD  | 1.6 Sukey Fork RD           | 1.6    |
| * KY 632     | 0.0 KY 194 @ Kimper       | 15.0 KY 194 @ Phelps        | 15.0   |
| * KY 1056    | 0.0 KY 199                | 4.5 Left FK/Blackberry RD   | 4.5    |
|              | 5.2 Blue Springs BR RD    | 7.7 KY 319 (North)          | 2.5    |
|              | 7.7 KY 319 (South)        | 10.1 West Virginia State LN | 2.4    |
| * KY 1384    | 0.0 US 23                 | 7.7 US 23X                  | 7.7    |
| * KY 1426    | 0.0 US 23                 | 3.5 Hoopwood Branch RD      | 3.5    |
| * KY 1441    | 4.4 Mine                  | 10.1 US 119                 | 5.7    |
| * KY 1469    | 6.0 Mine                  | 11.4 KY 610                 | 5.4    |
|              | 11.4 KY 610               | 12.2 KY Elkhorn Tipple      | 0.8    |
| * KY 1499    | 0.0 US 460                | 6.1 KY 194                  | 6.1    |
| * KY 1758    | 6.8 Daugherty Tipple      | 7.8 KY 632                  | 1.0    |
| * KY 1789    | 0.0 US 460                | 0.4 Clark Elkhorn #1 Tipple | 0.4    |



# ADMINISTRATIVE REGISTER - 1353

|                                    |                         |                            |     |
|------------------------------------|-------------------------|----------------------------|-----|
| * KY 2059                          | 0.0 KY 194              | 0.3 Private Haul Road      | 0.3 |
|                                    | 1.6 Private Haul Road   | 2.3 Lower Elk Creek RD     | 0.7 |
| * KY 2061                          | 0.0 US 23               | 3.4 Mine                   | 3.4 |
| * KY 2062                          | 0.0 KY 194              | 3.1 KY 194                 | 3.1 |
| * KY 2552                          | 0.0 US 23               | 0.3 Shalbiana RD           | 0.3 |
| * KY 3154                          | 0.2 Meathouse Branch RD | 0.5 US 119                 | 0.3 |
| * KY 3227                          | 0.0 US 23               | 1.0 Coal Run Tipple        | 1.0 |
| * Raccoon Creek Road               |                         |                            |     |
| CR 5001                            | 0.0 KY 1441             | 0.2 Mine                   | 0.2 |
| * Grassy Branch Road               |                         |                            |     |
| CR 5005                            | 0.0 KY 1441             | 0.5 Mine                   | 0.5 |
| * Winn Branch Road                 |                         |                            |     |
| CR 5011                            | 0.0 US 119              | 1.3 Mine                   | 1.3 |
| * Varney Branch Road               |                         |                            |     |
| CR 5021                            | 0.0 KY 194              | 0.3 Utility Tipple         | 0.3 |
| * Meathouse Fork Road              |                         |                            |     |
| CR 5022                            | 0.0 KY 194              | 1.3 Rockhouse FK-Pigeon RD | 1.3 |
| * Rockhouse Fork-Pigeon Creek Road |                         |                            |     |
| CR 5024                            | 0.0 Meathouse FK RD     | 1.9 Mine                   | 1.9 |
| * Meathouse Branch Road            |                         |                            |     |
| CR 5025                            | 0.0 KY 3154             | 3.2 Mine                   | 3.2 |
| * Dix Fork Road                    |                         |                            |     |
| CR 5032                            | 0.0 US 119              | 0.1 Mine                   | 0.1 |
| * Peg Branch Road                  |                         |                            |     |
| CR 5043                            | 0.0 US 119              | 0.6 Mine Entrance          | 0.6 |
| * Goody-Aflex-Burnwell Road        |                         |                            |     |
| CR 5050                            | 0.0 KY 292              | 0.5 Belfry #1 Prep Plant   | 0.5 |
| * Turkey Creek-Long Fork Road      |                         |                            |     |
| CR 5062                            | 0.0 KY 468              | 3.1 KY 612                 | 3.1 |
| * Sukey Fork Road                  |                         |                            |     |
| CR 5063                            | 0.0 KY 612              | 0.5 Mine Entrance          | 0.5 |
| * Bent Branch Road                 |                         |                            |     |
| CR 5074                            | 0.0 KY 468              | 1.0 Gex Tipple             | 1.0 |
| * Swinge Camp Branch Road          |                         |                            |     |
| CR 5075                            | 0.0 KY 468              | 0.4 Mine Entrance          | 0.4 |
| * Halfway Branch Road              |                         |                            |     |
| CR 5077                            | 0.0 KY 468              | 0.5 Mine Entrance          | 0.5 |
| * Rockhouse Fork Road              |                         |                            |     |
| CR 5078                            | 0.0 KY 468              | 0.2 Case Prep Plant        | 0.2 |
| * Big Branch/Meathouse Creek Road  |                         |                            |     |
| CR 5111                            | 0.0 Martin CO LN        | 2.7 Mine Entrance          | 2.7 |
| * Miller Creek Road                |                         |                            |     |
| CR 5123                            | 3.6 Miller Creek Tipple | 5.1 KY 194                 | 1.5 |
| * Joes Creek Road                  |                         |                            |     |
| CR 5127                            | 0.0 KY 194              | 0.4 Mine Entrance          | 0.4 |
| * Lick Branch Road                 |                         |                            |     |
| CR 5141                            | 0.0 KY 468              | 0.8 Mine Entrance          | 0.8 |
| * Dicks Fork Road                  |                         |                            |     |
| CR 5163                            | 0.0 KY 194              | 0.6 Mine Entrance          | 0.6 |
| * Lane Branch Road                 |                         |                            |     |
| CR 5168                            | 0.0 KY 632              | 1.2 Mine Entrance          | 1.2 |
| * Mullen Fork Road                 |                         |                            |     |
| CR 5191                            | 0.0 KY 199              | 2.1 Mine Entrance          | 2.1 |
| * Hatfield Branch Road             |                         |                            |     |
| CR 5210                            | 0.0 KY 319              | 0.8 Mine Entrance          | 0.8 |
| * Left Fork/Blackberry Road        |                         |                            |     |
| CR 5213                            | 0.0 KY 1056             | 1.5 Mine Entrance          | 1.5 |
| * Blue Springs Branch Road         |                         |                            |     |
| CR 5218                            | 0.0 KY 1056             | 0.1 Mine Entrance          | 0.1 |
| * Lynntrough Branch Road           |                         |                            |     |
| CR 5233                            | 0.0 KY 194              | 0.2 Majestic Tipple        | 0.2 |
| * Lower Elk Creek Road             |                         |                            |     |
| CR 5241                            | 0.0 KY 2059             | 0.6 Mine Entrance          | 0.6 |
| * Prater Branch Road               |                         |                            |     |
| CR 5253                            | 0.0 KY 194              | 0.8 Mine Entrance          | 0.8 |
| * Calloway Branch Road             |                         |                            |     |
| CR 5260                            | 0.0 KY 632              | 1.1 KY Carbon Scales       | 1.1 |
| * Little Hackney Creek Road        |                         |                            |     |
| CR 5281                            | 0.0 US 460              | 1.5 Mine Entrance          | 1.5 |
| * Card Creek-Card Knob Road        |                         |                            |     |
| CR 5285                            | 1.6 Mine Entrance       | 4.6 US 460                 | 3.0 |
| * Island Creek Road                |                         |                            |     |
| CR 5287                            | 0.0 Bane Tipple         | 0.6 CR 5288                | 0.6 |

## ADMINISTRATIVE REGISTER - 1354

|                                    |                           |                           |     |
|------------------------------------|---------------------------|---------------------------|-----|
| * Island Creek-Grapevine Road      |                           |                           |     |
| CR 5288                            | 0.0 CR 5287               | 0.5 CR 5289               | 0.5 |
| * Left Fork/Island Creek Road      |                           |                           |     |
| CR 5289                            | 0.0 CR 5288               | 0.2 Mine Entrance         | 0.2 |
| * Daniel Branch Road               |                           |                           |     |
| CR 5326                            | 0.0 US 460                | 0.4 Mine Entrance         | 0.4 |
| * Harless Creek Road               |                           |                           |     |
| CR 5330                            | 0.0 US 460                | 1.5 Mine Entrance         | 1.5 |
| * Dog Branch Road                  |                           |                           |     |
| CR 5332                            | 0.0 KY 195                | 0.4 Mine Entrance         | 0.4 |
| * Ratliff Hollow Road              |                           |                           |     |
| CR 5339                            | 0.0 KY 195                | 0.2 Wolfpit Tip @ Ratliff | 0.2 |
| * Shortridge Fork Road             |                           |                           |     |
| CR 5355                            | 0.0 CR 5285               | 0.9 Mine                  | 0.9 |
| * Abes Fork Road                   |                           |                           |     |
| CR 5356                            | 0.0 Virginia State LN     | 0.4 Potter Prep Plant     | 0.4 |
| * Ohio Street (Elkhorn City)       |                           |                           |     |
| CR 5361T                           | 0.0 KY 80                 | 0.5 Potter Processing     | 0.5 |
| * Old Bridge Street (Elkhorn City) |                           |                           |     |
| CR 5361Z                           | 0.0 KY 80                 | 0.1 Private Access Road   | 0.1 |
| * Brushy Branch Road               |                           |                           |     |
| CR 5379                            | 0.0 KY 195                | 0.8 Mine                  | 0.8 |
| * Marrowbone Creek Road            |                           |                           |     |
| CR 5381                            | 0.0 KY 195                | 1.2 Mine                  | 1.2 |
| * Bowling Fork Road                |                           |                           |     |
| CR 5384                            | 0.0 KY 195                | 1.9 Mine                  | 1.9 |
| * Fleming Branch Road              |                           |                           |     |
| CR 5410                            | 0.0 KY 610                | 0.8 Mine                  | 0.8 |
| * Little Fork/Left Fork Road       |                           |                           |     |
| CR 5416                            | 0.0 KY 611                | 0.2 Mine                  | 0.2 |
| * Rockhouse Creek/Greasy Road      |                           |                           |     |
| CR 5422                            | 0.0 KY 195                | 0.3 Bad Fork RD           | 0.3 |
| * Wolfpen Branch Road              |                           |                           |     |
| CR 5444                            | 0.0 KY 80                 | 0.8 Mine                  | 0.8 |
| * Red Creek Road                   |                           |                           |     |
| CR 5463                            | 0.0 US 460                | 0.8 Right FK/Red CK RD    | 0.8 |
| * Right Fork/Red Creek Road        |                           |                           |     |
| CR 5465                            | 0.0 Red Creek Road        | 0.8 Mine                  | 0.8 |
| * Shelbyana Road                   |                           |                           |     |
| CR 5473                            | 0.0 KY 2553               | 0.2 Dry BR/Dry CK RD      | 0.2 |
| * Marion Branch Road               |                           |                           |     |
| CR 5478                            | 0.0 KY 1426               | 1.6 Chapperal Tipple      | 1.6 |
| * Tollage Creek Road               |                           |                           |     |
| CR 5496                            | 0.0 US 23                 | 1.0 Mine                  | 1.0 |
| * Dog Fork/Hurricane Creek Road    |                           |                           |     |
| CR 5522                            | 0.0 KY 1384               | 1.3 Mine                  | 1.3 |
| * Coal Run Road                    |                           |                           |     |
| CR 5524                            | 0.0 US 23                 | 0.2 Lackens Branch RD     | 0.2 |
| * Lackens Branch Road              |                           |                           |     |
| CR 5525                            | 0.0 Coal Run RD           | 0.7 Mine                  | 0.7 |
| * Cedar Creek/Island Creek Road    |                           |                           |     |
| CR 5528                            | 0.0 KY 1384               | 1.1 KY 1426               | 1.1 |
| * Hoopwood Branch Road             |                           |                           |     |
| CR 5529                            | 0.0 KY 1426               | 0.5 Mine                  | 0.5 |
| * Raccoon Branch Road              |                           |                           |     |
| CR 5531                            | 0.0 KY 1426               | 1.3 Mine                  | 1.3 |
| * Billy Compton Road               |                           |                           |     |
| CR 5534                            | 0.0 Island Creek RD       | 0.2 Road BR/Sookeys CR RD | 0.2 |
| * Island Creek Road                |                           |                           |     |
| CR 5535                            | 0.0 KY 1426               | 4.0 Mine                  | 4.0 |
| * Road Branch/Sookey's Creek Road  |                           |                           |     |
| CR 5539                            | 0.0 RT FK Sookeys CK RD   | 1.9 Billy Compton RD      | 1.9 |
| * Right Fork Sookeys Creek Road    |                           |                           |     |
| CR 5540                            | 0.0 Road BR/Sookeys CK RD | 0.5 Mine                  | 0.5 |
| * Bear Fork - Tinker Fork Road     |                           |                           |     |
| CR 5547                            | 0.0 Bear Fork RD          | 1.1 Floyd CO LN           | 1.1 |
| * L Robinson - Floyd County Road   |                           |                           |     |
| CR 5550                            | 0.0 Robinson Creek RD     | 0.6 Floyd CO LN           | 0.6 |
| * Little Fork/Robinson Road        |                           |                           |     |
| CR 5553                            | 0.0 Robinson Creek RD     | 1.6 Mine                  | 1.6 |
| * Robinson Creek Road              |                           |                           |     |
| CR 5554                            | 0.0 KY 122                | 4.1 Mine                  | 4.1 |
| * Burk Branch Road                 |                           |                           |     |
| CR 5578                            | 0.0 KY 610                | 0.9 Mine                  | 0.9 |

# ADMINISTRATIVE REGISTER - 1355

|                             |                      |                           |  |       |
|-----------------------------|----------------------|---------------------------|--|-------|
| * Lizzie Fork Road          |                      |                           |  |       |
| CR 5590                     | 0.0 US 23            | 1.4 Mine                  |  | 1.4   |
| * Rob Fork Road             |                      |                           |  |       |
| CR 5593                     | 0.0 US 23            | 0.5 Damron Fork Tipple    |  | 0.5   |
| * Dry Branch/Dry Creek Road |                      |                           |  |       |
| CR 5605                     | 0.0 Shelbiana RD     | 2.3 Dry BR/Dry CK Spur RD |  | 2.3   |
| * Esco Road                 |                      |                           |  |       |
| CR 5609                     | 0.0 US 23            | 0.6 Landmark Tipple       |  | 0.6   |
| * Sugar Camp Branch Road    |                      |                           |  |       |
| CR 5611                     | 0.0 KY 122           | 1.5 Mine                  |  | 1.5   |
| * Bear Fork Branch Road     |                      |                           |  |       |
| CR 5616                     | 0.0 KY 122           | 1.5 Bear FK-Tinker FK RD  |  | 1.5   |
| * Dry Branch/Dry Creek Spur |                      |                           |  |       |
| CR 5618                     | 0.0 Dry BR/Dry CK RD | 0.3 Mine                  |  | 0.3   |
|                             |                      | TOTAL ROAD MILEAGE        |  | 376.9 |

| POWELL COUNTY      |                  |                       |  |        |
|--------------------|------------------|-----------------------|--|--------|
| ROAD               | FROM             | TO                    |  | LENGTH |
| * Mountain Parkway |                  |                       |  |        |
|                    | 11.9 Clark CO LN | 36.0 Wolfe CO LN      |  | 24.1   |
| * KY 11            | 21.0 KY 15       | 25.0 Montgomery CO LN |  | 4.0    |
| * KY 15            | 3.5 KY 11        | 4.1 Mountain Parkway  |  | 0.6    |
|                    |                  | TOTAL ROAD MILEAGE    |  | 28.7   |

| PULASKI COUNTY            |                         |                         |  |        |
|---------------------------|-------------------------|-------------------------|--|--------|
| ROAD                      | FROM                    | TO                      |  | LENGTH |
| * US 27                   | 0.0 McCreary CO LN      | 16.9 KY 80 Bypass       |  | 16.9   |
| * KY 80                   | 19.1 US 27              | 40.4 Laurel CO LN       |  | 21.3   |
| * KY 80B                  | 0.0 US 27               | 2.3 KY 80               |  | 2.3    |
| * KY 90                   | 2.0 KY 790              | 4.2 US 27               |  | 1.3    |
| * KY 192                  | 0.0 KY 80               | 15.0 Old Whitley Road   |  | 15.0   |
| * KY 790                  | 0.0 Wayne CO LN         | 5.7 KY 90               |  | 5.7    |
| * KY 1247                 | 0.0 US 27               | 8.3 KY 80 Bypass        |  | 8.3    |
| * KY 1580                 | 0.0 Ferguson Tipple     | 0.5 KY 1247             |  | 0.5    |
| * KY 1675                 | 5.7 Acorn-Lick Creek RD | 10.5 KY 80              |  | 4.8    |
| * KY 1956                 | 0.0 KY 80               | 0.8 Line Creek RD       |  | 0.8    |
| * Acorn-Lick Creek Road   |                         |                         |  |        |
| CR 5016                   | 0.0 KY 1675             | 1.7 Ano RD              |  | 1.7    |
| * Bolthouse Ridge Road    |                         |                         |  |        |
| CR 5017                   | 0.0 Ano RD              | 0.9 Mine                |  | 0.9    |
| * Ano Road                |                         |                         |  |        |
| CR 5018                   | 0.0 Acorn-Lick Creek RD | 1.4 Bolthouse Ridge RD  |  | 1.4    |
| * Line Creek Road         |                         |                         |  |        |
| CR 5027                   | 0.0 KY 1956             | 0.8 Buffalo Branch RD   |  | 0.8    |
| * Buffalo Branch Road     |                         |                         |  |        |
| CR 5028                   | 0.0 Line Creek RD       | 0.4 Rockcastle CO LN    |  | 0.4    |
| * Old Whitley Road        |                         |                         |  |        |
| CR 5216                   | 0.0 KY 192              | 3.9 Cumberland River RD |  | 3.9    |
| * Cumberland River Road   |                         |                         |  |        |
| CR 5225                   | 0.0 Old Whitley RD      | 1.1 Mine                |  | 1.1    |
| * Cooper Power Plant Road |                         |                         |  |        |
| CR 5349                   | 0.0 KY 1247             | 0.6 E KY Power Plant    |  | 0.6    |
|                           |                         | TOTAL ROAD MILEAGE      |  | 87.8   |

| ROBERTSON COUNTY |                    |                    |  |        |
|------------------|--------------------|--------------------|--|--------|
| ROAD             | FROM               | TO                 |  | LENGTH |
| * US 68          | 0.0 Nicholas CO LN | 1.4 Fleming CO LN  |  | 1.4    |
|                  |                    | TOTAL ROAD MILEAGE |  | 1.4    |

| ROCKCASTLE COUNTY     |                       |                    |  |        |
|-----------------------|-----------------------|--------------------|--|--------|
| ROAD                  | FROM                  | TO                 |  | LENGTH |
| * US 25               | 11.8 I-75             | 13.9 US 150        |  | 2.1    |
|                       | 24.9 R B S Tipple     | 27.0 Madison CO LN |  | 2.1    |
| * US 150              | 0.0 Lincoln CO LN     | 10.5 US 25         |  | 10.5   |
| * KY 1249             | 3.0 Buffalo Branch RD | 3.5 Dyer Branch RD |  | 0.5    |
| * Buffalo Branch Road |                       |                    |  |        |
| CR 5180               | 0.0 KY 1249           | 2.3 Pulaski CO LN  |  | 2.3    |
| * Dyer Branch Road    |                       |                    |  |        |
| CR 5229               | 0.0 KY 1249           | 0.4 Mine Access    |  | 0.4    |
|                       |                       | TOTAL ROAD MILEAGE |  | 17.9   |

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| SIMPSON COUNTY            |                           |                            |        |  |
|---------------------------|---------------------------|----------------------------|--------|--|
| ROAD                      | FROM                      | TO                         | LENGTH |  |
| * US 31W                  | 0.0 Tennessee State LN    | 14.0 Warren CO LN          | 14.0   |  |
|                           |                           | TOTAL ROAD MILEAGE         | 14.0   |  |
| UNION COUNTY              |                           |                            |        |  |
| ROAD                      | FROM                      | TO                         | LENGTH |  |
| * US 60                   | 1.4 KY 109                | 5.7 KY 109                 | 4.3    |  |
| * KY 109                  | 0.0 Webster CO LN         | 1.5 US 60                  | 1.5    |  |
|                           | 1.5 US 60                 | 3.2 KY 1508                | 1.7    |  |
| * KY 1508                 | 0.0 KY 109                | 2.7 Pyro Dock              | 2.7    |  |
|                           |                           | TOTAL ROAD MILEAGE         | 10.2   |  |
| WARREN COUNTY             |                           |                            |        |  |
| ROAD                      | FROM                      | TO                         | LENGTH |  |
| * Green River Parkway     | 0.0 I-65                  | 18.2 Butler CO LN          | 18.2   |  |
| * US 31W                  | 0.0 Simpson CO LN         | 9.0 Green River Parkway    | 9.0    |  |
|                           |                           | TOTAL ROAD MILEAGE         | 27.2   |  |
| WAYNE COUNTY              |                           |                            |        |  |
| ROAD                      | FROM                      | TO                         | LENGTH |  |
| * KY 776                  | 9.2 Denny Creek RD        | 9.8 Brammer Hill Ridge RD  | 0.6    |  |
| * KY 790                  | 5.0 Brammer Hill-Delta RD | 10.5 Pulaski CO LN         | 5.5    |  |
| * Brammer Hill Ridge Road |                           |                            |        |  |
| CR 5023                   | 0.0 KY 776                | 4.2 Mine                   | 4.2    |  |
| * Denny Creek Road        |                           |                            |        |  |
| CR 5024                   | 0.0 KY 776                | 0.4 Sizemore RD            | 0.4    |  |
| * Brammer Hill-Delta Road |                           |                            |        |  |
| CR 5030                   | 0.0 KY 790                | 2.4 Brammer Hill Ridge RD  | 2.4    |  |
| * Sizemore Road           |                           |                            |        |  |
| CR 5155                   | 0.0 Denny Creek RD        | 1.7 Mine                   | 1.7    |  |
|                           |                           | TOTAL ROAD MILEAGE         | 14.8   |  |
| WEBSTER COUNTY            |                           |                            |        |  |
| ROAD                      | FROM                      | TO                         | LENGTH |  |
| * Pennyrile PKWY          | 55.0 Hopkins CO LN        | 62.6 KY 56                 | 7.6    |  |
| * US 41                   | 0.0 Hopkins CO LN         | 12.1 Henderson CO LN       | 12.1   |  |
| * US 41A                  | 0.0 Hopkins CO LN         | 19.5 KY 56                 | 19.5   |  |
| * KY 56                   | 5.3 US 41A                | 12.5 US 41                 | 7.2    |  |
|                           | 12.5 US 41                | 14.4 Old Eastwood Ferry RD | 1.9    |  |
| * KY 109                  | 2.9 KY 670                | 14.7 Union CO LN           | 11.8   |  |
| * KY 120                  | 3.6 Mine                  | 6.7 US 41A                 | 3.1    |  |
| * KY 132                  | 23.6 Mine                 | 28.5 KY 56                 | 4.9    |  |
| * KY 270                  | 8.6 Mine                  | 13.2 US 41A                | 4.6    |  |
| * KY 670                  | 0.0 KY 109                | 2.7 US 41A                 | 2.7    |  |
| * KY 814                  | 0.0 Hopkins CO LN         | 0.6 US 41A                 | 0.6    |  |
| * Old Eastwood Ferry Road |                           |                            |        |  |
| CR 5034                   | 0.0 KY 56                 | 0.1 Sebree Dock            | 0.1    |  |
| * Quinns Landing Road     |                           |                            |        |  |
| CR 5036                   | 0.0 Henderson CO LN       | 0.2 Big Rivers Plant       | 0.2    |  |
|                           |                           | TOTAL ROAD MILEAGE         | 76.5   |  |
| WHITLEY COUNTY            |                           |                            |        |  |
| ROAD                      | FROM                      | TO                         | LENGTH |  |
| * US 25T                  | 0.0 US 25W                | 0.7 US 25W                 | 0.7    |  |
| * US 25W                  | 0.0 Tennessee State LN    | 14.1 KY 26                 | 14.1   |  |
|                           | 29.6 I-75                 | 32.8 US 25T                | 3.2    |  |
|                           | 33.5 KY 312 (East)        | 33.7 Laurel CO LN          | 0.2    |  |
| * KY 6                    | 0.0 KY 26                 | 1.6 Knox CO LN             | 1.6    |  |
| * KY 11                   | 0.0 KY 92                 | 2.6 Knox CO LN             | 2.6    |  |
| * KY 26                   | 0.0 US 25W                | 14.3 US 25W                | 14.3   |  |
| * KY 92                   | 0.0 McCreary CO LN        | 11.3 US 25W (South)        | 11.3   |  |
|                           | 11.3 US 25W (North)       | 33.4 Bell CO LN            | 22.1   |  |
| * KY 628                  | 1.9 Jordan Hollow RD      | 5.2 US 25W                 | 3.3    |  |
| * KY 779                  | 6.3 KY 1064 (South)       | 7.0 KY 1064 (North)        | 0.7    |  |
|                           | 8.0 KY 1418               | 12.7 KY 11                 | 4.7    |  |
| * KY 904                  | 0.0 KY 92                 | 13.5 KY 92                 | 13.5   |  |
| * KY 1064                 | 0.0 KY 92                 | 4.2 KY 779 (West)          | 4.2    |  |
|                           | 4.2 KY 779 (East)         | 12.0 KY 6                  | 7.8    |  |
| * KY 1418                 | 0.0 KY 779                | 1.5 Knox CO LN             | 1.5    |  |
| * KY 1595                 | 3.1 Mine                  | 4.6 KY 92                  | 1.5    |  |
| * KY 1673                 | 0.0 KY 92                 | 0.4 McCreary CO LN         | 0.4    |  |
|                           | 0.4 McCreary CO LN        | 1.4 Mine                   | 1.0    |  |

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|                                  |                        |                          |       |
|----------------------------------|------------------------|--------------------------|-------|
| * KY 1809                        | 0.0 KY 92              | 1.4 Knox CO LN           | 1.4   |
| * KY 1898                        | 1.8 Mine               | 2.8 KY 92                | 1.0   |
| * KY 2995                        | 0.0 KY 2996            | 0.8 Dean Chambers Tipple | 0.8   |
| * KY 2996                        | 0.0 US 25W             | 0.7 KY 2995              | 0.7   |
| * McNeill Hollow-Corn Creek Road |                        |                          |       |
| CR 5045                          | 0.0 KY 26              | 2.4 Mine                 | 2.4   |
| * Morgan Road                    |                        |                          |       |
| CR 5048                          | 0.0 KY 1064            | 0.7 Mine                 | 0.7   |
| * Bunch Creek Road               |                        |                          |       |
| CR 5154                          | 0.0 KY 92              | 0.5 Mine                 | 0.5   |
| * Carpenter-Lick Fork Road       |                        |                          |       |
| CR 5172                          | 0.0 KY 92              | 0.8 Mine                 | 0.8   |
| * Doc Siler Road                 |                        |                          |       |
| CR 5223                          | 0.0 Skaggs RD          | 0.1 Tennessee ST LN      | 0.1   |
| * Skaggs Branch Road             |                        |                          |       |
| CR 5224                          | 0.0 Doc Siler RD       | 0.7 Mine                 | 0.7   |
| * Keswick-Gatliff Road           |                        |                          |       |
| CR 5227                          | 2.0 Mine               | 8.0 KY 904               | 6.0   |
| * Upper Cane Creek Road          |                        |                          |       |
| CR 5230                          | 0.0 Keswick-Gatliff RD | 0.5 Mine                 | 0.5   |
| * Bethel Church Road             |                        |                          |       |
| CR 5268                          | 0.0 KY 904             | 0.2 Mine                 | 0.2   |
| * Cotton Creek - Dal Road        |                        |                          |       |
| CR 5272                          | 5.0 Mine               | 5.7 KY 904               | 0.7   |
| * Paint Creek - Wolf Creek Road  |                        |                          |       |
| CR 5320                          | 0.0 KY 92              | 1.1 Mine                 | 1.1   |
| * Jordan Hollow Road             |                        |                          |       |
| CR 5321                          | 0.0 KY 628             | 0.3 Mine                 | 0.3   |
| * Kensee Hollow Road             |                        |                          |       |
| CR 5326                          | 0.0 US 25W             | 0.8 Mine                 | 0.8   |
| TOTAL ROAD MILEAGE               |                        |                          | 127.4 |

| WOLFE COUNTY       | ROAD | FROM            | TO                | LENGTH |
|--------------------|------|-----------------|-------------------|--------|
| * Mountain PKWY    | 36.0 | Powell CO LN    | 53.3 KY 1010      | 17.3   |
|                    | 57.2 | KY 205          | 57.7 Morgan CO LN | 0.5    |
| * KY 15            | 0.0  | Breathitt CO LN | 14.0 KY 715       | 14.0   |
| * KY 15S           | 0.0  | KY 15           | 1.1 Mountain PKWY | 1.1    |
| * KY 191           | 14.3 | KY 205          | 15.9 KY 205       | 1.6    |
| * KY 205           | 4.3  | KY 1094         | 6.4 KY 191        | 2.1    |
|                    | 6.4  | KY 191          | 6.9 Morgan CO LN  | 0.5    |
| * KY 651           | 0.0  | Sandy Ridge RD  | 2.1 KY 15         | 2.1    |
| * KY 715           | 2.6  | KY 2016         | 5.8 KY 15         | 3.2    |
| * KY 1010          | 1.6  | Mine            | 3.7 Mountain PKWY | 2.1    |
| * KY 1094          | 2.7  | Mine            | 7.5 KY 205        | 4.8    |
| * KY 2016          | 0.2  | Mine            | 4.5 KY 715        | 4.3    |
| * KY 3040          | 0.0  | KY 15           | 0.4 J & A Tipple  | 0.4    |
| * Sandy Ridge Road |      |                 |                   |        |
| CR 5220            | 0.0  | KY 651          | 2.7 Mine          | 2.7    |
| TOTAL ROAD MILEAGE |      |                 |                   | 56.7   |

Section 4. The effective date of this regulation is April 1, 1987.

C. LESLIE DAWSON, Secretary/Commissioner

APPROVED BY AGENCY: October 30, 1986

FILED WITH LRC: November 17, 1986 at 9 a.m.

PUBLIC HEARING SCHEDULED: A public comment hearing will be held on this proposed administrative regulation on January 22, 1987 at 10 a.m. local prevailing time in the first floor auditorium of the State Office Building located on the corner of High and Clinton Streets in Frankfort, Kentucky. Any person who intends to attend this hearing must, in writing, by January 17, 1987, so notify: Sandra Pullen, Executive's Staff Advisor, Transportation Cabinet, State Office Building, Frankfort, Kentucky 40622.

## REGULATORY IMPACT ANALYSIS

Agency Contact Person: Sandra Pullen

(1) Type and number of entities affected: All coal mining companies. All coal trucking

companies. All coal truck drivers. County governments - 66. City governments - undetermined number.

(a) Direct and indirect costs or savings to those affected:

1. First year: Coal mining companies - Savings on coal transportation costs, industrial haul permit fees and maintenance agreements, and cooperative agreement payments.

Coal trucking companies - Savings from efficiency of operations.

Coal truck drivers - Savings from reduced number of overweight citations.

County governments - Added costs from increased road maintenance due to loss of assistance from coal companies.

City governments - Added costs from increased road maintenance due to loss of assistance from coal companies.

2. Continuing costs or savings: Same as first year.

3. Additional factors increasing or decreasing costs (note any effects upon competition):

Increases the haul distance at which trucking coal is competitive with shipping by rail. Reduces competitiveness of coal companies without access to the Extended Weight Coal Haul Road System.

(b) Reporting and paperwork requirements: None

(2) Effects on the promulgating administrative body: Increased road damage.

(a) Direct and indirect costs or savings:

1. First year: Increased road maintenance costs due to loss of assistance from industrial haul permit maintenance agreements and cooperative agreements.

2. Continuing costs or savings: Same as first year.

3. Additional factors increasing or decreasing costs: Simplified processing of transportation plans.

(b) Reporting and paperwork requirements: None

(3) Assessment of anticipated effect on state and local revenues: State - Loss of revenue from industrial haul permit fees and cooperative agreement payments. Local - undetermined.

(4) Assessment of alternative methods; reasons why alternatives were rejected: None considered. Law is mandatory regarding this regulation.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None known.

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments:

TIERING: Was tiering applied? No. Law provides no discretion regarding this regulation.

#### TRANSPORTATION CABINET Department of Highways

603 KAR 5:220. Cooperative agreements for transportation of coal.

RELATES TO: KRS 177.9771, 177.979, 189.230, 351.175(6), 350.060(11)

PURSUANT TO: KRS 177.9771

NECESSITY AND FUNCTION: KRS 177.979 provides for the Department of Highways to enter into cooperative agreements for the transportation of coal. This administrative regulation is necessary to define procedures, requirements, and limitations for cooperative agreements.

Section 1. Applications for Cooperative Agreements. (1) Any person engaged in the mining, processing, transporting, or sale of coal who desires to enter into a cooperative agreement pursuant to KRS 177.979 for the transportation of coal in vehicles exceeding the maximum weight limits on state-maintained highways shall apply to the Department of Highways for a cooperative agreement. Application forms shall be prescribed by the Department of Highways and may be obtained from any highway district office or the department's Division of Maintenance in Frankfort, Kentucky.

(2) The application form prescribed by the Department of Highways shall require such information as is necessary to identify the applicant and each segment of state maintained highway which the applicant proposes to utilize. The application shall be accompanied by a copy

of the certified transportation plan obtained by the applicant pursuant to 601 KAR 35:020 for the route or routes to be included in the agreement. The application must also be accompanied by a list of vehicles to be used to transport coal pursuant to the cooperative agreement. The following information must be provided for each vehicle:

(a) Vehicle owner;

(b) Current registration number;

(c) Vehicle identification number;

(d) Vehicle make and year;

(e) Vehicle type (tandem, tridem, or tractor).

(3) The application shall be submitted to the chief district engineer for the highway district in which the transportation of coal originates.

Section 2. Negotiation of Cooperative Agreements. (1) Upon receipt of proper application the Department of Highways shall meet with the applicant to negotiate the terms and conditions of the agreement. An equitable apportionment of the incremental costs to the Department of Highways of the proposed coal transportation shall be provided by the agreement based upon, but not limited to, the following factors:

(a) The cost of surface design, maintenance, construction and reconstruction;

(b) The cost of shoulder design, maintenance, construction and reconstruction;

(c) The cost of bridge design, maintenance, construction and reconstruction;

(d) The tonnage of coal to be shipped;

(e) The types and number of vehicles to be used;

(f) Other pertinent factors related to the transportation of coal at extended weights on the roads to be included in the agreement.

(2) When agreement is reached, the Department of Highways shall enter into the cooperative agreement with the applicant. Upon execution of the agreement the Department of Highways shall issue a certificate of identification to the applicant for each vehicle to be operated pursuant to the agreement.

Section 3. Limitations and Requirements. (1) Cooperative agreements are applicable only for the transportation of coal.

(2) All trucks operating pursuant to cooperative agreements must be registered with a declared gross weight of 80,000 pounds.

(3) Any vehicle being operated pursuant to a cooperative agreement must at all times contain a copy of the certificate of identification issued pursuant to Section 2 of this administrative regulation.

(4) If a truck is exempted from the payment of registration and decal fees pursuant to KRS 177.9771(4)(g), it may be operated on the roads covered by the agreement in accordance with the terms of the agreement; it may be operated on roads not covered by the agreement only if empty.

(5) No person shall load or knowingly cause to be loaded or operate or knowingly cause to be operated any vehicle in excess of the weight limits specified in the cooperative agreement.

(6) No person shall operate or knowingly cause to be operated, on any bridge posted pursuant to KRS 189.230, any vehicle which weighs in excess of the posted weight limit of said bridge.

(7) Only state maintained roads may be included in cooperative agreements with the Department of Highways.

Section 4. Existing Cooperative Agreements. The Department of Highways will honor all existing cooperative agreements entered into by the Department of Vehicle Regulation pursuant to KRS 177.979 prior to April 1, 1987.

Section 5. Effective Date. The effective date of this regulation is April 1, 1987.

C. LESLIE DAWSON, Secretary/Commissioner

APPROVED BY AGENCY: December 12, 1986

FILED WITH LRC: December 15, 1986 at noon

PUBLIC HEARING SCHEDULED: A public comment hearing will be held on this proposed administrative regulation on January 22, 1987 at 9 a.m., local prevailing time, in the first floor auditorium of the State Office Building, located on the corner of High and Clinton Streets in Frankfort, Kentucky. Any person who intends to attend this hearing must, in writing, by January 17, 1987, so notify: Sandra Pullen, Executive's Staff Advisor, Transportation Cabinet, State Office Building, Frankfort, Kentucky 40622.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Sandra Pullen

(1) Type and number of entities affected: All coal mining companies, all coal transporting companies, all coal processing companies, all coal sales companies.

(a) Direct and indirect costs or savings to those affected:

1. First year: Additional costs for companies which execute a cooperative agreement dependent on terms of the agreement. Savings for vehicle owners who qualify for the exemption from registration and decal fees.

2. Continuing costs or savings: Same as first year.

3. Additional factors increasing or decreasing costs (note any effects upon competition): None

(b) Reporting and paperwork requirements: Completion of proper application required only for those persons desiring a cooperative agreement. Recordkeeping by those persons executing a cooperative agreement will be dependent on the terms of the agreement. No requirements are imposed on any other persons.

(2) Effects on the promulgating administrative body: Increased road damage.

(a) Direct and indirect costs or savings:

1. First year: Additional costs for repairing increased road damage offset to an undetermined amount by savings on road maintenance costs pursuant to the cooperative agreements.

2. Continuing costs or savings: Same as first year.

3. Additional factors increasing or decreasing costs: None

(b) Reporting and paperwork requirements: Processing of applications for cooperative agreements.

(3) Assessment of anticipated effect on state and local revenues: Loss of revenue from exemptions to registration and decal fees.

(4) Assessment of alternative methods; reasons why alternatives were rejected: None considered. Law requires the Department of Highways to make cooperative agreements available.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None known.

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments:

TIERING: Was tiering applied? No. Terms and conditions of cooperative agreements are to be negotiated individually. Unique needs and conditions will be considered at that time.

#### TRANSPORTATION CABINET Department of Highways

603 KAR 5:230. Bridge weight limits on the extended weight coal haul road system.

RELATES TO: KRS 177.9771, 189.230

PURSUANT TO: KRS 177.9771

NECESSITY AND FUNCTION: KRS 189.230 provides that the Department of Highways may prescribe gross vehicle weight limits for bridges lower than the limits prescribed in KRS 177.9771 on any bridge which may be damaged or destroyed to the point of catastrophic failure if gross vehicle weights exceed certain limits. This regulation identifies the bridges on the extended weight coal haul road system which the Department of Highways has judged may be so damaged and prescribes the maximum weight limit for each such bridge.

Section 1. Definitions. The following terms when used in this administrative regulation shall have the following meanings:

(1) "TY I" means a single unit truck consisting of two (2) single axles.

(2) "TY II" means a single unit truck consisting of one (1) steering axle and two (2) axles in tandem arrangement.

(3) "TY III" means a single unit truck consisting of one (1) steering axle and three (3) axles in tridem arrangement.

(4) "TY IV" means a tractor-semitrailer combination with five (5) or more axles.

(5) "KY" means a state numbered highway maintained by the Kentucky Department of Highways.

(6) "US" means a United States numbered highway maintained by the Kentucky Department of Highways.

(7) "I" means an interstate and defense highway maintained by the Kentucky Department of Highways.

(8) "CR" means a public highway, road, or street not maintained by the Kentucky Department of Highways.

(9) "MP" means milepoint.

(10) "FROM" means the beginning milepoint and terminus of a road segment on the extended weight coal haul road system.

(11) "TO" means the ending milepoint and terminus of a road segment on the extended weight coal haul road system.

(12) "Catastrophic failure" means a failure that is marked by sudden or unpredictable damage ranging from extreme misfortune to utter ruin.

(13) "AASHTO" means the American Association of State Highway and Transportation Officials.

(14) "CO" means county.

(15) "LN" means line.

(16) "Mpt." means milepoint.

(17) "PKWY" means parkway.



Section 2. (1) The Department of Highways shall determine the bridges on the extended weight coal road system which may be damaged or destroyed to the point of catastrophic failure by motor vehicles operating at the weights authorized by KRS 177.9771. This determination shall be based upon an analysis of the bridges in accordance with the guidelines and ratings set forth in the AASHTO Manual for Maintenance Inspection of Bridges, 1983 edition and 1984 and 1985 Interim Revisions. The load factor method of analysis may be used only when a bridge is known to have been designed by that method. When the allowable stress method of analysis is used the maximum allowable stress in steel members shall not exceed sixty-nine (69) percent of the yield strength of the steel.

(2) When the analysis specified in subsection (1) of this section cannot be applied to a bridge, the Department of Highways shall determine if any such bridge may be damaged or destroyed to the point of catastrophic failure in accordance with the AASHTO Manual for Maintenance Inspection of Bridges, 1983 edition and 1984 and 1985 Interim Revisions. Before

making such a determination the Department of Highways shall conduct an onsite inspection to determine whether the bridge shows appreciable signs of deterioration or distress or otherwise poses a significant hazard to the traveling public.

Section 3. When the Department of Highways determines that a bridge on the extended weight coal haul road system may be damaged or destroyed to the point of catastrophic failure, the department may adopt a weight limit for the bridge in accordance with the guidelines set forth in the AASHTO Manual for Maintenance Inspection Bridges, 1983 edition and 1984 and 1985 Interim Revisions.

Section 4. The Department of Highways has determined that the following bridges on the extended weight coal haul road system may be damaged or destroyed to the point of catastrophic failure as provided in Section 2 of this administrative regulation and has established a weight limit for each as set forth in Section 3 of this administrative regulation:

## BATH COUNTY

| ROAD   | FROM                 | TO                 |
|--|----------------------|--------------------|
| * KY 11  | 0.0 Montgomery CO LN | 12.8 Fleming CO LN |
| Weight Limit - Bridge over Hinkston Creek @ milepoint 0.01         |                      |                    |
| TY I = 20 tons, TY II = 40 tons, TY III = 39 tons, TY IV = 54 tons |                      |                    |

## BELL COUNTY

| ROAD   | FROM                   | TO                  |
|--|------------------------|---------------------|
| * US 25E   | 0.0 Virginia State LN  | 19.5 Knox CO LN     |
| Weight Limit - Bridge over Little Yellow Creek @ milepoint 2.17      |                        |                     |
| TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 43 tons   |                        |                     |
| Weight Limit - Bridge over L & N R.R. @ milepoint 7.52               |                        |                     |
| TY I = 20 tons, TY II = 43 tons, TY III = 44 tons, TY IV = 56 tons   |                        |                     |
| Weight Limit - Bridge over Greasy Creek @ milepoint 18.14            |                        |                     |
| TY I = 20 tons, TY II = 34 tons, TY III = 35 tons, TY IV = 48 tons   |                        |                     |
| * US 119   | 0.0 US 25E             | 15.8 Harlan CO LN   |
| Weight Limit - Bridge over Cumberland River @ milepoint 0.02         |                        |                     |
| TY I = 20 tons, TY II = 30 tons, TY III = 32 tons, TY IV = 40 tons   |                        |                     |
| * KY 66  | 0.0 US 25E             | 8.4 Little Creek RD |
| Weight Limit - Bridge over Cumberland River @ milepoint 0.33         |                        |                     |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons   |                        |                     |
| Weight Limit - Bridge over Left Fork Straight Creek @ milepoint 3.95 |                        |                     |
| TY I = 20 tons, TY II = 32 tons, TY III = 33 tons, TY IV = 44 tons   |                        |                     |
| Weight Limit - Bridge over Sims Fork @ milepoint 7.16                |                        |                     |
| TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons   |                        |                     |
| 9.8 Titan Tipple   |                        |                     |
| * KY 72  | 0.0 US 119             | 18.7 Clay CO LN     |
| Weight Limit - Bridge over Hinkston Creek @ milepoint 0.06           |                        |                     |
| TY I = 15 tons, TY II = 15 tons, TY III = 15 tons, TY IV = 15 tons   |                        |                     |
| * KY 74  | 0.0 Tennessee State LN | 0.9 KY 535          |
| 9.4 Rockhouse BR RD  |                        |                     |
| Weight Limit - Bridge over L & N R.R. @ milepoint 11.56              |                        |                     |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons   |                        |                     |
| Weight Limit - Bridge over Stoney Fork @ milepoint 13.07             |                        |                     |
| TY I = 20 tons, TY II = 43 tons, TY III = 45 tons, TY IV = 60 tons   |                        |                     |
| 16.1 KY 2079   |                        |                     |
| Weight Limit - Bridge over Little Yellow Creek @ milepoint 16.66     |                        |                     |
| TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons   |                        |                     |
| * KY 92  | 0.0 Whitley CO LN      | 10.8 US 25E         |
| * KY 186   | 2.0 Appolo Tipple      | 2.3 Stoney Fork RD  |
| * KY 188   | 2.8 KY 988             | 4.1 Cranes Creek RD |
| Weight Limit - Bridge over Clear Creek @ milepoint 2.80              |                        |                     |
| TY I = 20 tons, TY II = 39 tons, TY III = 30 tons, TY IV = 49 tons   |                        |                     |
| * KY 217   | 0.0 KY 988             | 8.8 KY 987          |
| Weight Limit - Bridge over Clear Fork Creek @ milepoint 0.20         |                        |                     |
| TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 58 tons   |                        |                     |
| Weight Limit - Bridge over Clear Fork Creek @ milepoint 1.22         |                        |                     |
| TY I = 20 tons, TY II = 31 tons, TY III = 32 tons, TY IV = 38 tons   |                        |                     |

# ADMINISTRATIVE REGISTER - 1361

Weight Limit - Bridge over Brownies Creek @ milepoint 8.77  
 TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 49 tons

\* KY 221 0.0 KY 66 12.6 Harlan CO LN

Weight Limit - Bridge over Right Fork Straight Creek @ milepoint 4.16  
 TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons

Weight Limit - Bridge over Stoney Fork Creek @ milepoint 9.23  
 TY I = 20 tons, TY II = 35 tons, TY III = 37 tons, TY IV = 60 tons

\* KY 535 0.0 KY 74 0.6 Clear Fork RD

\* KY 987 4.8 Hen Wilder RD 8.7 KY 217

Weight Limit - Bridge over Brownies Creek @ milepoint 8.19  
 TY I = 20 tons, TY II = 28 tons, TY III = 30 tons, TY IV = 48 tons

\* KY 988 1.2 KY 217 1.7 KY 188

\* KY 1344 0.0 KY 217 2.1 Wolfpen Branch RD

\* KY 2011 7.7 Mine Access 9.0 KY 66

Weight Limit - Bridge over Red Bird Creek @ milepoint 7.91  
 TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 49 tons

\* KY 2012 0.0 Private Haul RD 0.1 Hen Wilder RD

\* KY 2079 2.1 KY 74 2.6 Charter Tipple

Weight Limit - Bridge over Yellow Creek @ milepoint 2.23  
 TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons

\* Hen Wilder RD

CR 5001 0.0 KY 987 2.0 KY 2012

\* Cow Fork Road

CR 5032 0.0 KY 2011 2.6 Mine

\* Straight Creek Road

CR 5040 0.0 KY 66 0.2 Turkey Pen Gap RD

\* Turkey Pen Gap Road

CR 5053 0.0 Straight Creek RD 0.5 Knox CO LN

\* Cranes Creek Road

CR 5160 0.0 KY 188 0.2 Mountain Drive Tipple

Weight Limit - Bridge over Yellow Branch  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons

\* Stony Fork Road

CR 5213 0.0 KY 186 0.4 KY 74

\* Hignite Creek Road

CR 5219 0.0 KY 74 2.3 End of Road

Weight Limit - Bridge over Hignite Creek  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons

\* Rockhouse Branch Road

CR 5222 0.0 KY 74 0.5 Mine

\* Clear Fork Road

CR 5227 0.0 KY 535 0.6 End of Road

\* Little Creek Road

CR 5358 0.0 KY 66 0.2 Little Creek Tipple

Weight Limit - Bridge over Straight Creek  
 TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons

## BOURBON COUNTY

| ROAD  | FROM            | TO                  |
|---|-----------------|---------------------|
| * US 27   | 8.3 US 460      | 15.4 Harrison CO LN |
| Weight Limit - Bridge over Cooper Creek @ milepoint 13.22           |                 |                     |
| TY I = 20 tons, TY II = 41 tons, TY III = 42 tons, TY IV = 59 tons  |                 |                     |
| * US 68   | 2.4 US 68X      | 10.8 Nicholas CO LN |
| Weight Limit - Bridge over Hinkston Creek @ milepoint 9.41          |                 |                     |
| TY I = 20 tons, TY II = 36 tons, TY III = 37 tons, TY IV = 48 tons  |                 |                     |
| * US 68X  | 1.4 KY 627      | 2.8 US 68 (East)    |
| * KY 627  | 0.0 Clark CO LN | 9.5 US 68X          |
| Weight Limit - Bridge over Strodes Creek Mill Race @ milepoint 0.75 |                 |                     |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons  |                 |                     |
| Weight Limit - Bridge over Strodes Creek @ milepoint 0.91           |                 |                     |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons  |                 |                     |
| Weight Limit - Bridge over Green Creek @ milepoint 4.12             |                 |                     |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons  |                 |                     |
| Weight Limit - Bridge over Kennedy's Creek @ milepoint 6.06         |                 |                     |
| TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 57 tons  |                 |                     |

## BOYD COUNTY

| ROAD   | FROM               | TO                 |
|--|--------------------|--------------------|
| * US 23  | 0.0 Lawrence CO LN | 21.1 Greenup CO LN |
| Weight Limit - Bridge over I-64 @ milepoint 10.56                  |                    |                    |
| TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 60 tons |                    |                    |
| Weight Limit - Bridge over C & O R.R. @ milepoint 19.31            |                    |                    |
| TY I = 20 tons, TY II = 30 tons, TY III = 31 tons, TY IV = 39      |                    |                    |

# ADMINISTRATIVE REGISTER - 1362

Weight Limit - Bridge over C & O R.R. & Armco Rd. @ milepoint 19.34  
 TY I = 20 tons, TY II = 44 tons, TY III = 45 tons, TY IV = 52 tons  
 \* US 235 0.0 US 60 0.5 Ohio State LN  
 Weight Limit - Southbound Bridge over Ohio River @ milepoint 0.05  
 TY I = 20 tons, TY II = 28 tons, TY III = 33 tons, TY IV = 36 tons  
 \* US 23X 1.4 KY 2148 1.5 US 235  
 1.6 US 60 1.8 US 23  
 \* US 60 0.0 Carter CO LN 12.4 US 23  
 Weight Limit - Bridge over C & O R.R. at Princess @ milepoint 2.69  
 TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 60 tons  
 \* KY 5 0.0 US 60 1.5 Straight Creek RD  
 Weight Limit - Bridge over Williams Creek @ milepoint 0.92  
 TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons  
 \* KY 180 0.7 Big Run RD 2.5 US 60  
 \* KY 757 6.2 US 23 10.2 US 23  
 \* KY 2148 0.0 US 23 0.1 US 23X  
 \* Big Run Road  
 CR 5263 0.0 KY 180 1.5 Mine  
 \* Straight Creek Road  
 CR 5288 0.0 KY 5 0.6 Buena Vista RD  
 Weight Limit - Bridge over Straight Creek  
 TY I = 14 tons, TY II = 14 tons, TY III = 14 tons, TY IV = 14 tons  
 \* County Line Tipple Road  
 CR 5300 0.0 US 23 0.3 County Line Tipple  
 \* Cobb Road  
 CR 5490 0.0 Straight Creek RD 1.2 Mine  
 \* Buena Vista Road  
 CR 5493 0.0 Straight Creek RD 0.7 Mine Access RD  
 \* 15th Street (Ashland)  
 0.0 US 23 0.2 Mansbach Dock  
 \* 53rd Street (Ashland)  
 0.0 US 23 0.1 53rd ST Dock

## BOYLE COUNTY

| ROAD   | FROM               | TO                 |
|--|--------------------|--------------------|
| * US 127   | 7.5 US 127 Bypass  | 9.7 Mercer CO LN   |
| Weight Limit - Bridge over Mocks Branch @ milepoint 9.74           |                    |                    |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                    |                    |
| * US 127B  | 0.0 US 127         | 5.3 US 127         |
| Weight Limit - Bridge over Southern RR @ milepoint 0.93            |                    |                    |
| TY I = 20 tons, TY II = 44 tons, TY III = 45 tons, TY IV = 53 tons |                    |                    |
| * US 150   | 13.9 KY 33         | 14.2 KY 34         |
|  | 16.8 US 150 Bypass | 18.9 Lincoln CO LN |
| * US 150B  | 0.0 US 127         | 2.3 US 150         |
| * KY 33  | 0.0 US 150         | 5.0 Mercer CO LN   |
| Weight Limit - Bridge over Spears Creek @ milepoint 1.29           |                    |                    |
| TY I = 18 tons, TY II = 20 tons, TY III = 21 tons, TY IV = 31 tons |                    |                    |
| Weight Limit - Bridge over Spears Creek @ milepoint 1.52           |                    |                    |
| TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 31 tons |                    |                    |
| Weight Limit - Bridge over Spears Creek @ milepoint 1.70           |                    |                    |
| TY I = 18 tons, TY II = 18 tons, TY III = 19 tons, TY IV = 33 tons |                    |                    |
| * KY 34  | 12.4 US 150        | 17.3 Garrard CO LN |
| Weight Limit - Bridge over Herrington Lake @ milepoint 17.27       |                    |                    |
| TY I = 18 tons, TY II = 19 tons, TY III = 21 tons, TY IV = 31 tons |                    |                    |

## BRACKEN COUNTY

| ROAD   | FROM                | TO               |
|--|---------------------|------------------|
| * KY 8   | 0.0 Pendleton CO LN | 19.0 Mason CO LN |
| Weight Limit - Bridge over Holts Creek at Foster @ milepoint 1.20  |                     |                  |
| TY I = 20 tons, TY II = 27 tons, TY III = 28 tons, TY IV = 39 tons |                     |                  |
| Weight Limit - Bridge over Snag Creek @ milepoint 4.18             |                     |                  |
| TY I = 20 tons, TY II = 32 tons, TY III = 33 tons, TY IV = 40 tons |                     |                  |
| Weight Limit - Bridge over Locust Creek @ milepoint 7.04           |                     |                  |
| TY I = 20 tons, TY II = 41 tons, TY III = 42 tons, TY IV = 56 tons |                     |                  |
| Weight Limit - Bridge over Big Bracken Creek @ milepoint 13.93     |                     |                  |
| TY I = 20 tons, TY II = 40 tons, TY III = 39 tons, TY IV = 51 tons |                     |                  |

## BREATHITT COUNTY

| ROAD   | FROM            | TO               |
|--|-----------------|------------------|
| * KY 15  | 0.0 Perry CO LN | 27.5 Wolfe CO LN |
| Weight Limit - Bridge over Lost Creek @ milepoint 0.48             |                 |                  |
| TY I = 20 tons, TY II = 39 tons, TY III = 38 tons, TY IV = 51 tons |                 |                  |
| Weight Limit - Bridge over Lost Creek @ milepoint 3.07             |                 |                  |
| TY I = 20 tons, TY II = 39 tons, TY III = 38 tons, TY IV = 51 tons |                 |                  |

Weight Limit - Bridge over Lost Creek @ Milepoint 3.80  
 TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 51 tons  
 Weight Limit - Bridge over Lost Creek @ milepoint 6.48  
 TY I = 20 tons, TY II = 38 tons, TY III = 39 tons, TY IV = 49 tons  
 Weight Limit - Bridge over Lost Creek @ milepoint 6.69  
 TY I = 20 tons, TY II = 39 tons, TY III = 40 tons, TY IV = 50 tons  
 Weight Limit - Bridge over Troublesome Creek @ Milepoint 7.64  
 TY I = 20 tons, TY II = 39 tons, TY III = 40 tons, TY IV = 50 tons  
 Weight Limit - Bridge over Quicksand Creek @ milepoint 14.73  
 TY I = 20 tons, TY II = 38 tons, TY III = 39 tons, TY IV = 47 tons  
 Weight Limit - Bridge over Frozen Creek @ milepoint 23.27  
 TY I = 20 tons, TY II = 45 tons, TY III = 49 tons, TY IV = 57 tons

\* KY 28 5.7 Perry CO LN 7.4 Perry CO LN  
 \* KY 30 14.1 Elkatawa Tipple 14.8 KY 15  
 30.0 Mine Access 37.5 Magoffin CO LN  
 \* KY 476 5.8 Falcon Haul RD 11.4 KY 15  
 Weight Limit - Bridge over Troublesome Creek @ milepoint 7.02  
 TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 50 tons  
 \* KY 542 10.0 Mine Access 18.6 Magoffin CO LN  
 \* KY 1098 0.0 KY 15 14.8 Mine Access  
 Weight Limit - Bridge over South Fork Quicksand Creek @ milepoint 5.27  
 TY I = 20 tons, TY II = 27 tons, TY III = 30 tons, TY IV = 49 tons  
 \* KY 1110 15.2 Haddix Tipple 15.7 KY 15  
 Weight Limit - Bridge over North Fork Kentucky River @ milepoint 15.55  
 TY I = 20 tons, TY II = 34 tons, TY III = 37 tons, TY IV = 51 tons  
 \* KY 1111 1.6 Mine Access 2.2 Big Lovely RD  
 \* KY 3193 0.0 Wolverine RD 0.1 Wolverine RD  
 Weight Limit - Bridge over North Fork Kentucky River @ milepoint 0.01  
 TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons

\* Big Lovely Road  
 CR 5030 0.0 KY 1111 1.4 KY 542  
 \* Springsfork Road  
 CR 5032 2.2 KY 542 3.6 Mine Access  
 \* Slusher Road  
 CR 5067 0.0 KY 542 2.5 Mine  
 \* Wolverine Road  
 CR 5318 5.1 Mine 5.3 KY 3193  
 5.3 KY 3193 5.7 KY 15

BUTLER COUNTY

| ROAD  | FROM              | TO                        |
|---|-------------------|---------------------------|
| * Green River Parkway   | 18.2 Warren CO LN | 35.1 Ohio CO LN           |
| Weight Limit - Bridge over Green River @ milepoint 32.64                |                   |                           |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons      |                   |                           |
| * US 231 8.4 Alley-Casetty Tipple                                       |                   | 18.9 Ohio CO LN           |
| Weight Limit - Bridge over Embrys Ditch @ milepoint 9.92                |                   |                           |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons      |                   |                           |
| Weight Limit - Bridge over Green River @ milepoint 12.26                |                   |                           |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons      |                   |                           |
| Weight Limit - Bridge over Indian Camp Creek @ milepoint 16.32          |                   |                           |
| TY I = 20 tons, TY II = 39 tons, TY III = 40 tons, TY IV = 51 tons      |                   |                           |
| Weight Limit - Bridge over West Fork Indian Camp Creek @ milepoint 17.1 |                   |                           |
| TY I = 20 tons, TY II = 39 tons, TY III = 40 tons, TY IV = 51 tons      |                   |                           |
| * KY 70 0.0 Muhlenberg CO LN  |                   | 14.4 US 231               |
| Weight Limit - Bridge over Panther Creek @ milepoint 4.19               |                   |                           |
| TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 60 tons      |                   |                           |
| Weight Limit - Bridge over Muddy Creek @ milepoint 8.50                 |                   |                           |
| TY I = 20 tons, TY II = 45 tons, TY III = 48 tons, TY IV = 60 tons      |                   |                           |
| 14.4 US 231   |                   | 25.3 KY 411               |
| Weight Limit - Bridge over Welch Creek @ milepoint 20.37                |                   |                           |
| TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons      |                   |                           |
| * KY 79 13.4 KY 70  |                   | 15.2 Possum Hollow SCH RD |
| * KY 269 4.2 Johnson RD   |                   | 6.0 Ohio CO LN            |
| * KY 411 0.0 KY 70  |                   | 2.2 Mine                  |
| * KY 1328 10.0 Mine   |                   | 10.6 Old Greenwich SCH RD |
| 11.5 Mine   |                   | 11.7 KY 70                |
| * KY 1468 0.0 KY 70   |                   | 1.1 US 231                |
| * Old Greenwich School Road   |                   |                           |
| CR 5015 0.0 KY 1328   |                   | 0.7 KY 70                 |
| * Jolertown Ridge Road  |                   |                           |
| CR 5027 0.0 Peyton Cemetery RD  |                   | 1.4 KY 70                 |
| * Peyton Cemetery Road  |                   |                           |
| CR 5028 0.6 Mine  |                   | 0.9 Jolertown Ridge RD    |

# ADMINISTRATIVE REGISTER - 1364

|  |           |                           |
|--|-----------|---------------------------|
| * New Cut Road (South)   |           |                           |
| CR 5243  | 0.0 KY 70 | 0.4 Mine                  |
| * Hickory Camp Creek Road  |           |                           |
| CR 5246  | 0.0 KY 70 | 1.4 G Southerland RD      |
| * Elzie Penally Road   |           |                           |
| CR 5247  | 0.0 KY 70 | 0.4 Mine                  |
| * Possum Hollow School Road  |           |                           |
| CR 5355  | 0.0 KY 70 | 0.7 Mine                  |
| Weight Limit - Bridge over East Prong of Indian Camp Creek         |           |                           |
| TY I = 18 tons, TY II = 18 tons, TY III = 18 tons, TY IV = 18 tons |           |                           |
| * Johnson Road   |           |                           |
| CR 5394  | 0.0 Mine  | 0.1 KY 269                |
| * G Southerland Road   |           |                           |
| CR 5406  | 2.0 Mine  | 3.0 Hickory Camp Creek RD |

## CALDWELL COUNTY

| ROAD   | FROM           | TO                 |
|--|----------------|--------------------|
| Western Kentucky Parkway   |                |                    |
|  | 5.6 Lyon CO LN | 21.8 Hopkins CO LN |
| Weight Limit - Bridge over I. C. R.R. @ milepoint 11.36            |                |                    |
| TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 57 tons |                |                    |
| Weight Limit - Bridge over Tradewater River @ milepoint 21.75      |                |                    |
| TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 58 tons |                |                    |

## CAMPBELL COUNTY

| ROAD  | FROM                | TO         |
|-------|---------------------|------------|
| US 27 | 0.0 Pendleton CO LN | 16.6 I-471 |

## CARTER COUNTY

| ROAD   | FROM              | TO              |
|--|-------------------|-----------------|
| * US 60  | 24.1 KY 1         | 35.0 Boyd CO LN |
| Weight Limit - Bridge over Upper Stinson Creek @ milepoint 26.30     |                   |                 |
| TY I = 20 tons, TY II = 41 tons, TY III = 43 tons, TY IV = 60 tons   |                   |                 |
| * KY 1   | 10.6 US 60 & KY 7 | 11.5 I-64       |
| Weight Limit - Bridge over I-64 @ milepoint 11.50                    |                   |                 |
| TY I = 20 tons, TY II = 26 tons, TY III = 30 tons, TY IV = 51 tons   |                   |                 |
| * KY 7   | 0.0 Elliott CO LN | 10.9 KY 1       |
| Weight Limit - Bridge over Clifty Creek near Sophie @ milepoint 1.64 |                   |                 |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons   |                   |                 |
| Weight Limit - Bridge over Grayson Dam Spillway @ milepoint 3.92     |                   |                 |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons   |                   |                 |
| Weight Limit - Bridge over Little Sandy River @ milepoint 10.12      |                   |                 |
| TY I = 20 tons, TY II = 45 tons, TY III = 49 tons, TY IV = 56 tons   |                   |                 |

## CHRISTIAN COUNTY

| ROAD   | FROM                     | TO                 |
|--|--------------------------|--------------------|
| * US 41  | 28.5 KY 1296             | 31.6 Hopkins CO LN |
| Weight Limit - Bridge over Campbells Creek @ milepoint 29.51       |                          |                    |
| TY I = 20 tons, TY II = 39 tons, TY III = 39 tons, TY IV = 60 tons |                          |                    |
| Weight Limit - Bridge over L & N RR @ milepoint 30.88              |                          |                    |
| TY I = 20 tons, TY II = 35 tons, TY III = 37 tons, TY IV = 50 tons |                          |                    |
| * KY 1296  | 2.7 Campbell Cemetery RD | 5.2 US 41          |
| * Campbell Cemetery Road   |                          |                    |
| CR 5418  | 0.0 KY 1296              | 1.6 Mine           |

## CLARK COUNTY

| ROAD   | FROM                 | TO                 |
|--|----------------------|--------------------|
| * Mountain Parkway   |                      |                    |
|  | 0.0 I-64             | 11.9 Powell CO LN  |
| Weight Limit - Bridge over I-64 @ milepoint 0.13                   |                      |                    |
| TY I = 20 tons, TY II = 39 tons, TY III = 40 tons, TY IV = 47 tons |                      |                    |
| Weight Limit - Bridge over C & O RR @ milepoint 3.65               |                      |                    |
| TY I = 20 tons, TY II = 42 tons, TY III = 43 tons, TY IV = 55 tons |                      |                    |
| * KY 418   | 5.7 KY 1924          | 5.8 KY 627         |
| * KY 627   | 0.1 KY 418           | 6.4 KY 1958        |
|  | 9.3 I-64             | 14.8 Bourbon CO LN |
| Weight Limit - Bridge over Woodruff Creek @ milepoint 13.20        |                      |                    |
| TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 40 tons |                      |                    |
| * KY 1924  | 0.0 Dale Power Plant | 1.8 KY 418         |
| * KY 1958  | 0.0 KY 627           | 2.8 I-64           |

# ADMINISTRATIVE REGISTER - 1365

| CLAY COUNTY<br>ROAD   | FROM                      | TO                     |
|---|---------------------------|------------------------|
| * Daniel Boone Parkway  | 10.6 Laurel CO LN         | 35.9 Leslie CO LN      |
| Weight Limit - Bridge over Little Goose Creek Rd. @ milepoint 10.81       |                           |                        |
| TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons        |                           |                        |
| Weight Limit - Bridge over Urban Road @ milepoint 13.90                   |                           |                        |
| TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons        |                           |                        |
| Weight Limit - Bridge over Hooker Road @ milepoint 16.14                  |                           |                        |
| TY I = 20 tons, TY II = 41 tons, TY III = 43 tons, TY IV = 60 tons        |                           |                        |
| Weight Limit - Bridge over Ham Branch Rd. & Goose Creek @ milepoint 21.67 |                           |                        |
| TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 57 tons        |                           |                        |
| Weight Limit - Bridge over Red Bird River @ milepoint 33.58               |                           |                        |
| TY I = 20 tons, TY II = 42 tons, TY III = 42 tons, TY IV = 56 tons        |                           |                        |
| * US 421  | 2.6 KY 66                 | 28.5 KY 1350           |
| Weight Limit - Bridge over Horse Creek @ milepoint 16.58                  |                           |                        |
| TY I = 20 tons, TY II = 36 tons, TY III = 38 tons, TY IV = 60 tons        |                           |                        |
| Weight Limit - Bridge over Little Goose Creek @ milepoint 18.59           |                           |                        |
| TY I = 20 tons, TY II = 35 tons, TY III = 37 tons, TY IV = 48 tons        |                           |                        |
| Weight Limit - Bridge over Island Creek @ milepoint 20.49                 |                           |                        |
| TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 43 tons        |                           |                        |
| Weight Limit - Bridge over Branch of Island Creek @ milepoint 21.20       |                           |                        |
| TY I = 20 tons, TY II = 28 tons, TY III = 32 tons, TY IV = 53 tons        |                           |                        |
| Weight Limit - Bridge over Laurel Creek @ milepoint 23.97                 |                           |                        |
| TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 43 tons        |                           |                        |
| Weight Limit - Bridge over Sexton Creek @ milepoint 28.41                 |                           |                        |
| TY I = 20 tons, TY II = 28 tons, TY III = 32 tons, TY IV = 52 tons        |                           |                        |
| * KY 11   | 0.0 Knox CO LN            | 8.9 US 421 (South)     |
| Weight Limit - Bridge over Collins Fork - Goose Creek @ milepoint 2.91    |                           |                        |
| TY I = 20 tons, TY II = 41 tons, TY III = 43 tons, TY IV = 60 tons        |                           |                        |
| Weight Limit - Bridge over Collins Fork - Goose Creek @ milepoint 5.38    |                           |                        |
| TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 60 tons        |                           |                        |
|   | 8.9 US 421 (North)        | 26.6 Owsley CO LN      |
| Weight Limit - Bridge over Wildcat Creek @ milepoint 15.57                |                           |                        |
| TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons        |                           |                        |
| * KY 66   | 0.0 Bell CO LN            | 6.9 Leslie CO LN       |
| Weight Limit - Bridge over Phillips Fork Creek @ milepoint 4.95           |                           |                        |
| TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 48 tons        |                           |                        |
|   | 6.9 Leslie CO LN          | 18.5 US 421            |
|   | 19.1 Daniel Boone Parkway | 32.5 KY 1482           |
|   | 32.8 KY 3014              | 33.2 KY 11             |
| * KY 80   | 7.0 Big Creek Tipple      | 7.5 US 421             |
| * KY 577  | 4.2 Buncomb RD            | 5.4 KY 1350 (South)    |
| Weight Limit - Bridge over Little Sexton Creek @ milepoint 5.26           |                           |                        |
| TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons        |                           |                        |
| * KY 638  | 11.9 Mine Access          | 13.4 US 421            |
| * KY 1350   | 0.0 US 421                | 4.1 KY 577 (West)      |
| * KY 1482   | 9.4 Mine Access           | 10.2 KY 66             |
| * KY 1524   | 0.0 US 421                | 6.9 Big John Branch RD |
| Weight Limit - Bridge over Mud Lick Creek @ milepoint 4.06                |                           |                        |
| TY I = 20 tons, TY II = 34 tons, TY III = 36 tons, TY IV = 59 tons        |                           |                        |
| * KY 2000   | 0.0 KY 1524               | 3.5 Mine               |
| * KY 2432   | 0.0 Sester Road           | 0.7 Littleton Road     |
| * KY 2438   | 0.0 US 421                | 0.1 KY 2432            |
| Weight Limit - Bridge over Goose Creek & L & N RR @ milepoint 0.01        |                           |                        |
| TY I = 20 tons, TY II = 41 tons, TY III = 42 tons, TY IV = 50 tons        |                           |                        |
| * KY 3014   | 0.0 KY 66                 | 0.2 Oneida Bottom RD   |
| * Oneida Bottom Road  |                           |                        |
| CR 5050   | 0.0 KY 3014               | 1.0 Mine               |
| Weight Limit - Bridge over Goose Creek                                    |                           |                        |
| TY I = 11 tons, TY II = 11 tons, TY III = 11 tons, TY IV = 11 tons        |                           |                        |
| * Littleton Road  |                           |                        |
| CR 5103   | 0.0 KY 2432               | 0.9 Panama School RD   |
| Weight Limit - Bridge over Coal Hollow                                    |                           |                        |
| TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons        |                           |                        |
| * Saplings Fork Road  |                           |                        |
| CR 5169   | 0.0 KY 1524               | 3.5 Buzzard Creek RD   |
| Weight Limit - Bridge over Goose Creek                                    |                           |                        |
| TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons        |                           |                        |
| * Swafford Branch Road  |                           |                        |
| CR 5171   | 0.0 Buzzard Creek RD      | 1.7 Mine               |

# ADMINISTRATIVE REGISTER - 1366

|  |                        |                      |
|--|------------------------|----------------------|
| * Sevier Road  |                        |                      |
| CR 5180  | 0.0 US 421             | 0.2 Bridge           |
| Weight Limit - Bridge over Goose Creek                             |                        |                      |
| TY I = 20 tons, TY II = 32 tons, TY III = 33 tons, TY IV = 60 tons |                        |                      |
| * Sester Road (Manchester)   |                        |                      |
| CR 5227AA  | 0.0 KY 2432            | 0.2 Tipple Acess     |
| * Buzzard Creek Road   |                        |                      |
| CR 5238  | 1.7 Swafford Branch RD | 2.7 Saplings Fork RD |
| * Panama School Road   |                        |                      |
| CR 5341  | 0.0 Littleton Road     | 0.8 Steele RD        |
| * Steele Road  |                        |                      |
| CR 5342  | 0.0 Panama School RD   | 0.9 End of Road      |
| * Buncomb Road   |                        |                      |
| CR 5376  | 0.0 KY 577             | 0.4 Mine             |
| * Sourwood Road  |                        |                      |
| CR 5377  | 0.0 Buncomb RD         | 0.1 Mine             |

## DAVIESS COUNTY

| ROAD  | FROM              | TO                  |
|---|-------------------|---------------------|
| * Green River Parkway   |                   |                     |
|   | 59.5 Ohio CO LN   | 70.2 US 60 Bypass   |
| Weight Limit - Bridge over Owensboro Beltline @ milepoint 70.18             |                   |                     |
| TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 55 tons          |                   |                     |
| * US 60   | 10.1 US 60 Bypass | 27.9 Hancock CO LN  |
| Weight Limit - Bridge over L & N Railroad @ milepoint 11.66                 |                   |                     |
| TY I = 20 tons, TY II = 34 tons, TY III = 37 tons, TY IV = 44 tons          |                   |                     |
| Weight Limit - Westbound Bridge over L & N RR @ milepoint 16.54             |                   |                     |
| TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 60 tons          |                   |                     |
| Weight Limit - Eastbound Bridge over Power Plant Entrance @ milepoint 16.54 |                   |                     |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 53 tons          |                   |                     |
| Weight Limit - Bridge over Pup Creek @ milepoint 20.19                      |                   |                     |
| TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 45 tons          |                   |                     |
| Weight Limit - Bridge over KY 334; L & N RR @ milepoint 23.63               |                   |                     |
| TY I = 20 tons, TY II = 45 tons, TY III = 50 tons, TY IV = 59 tons          |                   |                     |
| * US 60B  | 0.0 US 60         | 10.2 US 60          |
| Weight Limit - Bridge over US 431 @ milepoint 4.22                          |                   |                     |
| TY I = 20 tons, TY II = 42 tons, TY III = 42 tons, TY IV = 48 tons          |                   |                     |
| Weight Limit - Bridge over L & N Railroad @ milepoint 4.84                  |                   |                     |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 49 tons          |                   |                     |
| Weight Limit - Bridge over Sutherland Road @ milepoint 5.08                 |                   |                     |
| TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 60 tons          |                   |                     |
| Weight Limit - Bridge over Horse Fork Creek @ milepoint 5.65                |                   |                     |
| TY I = 20 tons, TY II = 35 tons, TY III = 37 tons, TY IV = 60 tons          |                   |                     |
| Weight Limit - Bridge over I C RR @ milepoint 7.71                          |                   |                     |
| TY I = 20 tons, TY II = 37 tons, TY III = 37 tons, TY IV = 48 tons          |                   |                     |
| Weight Limit - Bridge over L&N RR & KY 2710 @ milepoint 9.77                |                   |                     |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 43 tons          |                   |                     |
| * US 231  | 0.0 Ohio CO LN    | 11.3 US 60 Bypass   |
| Weight Limit - Bridge over Panther Creek @ milepoint 3.91                   |                   |                     |
| TY I = 20 tons, TY II = 41 tons, TY III = 43 tons, TY IV = 60 tons          |                   |                     |
| Weight Limit - Bridge over Panther Creek @ milepoint 8.84                   |                   |                     |
| TY I = 20 tons, TY II = 44 tons, TY III = 45 tons, TY IV = 60 tons          |                   |                     |
| Weight Limit - Bridge over overflow @ milepoint 8.94                        |                   |                     |
| TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons          |                   |                     |
| Weight Limit - Bridge over overflow @ milepoint 9.22                        |                   |                     |
| TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons          |                   |                     |
| Weight Limit - Bridge over Owensboro Beltline @ milepoint 11.29             |                   |                     |
| TY I = 20 tons, TY II = 39 tons, TY III = 39 tons, TY IV = 60 tons          |                   |                     |
| * KY 54   | 2.5 US 60 Bypass  | 15.2 KY 764 (South) |
| Weight Limit - Bridge over Barnett Creek @ Milepoint 5.33                   |                   |                     |
| TY I = 20 tons, TY II = 44 tons, TY III = 46 tons, TY IV = 60 tons          |                   |                     |
| Weight Limit - Bridge over Caney Creek @ milepoint 7.43                     |                   |                     |
| TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 60 tons          |                   |                     |
| Weight Limit - Bridge over Panther Creek Overflow @ milepoint 9.90          |                   |                     |
| TY I = 20 tons, TY II = 36 tons, TY III = 39 tons, TY IV = 60 tons          |                   |                     |
| Weight Limit - Bridge over Panther Creek @ milepoint 10.10                  |                   |                     |
| TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 58 tons          |                   |                     |
| * KY 81   | 0.0 McLean CO LN  | 11.9 US 60 Bypass   |
| Weight Limit - Bridge over Panther Creek @ milepoint 6.50                   |                   |                     |
| TY I = 20 tons, TY II = 27 tons, TY III = 28 tons, TY IV = 43 tons          |                   |                     |
| * KY 140  | 9.3 Mine          | 9.8 US 231          |
| * KY 144  | 0.0 US 60         | 11.9 Floral RD      |
| Weight Limit - Bridge over L & N RR @ milepoint 0.16                        |                   |                     |
| TY I = 20 tons, TY II = 43 tons, TY III = 46 tons, TY IV = 50 tons          |                   |                     |

# ADMINISTRATIVE REGISTER - 1367

|  |                       |                          |
|--|-----------------------|--------------------------|
| * KY 331   | 0.0 US 60             | 1.8 Owensboro Riverport  |
| * KY 554   | 1.9 Mine              | 4.8 KY 81                |
| * KY 764   | 1.7 Deserter Creek RD | 3.9 KY 54                |
| Weight Limit - Bridge over Unnamed Stream @ milepoint 2.07         |                       |                          |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                       |                          |
| * KY 951   | 0.0 KY 144            | 1.6 Mine                 |
| * Floral Road  |                       |                          |
| CR 5035  | 0.0 KY 144            | 1.4 Mine                 |
| * St Lawrence Road   |                       |                          |
| CR 5036  | 0.0 KY 144            | 0.2 Mine                 |
| * Iceland Road   |                       |                          |
| CR 5076  | 0.0 US 60             | 0.2 Nerco River Terminal |
| * Deserter Creek Road  |                       |                          |
| CR 5151  | 3.3 Mine              | 3.7 KY 764               |

## ELLIOTT COUNTY

| ROAD   | FROM                        | TO                   |
|--|-----------------------------|----------------------|
| * KY 7   | 0.0 Morgan CO LN            | 19.3 Carter CO LN    |
| Weight Limit - Bridge over Doctors Branch @ milepoint 4.15         |                             |                      |
| TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons |                             |                      |
| Weight Limit - Bridge over Little Sandy River @ milepoint 7.15     |                             |                      |
| TY I = 20 tons, TY II = 43 tons, TY III = 44 tons, TY IV = 59 tons |                             |                      |
| Weight Limit - Bridge over Little Sandy River @ milepoint 10.32    |                             |                      |
| TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 55 tons |                             |                      |
| Weight Limit - Bridge over Little Sandy River @ milepoint 13.61    |                             |                      |
| TY I = 20 tons, TY II = 26 tons, TY III = 29 tons, TY IV = 38 tons |                             |                      |
| Weight Limit - Bridge over Little Sandy River @ milepoint 19.27    |                             |                      |
| TY I = 20 tons, TY II = 45 tons, TY III = 49 tons, TY IV = 56 tons |                             |                      |
| * KY 32  | 8.6 KY 7                    | 16.6 Mason Branch RD |
| Weight Limit - Bridge over Middle Fork @ milepoint 11.30           |                             |                      |
| TY I = 20 tons, TY II = 33 tons, TY III = 34 tons, TY IV = 48 tons |                             |                      |
| Weight Limit - Bridge over Newcombe Creek @ milepoint 14.06        |                             |                      |
| TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 31 tons |                             |                      |
| * KY 486   | 0.0 KY 32                   | 2.4 P Skaggs RD      |
| * KY 650   | 0.0 Morgan CO LN            | 4.5 KY 7             |
| Weight Limit - Bridge over Little Sandy River @ milepoint 4.36     |                             |                      |
| TY I = 20 tons, TY II = 42 tons, TY III = 43 tons, TY IV = 56 tons |                             |                      |
| * KY 719   | 0.0 Begin State Maintenance | 4.7 KY 32            |
| * Dickerson  |                             |                      |
| CR 5025  | 0.0 KY 7                    | 0.3 Mine             |
| * P Skaggs Road  |                             |                      |
| CR 5121  | 0.0 KY 486                  | 0.2 Mine             |
| * Lick Ford Road   |                             |                      |
| CR 5123  | 0.0 KY 32                   | 0.7 Mine             |
| Weight Limit - Bridge over Lick Fork of Newcombe Creek             |                             |                      |
| TY I = 8 tons, TY II = 8 tons, TY III = 8 tons, TY IV = 8 tons     |                             |                      |
| Weight Limit - Bridge over Lick Fork of Newcombe Creek             |                             |                      |
| TY I = 7 tons, TY II = 7 tons, TY III = 7 tons, TY IV = 7 tons     |                             |                      |
| * Right Fork Road  |                             |                      |
| CR 5269  | 0.0 KY 719                  | 1.8 Morgan CO LN     |

## ESTILL COUNTY

| ROAD   | FROM              | TO                       |
|--|-------------------|--------------------------|
| * KY 52  | 0.0 Madison CO LN | 7.6 KY 89                |
| Weight Limit - Bridge over Drowning Creek @ milepoint 0.01         |                   |                          |
| TY I = 20 tons, TY II = 39 tons, TY III = 40 tons, TY IV = 60 tons |                   |                          |
| Weight Limit - Bridge over KY River @ milepoint 7.37               |                   |                          |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                   |                          |
| * KY 89  | 11.4 KY 52        | 13.4 KY 1840             |
| Weight Limit - Bridge over Sweet Lick Creek @ milepoint 12.14      |                   |                          |
| TY I = 20 tons, TY II = 40 tons, TY III = 39 tons, TY IV = 54 tons |                   |                          |
| * KY 1840  | 0.0 Stump RD      | 0.4 KY 89                |
| * Stump Road   |                   |                          |
| CR 5356  | 0.0 KY 1840       | 0.8 Southeast Prep Plant |

## FAYETTE COUNTY

| ROAD   | FROM                | TO        |
|--|---------------------|-----------|
| * US 27  | 0.0 Jessamine CO LN | 2.4 KY 4  |
| Weight Limit - Bridge over New Circle Road @ milepoint 2.41        |                     |           |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                     |           |
| * US 60  | 10.2 KY 4           | 12.1 I-75 |
| Weight Limit - Bridge over New Circle Road @ milepoint 10.19       |                     |           |
| TY I = 20 tons, TY II = 43 tons, TY III = 44 tons, TY IV = 58 tons |                     |           |



# ADMINISTRATIVE REGISTER - 1368

\* US 68 0.0 Jessamine CO LN 3.1 KY 4  
 Weight Limit - Bridge over South Elkhorn Creek @ milepoint 0.74  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons

\* KY 4 2.2 US 68 9.3 KY 922  
 Weight Limit - Bridge over Parkers Mill Road @ milepoint 3.86  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons  
 Weight Limit - Bridge over US 60, Versailles Road @ milepoint 4.61  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons  
 Weight Limit - Bridge over Viley Pike @ milepoint 5.48  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons  
 Weight Limit - Bridge over Southern RR @ milepoint 6.01  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons  
 Weight Limit - Bridge over L&N RR @ milepoint 6.76  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons  
 Weight Limit - Bridge over Leestown Pike @ milepoint 7.24  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons  
 Weight Limit - Bridge over Southern RR @ milepoint 8.03  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons

12.7 US 60 19.3 US 27  
 Weight Limit - Bridge over Richmond Road @ milepoint 14.84  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons  
 Weight Limit - Bridge over Green Tree-Chincoe Road @ milepoint 17.05  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons  
 Weight Limit - Bridge over Bates Creek Pike @ milepoint 17.75  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons  
 Weight Limit - Bridge over Lansdowne Drive @ milepoint 18.81  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons

\* KY 922 1.0 KY 4 2.9 I-75  
 \* Man-0-War Boulevard (Lexington) 3.3 US 27  
 0.0 US 68

## FLEMING COUNTY

| ROAD   | FROM                | TO               |
|--|---------------------|------------------|
| * US 68  | 0.0 Robertson CO LN | 5.4 Mason CO LN  |
| * KY 11  | 0.0 Bath CO LN      | 17.2 Mason CO LN |
| Weight Limit - Bridge over Fleming Creek @ milepoint 7.80          |                     |                  |
| TY I = 20 tons, TY II = 40 tons, TY III = 39 tons, TY IV = 54 tons |                     |                  |
| Weight Limit - Bridge over Cassidy Creek @ milepoint 8.77          |                     |                  |
| TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons |                     |                  |

## FLOYD COUNTY

| ROAD   | FROM               | TO                   |
|--|--------------------|----------------------|
| * US 23  | 0.0 Pike CO LN     | 24.1 Johnson CO LN   |
| Weight Limit - Bridge over Levisa Fork Big Sandy River @ milepoint 10.76 |                    |                      |
| TY I = 20 tons, TY II = 49 tons, TY III = 49 tons, TY IV = 56 tons       |                    |                      |
| Weight Limit - Bridge over C&O RR @ milepoint 10.95                      |                    |                      |
| TY I = 20 tons, TY II = 45 tons, TY III = 48 tons, TY IV = 57 tons       |                    |                      |
| * KY 3   | 0.0 US 23 & KY 80  | 2.3 Blackhawk Tipple |
| * KY 7   | 0.0 Knott CO LN    | 8.0 KY 550           |
| Weight Limit - Bridge over Right Fork Beaver Creek @ milepoint 8.01      |                    |                      |
| TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 38 tons       |                    |                      |
| * KY 80  | 0.0 Knott CO LN    | 14.4 US 23 & KY 3    |
| * KY 114   | 9.5 KY 404         | 11.4 US 23           |
| Weight Limit - Bridge over C&O RR @ milepoint 10.41                      |                    |                      |
| TY I = 20 tons, TY II = 44 tons, TY III = 46 tons, TY IV = 56 tons       |                    |                      |
| Weight Limit - Bridge over Middle Creek @ milepoint 10.60                |                    |                      |
| TY I = 20 tons, TY II = 43 tons, TY III = 44 tons, TY IV = 55 tons       |                    |                      |
| * KY 122   | 8.5 KY 80          | 31.6 KY 466          |
| Weight Limit - Bridge over Left Beaver Creek @ milepoint 11.12           |                    |                      |
| TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 53 tons       |                    |                      |
| * KY 194   | 0.0 KY 1428        | 5.6 Buffalo CR RD    |
| Weight Limit - Bridge over Cow Creek @ milepoint 1.27                    |                    |                      |
| TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons       |                    |                      |
| Weight Limit - Bridge over Cow Creek @ milepoint 2.03                    |                    |                      |
| TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons       |                    |                      |
| 7.4 Copperas RD  |                    |                      |
| Weight Limit - Bridge over Brushy Creek @ milepoint 12.15                |                    |                      |
| TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons       |                    |                      |
| * KY 404   | 0.0 Magoffin CO LN | 8.1 KY 114           |
| Weight Limit - Bridge over Middle Creek @ milepoint 8.07                 |                    |                      |
| TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 60 tons       |                    |                      |

# ADMINISTRATIVE REGISTER - 1369

|  |                          |                         |
|--|--------------------------|-------------------------|
| * KY 466   | 2.1 Mine                 | 4.1 KY 122              |
| Weight Limit - Bridge over Left Fork of Beaver Creek @ milepoint 2.58  |                          |                         |
| TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons     |                          |                         |
| Weight Limit - Bridge over Left Fork of Beaver Creek @ milepoint 2.90  |                          |                         |
| TY I = 15 tons, TY II = 15 tons, TY III = 15 tons, TY IV = 15 tons     |                          |                         |
| * KY 550   | 0.0 Knott CO LN          | 0.2 KY 7                |
| Weight Limit - Bridge over Right Fork of Beaver Creek @ milepoint 0.06 |                          |                         |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 48 tons     |                          |                         |
|  | 0.2 KY 7                 | 4.6 KY 80               |
| Weight Limit - Bridge over Right Fork of Beaver Creek @ milepoint 1.58 |                          |                         |
| TY I = 20 tons, TY II = 28 tons, TY III = 27 tons, TY IV = 31 tons     |                          |                         |
| Weight Limit - Bridge over Brush Creek @ milepoint 2.02                |                          |                         |
| TY I = 20 tons, TY II = 31 tons, TY III = 33 tons, TY IV = 52 tons     |                          |                         |
| * KY 680   | 0.0 KY 122               | 5.4 KY 979              |
| * KY 777   | 5.9 Mine                 | 9.0 KY 80               |
| Weight Limit - Bridge over Right Fork of Beaver Creek @ milepoint 6.23 |                          |                         |
| TY I = 20 tons, TY II = 45 tons, TY III = 50 tons, TY IV = 58 tons     |                          |                         |
| * KY 850   | 0.0 KY 550               | 7.5 KY 404              |
| * KY 979   | 0.0 KY 122               | 19.3 US 23              |
| Weight Limit - Bridge over Toler Creek @ milepoint 17.43               |                          |                         |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons     |                          |                         |
| * KY 1101  | 0.9 Stonecoal BR RD      | 1.0 KY 122              |
| Weight Limit - Bridge over Left Fork of Beaver Creek @ milepoint 0.90  |                          |                         |
| TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 59 tons     |                          |                         |
| * KY 1210  | 0.0 KY 80                | 7.8 KY 404              |
| Weight Limit - Bridge over Middle Creek @ milepoint 7.76               |                          |                         |
| TY I = 20 tons, TY II = 34 tons, TY III = 36 tons, TY IV = 59 tons     |                          |                         |
| * KY 1426  | 2.5 Mine                 | 6.6 KY 979              |
|  | 6.6 KY 979               | 9.0 Mine                |
| * KY 1428  | 5.7 Colliver RD          | 6.2 US 23               |
|  | 6.2 US 23                | 8.8 KY 194              |
|  | 14.1 Mine                | 15.6 US 23              |
| Weight Limit - Bridge over Little Paint Creek @ milepoint 14.85        |                          |                         |
| TY I = 20 tons, TY II = 34 tons, TY III = 35 tons, TY IV = 44 tons     |                          |                         |
| * KY 1498  | 0.0 Knott CO LN          | 4.6 KY 122              |
| Weight Limit - Bridge over Left Fork of Beaver Creek @ milepoint 4.59  |                          |                         |
| TY I = 20 tons, TY II = 39 tons, TY III = 38 tons, TY IV = 60 tons     |                          |                         |
| * KY 1929  | 0.0 Ned FK RD            | 2.5 KY 680              |
| * KY 2030  | 0.0 KY 122               | 7.8 KY 1426             |
| Weight Limit - Bridge over Left Fork of Beaver Creek @ milepoint 0.10  |                          |                         |
| TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 58 tons     |                          |                         |
| * KY 2557  | 0.0 Betsy Layne BR RD    | 0.3 US 23               |
| * KY 3188  | 0.8 Mine                 | 1.3 KY 80               |
| Powell Branch Road   |                          |                         |
| CR 5022  | 0.0 Justell Bridge RD    | 0.3 Camp BR Branch RD   |
| Justell Bridge Road  |                          |                         |
| CR 5024F   | 0.0 US 23                | 0.1 Powell Branch RD    |
| Clark Branch Road  |                          |                         |
| CR 5040  | 0.0 Buffalo Creek RD     | 1.4 Mine                |
| Buffalo Creek Road   |                          |                         |
| CR 5043  | 0.0 KY 194               | 4.0 Clark Branch RD     |
| Weight Limit - Bridge over Buffalo Creek                               |                          |                         |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons     |                          |                         |
| Copperas Creek Road  |                          |                         |
| CR 5045  | 0.0 KY 194               | 2.1 Mine                |
| Bull Creek Road  |                          |                         |
| CR 5055  | 0.0 KY 3                 | 0.5 Cabin Coal Tipple   |
| Colliver Road  |                          |                         |
| CR 5074  | 0.0 KY 1428              | 1.6 Mine                |
| Camp Branch Road   |                          |                         |
| CR 5078  | 0.0 Powell Branch RD     | 0.9 Right FK/Camp BR RD |
| Right Fork/Camp Branch Road  |                          |                         |
| CR 5078A   | 0.0 Camp Branch RD       | 0.2 Mine                |
| Transcontinental Road (Excluding Bridge)                               |                          |                         |
| CR 5083  | 0.0 Transcontinental Tip | 0.8 US 23               |
| Big Branch/Little Mud Creek Road                                       |                          |                         |
| CR 5108  | 0.0 KY 2030              | 3.3 Mine                |
| Frog Branch Road   |                          |                         |
| CR 5110  | 0.0 KY 2030              | 1.0 Mine                |
| Betsy Layne Branch Road  |                          |                         |
| CR 5111  | 0.0 KY 2557              | 0.9 Mine                |
| Cedar Hill Road  |                          |                         |
| CR 5118  | 0.0 KY 1426              | 0.6 Bebe Tipple         |

# ADMINISTRATIVE REGISTER - 1370

|  |                          |                          |  |
|--|--------------------------|--------------------------|--|
| * Mink Branch Road   |                          |                          |  |
| CR 5138  | 0.0 KY 979               | 1.5 Mine                 |  |
| Weight Limit - Bridge over Big Mud Creek                           |                          |                          |  |
| TY I = 18 tons, TY II = 18 tons, TY III = 18 tons, TY IV = 18 tons |                          |                          |  |
| * Ned Fork Road  |                          |                          |  |
| CR 5140  | 0.0 KY 1929              | 1.3 Mine                 |  |
| * Branham Creek Road   |                          |                          |  |
| CR 5142  | 0.0 KY 979               | 3.1 Mine                 |  |
|  | 7.7 Left FK/Tinker FK RD | 8.3 Pike CO LN           |  |
| * Left Fork/Tinker Fork Road                                       |                          |                          |  |
| CR 5147  | 0.0 Branham Creek RD     | 0.2 Mine                 |  |
| * Andy Branch Road   |                          |                          |  |
| CR 5148  | 0.0 Tinker Fork RD       | 0.5 Mine                 |  |
| * Tinker Fork Road   |                          |                          |  |
| CR 5152  | 0.0 KY 979               | 0.6 Andy Branch RD       |  |
| * Red Morg Branch Road   |                          |                          |  |
| CR 5153  | 0.0 KY 979               | 0.9 Mine                 |  |
| * Buzzard Rock Road  |                          |                          |  |
| CR 5157  | 0.2 Mine                 | 0.5 Pike CO LN           |  |
| * Buckhorn Hollow Road   |                          |                          |  |
| CR 5159  | 0.0 KY 979               | 0.4 Mine                 |  |
| * Spewing Camp Branch  |                          |                          |  |
| CR 5190  | 0.0 KY 122               | 2.4 Mine                 |  |
| Weight Limit - Bridge over Left Fork of Beaver Creek               |                          |                          |  |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                          |                          |  |
| * Little Muddy Creek Road  |                          |                          |  |
| CR 5197  | 0.0 KY 2030              | 3.0 Mine                 |  |
| * Stonecoal Branch Road  |                          |                          |  |
| CR 5234  | 0.0 KY 1101              | 2.0 Mine                 |  |
| * Goose Creek Road   |                          |                          |  |
| CR 5273  | 0.0 Gosling Branch RD    | 0.8 Mine                 |  |
| * Gosling Branch Road  |                          |                          |  |
| CR 5274  | 0.0 KY 80                | 0.1 Goose Creek RD       |  |
| * Vine Street (Eastern)  |                          |                          |  |
| CR 5283C   | 0.0 KY 80                | 0.1 May I Tipple         |  |
| Weight Limit - Bridge over Right Fork of Beaver Creek              |                          |                          |  |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                          |                          |  |
| * Prater Fork Road   |                          |                          |  |
| CR 5285  | 0.0 KY 850               | 1.1 Left FK/Prater CK RD |  |
| * Left Fork/Prater Creek Road                                      |                          |                          |  |
| CR 5285A   | 0.0 Prater Fork RD       | 0.4 Mine                 |  |
| * Johnson Fork-Conley Fork Road                                    |                          |                          |  |
| CR 5409  | 0.0 KY 1210              | 0.2 Amber Prep Plant     |  |

## GARRARD COUNTY

| ROAD   | FROM            | TO                   |
|--|-----------------|----------------------|
| * US 27  | 10.3 KY 34      | 16.5 Jessamine CO LN |
| Weight Limit - Bridge over the Kentucky River @ milepoint 16.28    |                 |                      |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                 |                      |
| * KY 34  | 0.0 Boyle CO LN | 2.7 US 27            |

## GREENUP COUNTY

| ROAD  | FROM             | TO           |
|---|------------------|--------------|
| * US 23   | 0.0 Boyd CO LN   | 11.8 KY 2541 |
| * KY 1  | 11.4 KY 207      | 17.3 US 23   |
| * KY 207  | 0.4 Logtown RD   | 9.2 KY 1     |
| Weight Limit - Bridge over Sandslick Creek @ milepoint 6.64           |                  |              |
| TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons    |                  |              |
| * KY 2541   | 1.3 Pilgrim Dock | 1.6 US 23    |
| Weight Limit - Bridge over C&O RR & East Main Street @ milepoint 0.15 |                  |              |
| TY I = 20 tons, TY II = 39 tons, TY III = 40 tons, TY IV = 51 tons    |                  |              |
| Weight Limit - Bridge over Little Sandy River @ milepoint 1.20        |                  |              |
| TY I = 12 tons, TY II = 12 tons, TY III = 12 tons, TY IV = 12 tons    |                  |              |
| * Logtown Hollow Road   |                  |              |
| CR 5168   | 0.0 KY 207       | 0.5 Mine     |

## HANCOCK COUNTY

| ROAD    | FROM              | TO       |
|---------|-------------------|----------|
| * US 60 | 0.0 Daviess CO LN | 5.5 Mine |

## HARLAN COUNTY

| ROAD     | FROM                 | TO               |
|----------|----------------------|------------------|
| * US 119 | 0.0 Bell CO LN       | 18.7 Rhea Tipple |
|          | 26.4 Totz Prep Plant | 28.2 Belt Line   |

|   |   |                        |
|---|---|------------------------|
|   | 34.3 Mine   | 39.7 Letcher CO LN     |
|   | Weight Limit - Bridge over Poor Fork @ milepoint 35.56                    |                        |
|   | TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 60 tons        |                        |
|   | Weight Limit - Bridge over Poor Fork @ milepoint 38.91                    |                        |
|   | TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 40 tons        |                        |
|   | Weight Limit - Bridge over Poor Fork @ milepoint 39.61                    |                        |
|   | TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons        |                        |
| * | US 421 0.0 Virginia State LN  | 17.6 US 119 (West)     |
|   | Weight Limit - Bridge over Cranks Creek @ milepoint 2.70                  |                        |
|   | TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 53 tons        |                        |
|   | Weight Limit - Bridge over Fork of Crummies Creek @ milepoint 7.36        |                        |
|   | TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons        |                        |
|   | Weight Limit - Bridge over KY 840, L&N RR, Clover Fork @ milepoint 17.51  |                        |
|   | TY I = 20 tons, TY II = 42 tons, TY III = 43 tons, TY IV = 49 tons        |                        |
|   | 17.6 US 119 (West)  | 27.4 Leslie CO LN      |
| * | KY 38 0.0 US 421  | 13.3 Shields School RD |
|   | Weight Limit - Bridge over Clover Fork Cumberland River @ milepoint 8.21  |                        |
|   | TY I = 20 tons, TY II = 44 tons, TY III = 45 tons, TY IV = 53 tons        |                        |
|   | Weight Limit - Bridge over Yocum Creek @ milepoint 8.60                   |                        |
|   | TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 53 tons        |                        |
|   | Weight Limit - Bridge over Clover Fork @ milepoint 12.90                  |                        |
|   | TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 60 tons        |                        |
|   | 16.7 Belt Line  | 17.0 KY 179            |
|   | 28.1 Jerico1 Tipple   | 29.5 Virginia State LN |
| * | KY 72 0.0 Bell CO LN  | 4.9 Rockhouse Creek RD |
|   | Weight Limit - Bridge over Puckett Creek @ milepoint 4.73                 |                        |
|   | TY I = 20 tons, TY II = 26 tons, TY III = 27 tons, TY IV = 40 tons        |                        |
|   | Weight Limit - Bridge over Puckett Creek @ milepoint 4.84                 |                        |
|   | TY I = 20 tons, TY II = 35 tons, TY III = 37 tons, TY IV = 60 tons        |                        |
|   | 9.0 KY 2425   | 11.3 US 421            |
|   | Weight Limit - Bridge over Clover Fork Cumberland River @ milepoint 11.19 |                        |
|   | TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 31 tons        |                        |
| * | KY 160 8.8 Benham Tipple  | 14.6 Letcher CO LN     |
|   | Weight Limit - Bridge over L&N RR & Looney Creek @ milepoint 9.05         |                        |
|   | TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 31 tons        |                        |
|   | Weight Limit - Bridge over L&N RR & Looney Creek @ milepoint 10.34        |                        |
|   | TY I = 20 tons, TY II = 33 tons, TY III = 34 tons, TY IV = 44 tons        |                        |
|   | Weight Limit - Bridge over Looney Creek @ milepoint 11.29                 |                        |
|   | TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 57 tons        |                        |
|   | Weight Limit - Bridge over Poor Creek @ milepoint 11.82                   |                        |
|   | TY I = 20 tons, TY II = 40 tons, TY III = 39 tons, TY IV = 54 tons        |                        |
| * | KY 179 0.0 KY 38  | 0.6 Mines              |
|   | Weight Limit - Bridge over Fugett Creek @ milepoint 0.08                  |                        |
|   | TY I = 3 tons, TY II = 3 tons, TY III = 3 tons, TY IV = 3 tons            |                        |
| * | KY 215 0.0 KY 38  | 1.1 Mine               |
|   | Weight Limit - Bridge over Yocum Creek @ milepoint 1.06                   |                        |
|   | TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 49 tons        |                        |
| * | KY 219 2.3 Mine   | 5.1 US 119             |
|   | Weight Limit - Bridge over Wallins Creek @ milepoint 2.48                 |                        |
|   | TY I = 20 tons, TY II = 41 tons, TY III = 42 tons, TY IV = 58 tons        |                        |
|   | Weight Limit - Bridge over Tributary of Wallins Creek @ milepoint 2.79    |                        |
|   | TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 49 tons        |                        |
|   | Weight Limit - Bridge over Wallins Creek @ milepoint 2.88                 |                        |
|   | TY I = 20 tons, TY II = 44 tons, TY III = 45 tons, TY IV = 60 tons        |                        |
| * | KY 221 0.0 Bell CO LN   | 8.9 US 421 (South)     |
|   | 8.9 US 421 (North)  | 26.8 Perry CO LN       |
| * | KY 987 10.4 Wilder Branch RD  | 18.5 US 421            |
|   | Weight Limit - Bridge over Martins Fork Lake @ milepoint 12.72            |                        |
|   | TY I = 20 tons, TY II = 44 tons, TY III = 45 tons, TY IV = 55 tons        |                        |
|   | Weight Limit - Bridge over Martins Fork @ milepoint 15.07                 |                        |
|   | TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 60 tons        |                        |
|   | Weight Limit - Bridge over Crummies Creek @ milepoint 18.52               |                        |
|   | TY I = 20 tons, TY II = 29 tons, TY III = 34 tons, TY IV = 41 tons        |                        |
| * | KY 990 0.0 US 421   | 1.3 Coalgood Tipple    |
| * | KY 1137 0.0 US 421  | 2.0 Crummies Creek RD  |
| * | KY 2006 0.7 Mine  | 4.6 Arch of KY Tipple  |
| * | KY 2007 0.0 US 119  | 0.5 Layman-Coldiron RD |
|   | Weight Limit - Bridge over Cumberland River                               |                        |
|   | TY I = 20 tons, TY II = 43 tons, TY III = 44 tons, TY IV = 55 tons        |                        |
| * | KY 2008 0.0 Leslie CO LN  | 1.4 KY 221             |
| * | KY 2009 0.0 KY 221  | 2.7 Leslie CO LN       |
|   | Weight Limit - Bridge over Fork of Laurel Fork Creek @ milepoint 1.51     |                        |
|   | TY I = 20 tons, TY II = 34 tons, TY III = 36 tons, TY IV = 59 tons        |                        |

# ADMINISTRATIVE REGISTER - 1372

Weight Limit - Bridge over Laurel Fork Creek @ milepoint 2.72  
 TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 58 tons

- \* Totz Road
  - CR 5007B 0.0 Haul RD 0.1 Totz Washer
- \* Crummies Creek Road
  - CR 5137 0.0 KY 1137 1.5 N to End
- \* Slack Cemetery Road
  - CR 5140 0.0 US 421 (North) 0.3 Mine
- \* Barn Branch Road
  - CR 5142 0.0 US 421 0.4 End
- \* Old US 421 Road
  - CR 5147 0.0 Daniel Carredd RD 0.4 US 421
- \* Daniel Carredd Road
  - CR 5148 0.0 Old US 421 RD 0.7 End
- \* Grays Branch Road
  - CR 5206K 0.0 US 421 @ Grays Knob 0.4 End
- Weight Limit - Bridge over Martins Fork  
 TY I = 20 tons, TY II = 20 tons, TY III = 20 tons, TY IV = 20 tons
- \* Mill Branch Hollow
  - CR 5219 0.0 KY 72 0.3 Mine
- \* Frye Street
  - CR 5232A 0.0 KY 72 0.2 Elcomb DR
- Weight Limit - Bridge over Watts Creek  
 TY I = 20 tons, TY II = 22 tons, TY III = 24 tons, TY IV = 40 tons
- \* Elcomb Drive
  - CR 5232C 0.0 Frye ST 0.4 Mine Access
- \* Layman-Coldiron Road
  - CR 5236H 0.0 KY 2007 0.9 Forester Creek RD
- \* Rockhouse Creek Road
  - CR 5256 0.0 KY 72 0.2 R B Tipple
- \* Ages Creek Road
  - CR 5326M 0.0 KY 38 0.5 Mine
- Weight Limit - Bridge over Ages Branch  
 TY I = 20 tons, TY II = 27 tons, TY III = 33 tons, TY IV = 53 tons
- \* Abner Fork Road
  - CR 5338 0.0 KY 221 3.9 Leslie CO LN
- \* Big Run Hollow Road
  - CR 5344 1.4 Mine RD 1.7 Bell CO LN

## HARRISON COUNTY

| ROAD   | FROM              | TO                   |
|--|-------------------|----------------------|
| * US 27  | 0.0 Bourbon CO LN | 19.5 Pendleton CO LN |
| Weight Limit - Bridge over South Fork Licking River @ milepoint 5.65 |                   |                      |
| TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 57 tons   |                   |                      |
| Weight Limit - Bridge over L&N RR @ milepoint 6.28                   |                   |                      |
| TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 40 tons   |                   |                      |
| Weight Limit - Bridge over Indian Creek @ milepoint 7.09             |                   |                      |
| TY I = 20 tons, TY II = 43 tons, TY III = 45 tons, TY IV = 58 tons   |                   |                      |
| Weight Limit - Bridge over Sycamore Creek @ milepoint 9.09           |                   |                      |
| TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 60 tons   |                   |                      |
| Weight Limit - Bridge over Two Lick Creek @ milepoint 10.40          |                   |                      |
| TY I = 20 tons, TY II = 40 tons, TY III = 39 tons, TY IV = 57 tons   |                   |                      |
| Weight Limit - Bridge over Curry Creek @ milepoint 13.27             |                   |                      |
| TY I = 20 tons, TY II = 31 tons, TY III = 35 tons, TY IV = 50 tons   |                   |                      |
| Weight Limit - Bridge over Richland Creek @ milepoint 19.18          |                   |                      |
| TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 40 tons   |                   |                      |

## HENDERSON COUNTY

| ROAD  | FROM              | TO                 |
|---|-------------------|--------------------|
| * US 41   | 0.0 Webster CO LN | 13.0 KY 812        |
| Weight Limit - Bridge over King Creek @ milepoint 0.65              |                   |                    |
| TY I = 20 tons, TY II = 41 tons, TY III = 44 tons, TY IV = 60 tons  |                   |                    |
| Weight Limit - Bridge over East Fork of Cane Creek @ milepoint 6.20 |                   |                    |
| TY I = 20 tons, TY II = 41 tons, TY III = 44 tons, TY IV = 60 tons  |                   |                    |
| Weight Limit - Bridge over Dredged Ditch @ milepoint 6.32           |                   |                    |
| TY I = 20 tons, TY II = 41 tons, TY III = 44 tons, TY IV = 60 tons  |                   |                    |
| * KY 812  | 5.6 Mine          | 7.4 US 41          |
| * KY 2097   | 0.0 US 41         | 0.9 Bill Givens RD |
| * Bill Givens Road  |                   |                    |
| CR 5142   | 0.0 Webster CO LN | 0.2 KY 2097        |

# ADMINISTRATIVE REGISTER - 1373

## HOPKINS COUNTY

| ROAD   | FROM                   | TO                      |
|--|------------------------|-------------------------|
| * Western Kentucky Parkway   | 21.8 Caldwell CO LN    | 43.4 Muhlenberg CO LN   |
| Weight Limit - Bridge over Tradewater River Overflow @ milepoint 22.00 |                        |                         |
| TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 60 tons     |                        |                         |
| Weight Limit - Bridge over I.C. RR @ milepoint 24.89                   |                        |                         |
| TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 60 tons     |                        |                         |
| Weight Limit - Bridge over KY 112 & Copperas Creek @ milepoint 28.35   |                        |                         |
| TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 52 tons     |                        |                         |
| Weight Limit - Bridge over Oak Hill Rd. & I.C. RR @ milepoint 33.87    |                        |                         |
| TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 60 tons     |                        |                         |
| Weight Limit - Bridge over Pennyryle Parkway @ milepoint 38.31         |                        |                         |
| TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 56 tons     |                        |                         |
| * Pennyryle Parkway (Non-Toll Segment)                                 | 29.6 US 41             | 45.2 Begin Toll Segment |
| * Pennyryle Parkway (Toll Segment)                                     | 45.2 Non-Toll Segment  | 55.0 Webster CO LN      |
| Weight Limit - Bridge over KY 138 @ milepoint 54.07                    |                        |                         |
| TY I = 20 tons, TY II = 40 tons, TY III = 41 tons, TY IV = 56 tons     |                        |                         |
| * US 41  | 0.0 Christian CO LN    | 2.3 Pennyryle Parkway   |
| Weight Limit - Bridge over Drakes Creek @ milepoint 0.49               |                        |                         |
| TY I = 20 tons, TY II = 31 tons, TY III = 33 tons, TY IV = 53 tons     |                        |                         |
|  | 3.0 KY 1751            | 11.8 Webster CO LN      |
| Weight Limit - Bridge over Otter Creek @ milepoint 6.13                |                        |                         |
| TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons     |                        |                         |
| * US 41A   | 3.7 US 62              | 29.4 Webster CO LN      |
| Weight Limit - Bridge over L&N RR @ milepoint 6.59                     |                        |                         |
| TY I = 20 tons, TY II = 28 tons, TY III = 28 tons, TY IV = 34 tons     |                        |                         |
| Weight Limit - Bridge over Pond Creek @ milepoint 22.86                |                        |                         |
| TY I = 20 tons, TY II = 23 tons, TY III = 26 tons, TY IV = 43 tons     |                        |                         |
| Weight Limit - Bridge over Weirs Creek @ milepoint 28.01               |                        |                         |
| TY I = 20 tons, TY II = 23 tons, TY III = 26 tons, TY IV = 43 tons     |                        |                         |
| * US 62  | 1.7 KY 109             | 21.3 Mine               |
| Weight Limit - Bridge over Cooperas Creek @ milepoint 5.70             |                        |                         |
| TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 60 tons     |                        |                         |
| Weight Limit - Bridge over Cane Run Creek @ milepoint 7.94             |                        |                         |
| TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 60 tons     |                        |                         |
| Weight Limit - Bridge over Pleasant Run @ milepoint 12.51              |                        |                         |
| TY I = 20 tons, TY II = 40 tons, TY III = 40 tons, TY IV = 60 tons     |                        |                         |
| Weight Limit - Bridge over L&N RR, Fork Pleasant Run @ milepoint 14.89 |                        |                         |
| TY I = 20 tons, TY II = 38 tons, TY III = 39 tons, TY IV = 58 tons     |                        |                         |
| Weight Limit - Bridge over US 41 @ milepoint 15.64                     |                        |                         |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons     |                        |                         |
| Weight Limit - Bridge over Pleasant Run Creek @ milepoint 16.39        |                        |                         |
| TY I = 20 tons, TY II = 40 tons, TY III = 40 tons, TY IV = 60 tons     |                        |                         |
| Weight Limit - Bridge over Drakes Creek @ milepoint 16.72              |                        |                         |
| TY I = 20 tons, TY II = 40 tons, TY III = 39 tons, TY IV = 54 tons     |                        |                         |
| * KY 70  | 7.1 KY 109             | 18.7 US 41A             |
| Weight Limit - Bridge over Richland Creek @ milepoint 11.77            |                        |                         |
| TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons     |                        |                         |
| Weight Limit - Bridge over ICG RR NE of Richland @ milepoint 13.09     |                        |                         |
| TY I = 20 tons, TY II = 27 tons, TY III = 27 tons, TY IV = 34 tons     |                        |                         |
| Weight Limit - Bridge over Sugar Creek @ milepoint 13.45               |                        |                         |
| TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons     |                        |                         |
| Weight Limit - Bridge over L&N RR @ milepoint 18.53                    |                        |                         |
| TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons     |                        |                         |
|  | 19.9 Pennyryle Parkway | 23.2 KY 85              |
| * KY 85  | 0.0 KY 70              | 3.3 Mine                |
| * KY 109   | 2.1 US 62              | 17.2 KY 814             |
| Weight Limit - Bridge over Western Kentucky Parkway @ milepoint 3.81   |                        |                         |
| TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 54 tons     |                        |                         |
| Weight Limit - Bridge over IC RR @ milepoint 4.50                      |                        |                         |
| TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 58 tons     |                        |                         |
| Weight Limit - Bridge over IC RR @ milepoint 6.49                      |                        |                         |
| TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 58 tons     |                        |                         |
| Weight Limit - Bridge over Lick Creek @ milepoint 7.24                 |                        |                         |
| TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons     |                        |                         |
| * KY 112   | 2.8 Mine               | 5.0 Copper Creek RD     |
|  | 5.4 Edro Washer        | 9.8 US 41A              |
| Weight Limit - Bridge over Finley Ditch @ milepoint 5.85               |                        |                         |
| TY I = 20 tons, TY II = 26 tons, TY III = 27 tons, TY IV = 46 tons     |                        |                         |
| Weight Limit - Bridge over Unnamed Stream @ milepoint 8.06             |                        |                         |
| TY I = 20 tons, TY II = 26 tons, TY III = 27 tons, TY IV = 46 tons     |                        |                         |

# ADMINISTRATIVE REGISTER - 1374

Weight Limit - Bridge over Unnamed Stream @ milepoint 8.26  
 TY I = 20 tons, TY II = 26 tons, TY III = 27 tons, TY IV = 46 tons

- \* KY 262 0.0 KY 630 0.3 Mine
- \* KY 281 0.0 US 41A 0.7 Pennyrile Parkway

Weight Limit - Bridge over L&N RR @ milepoint 0.25  
 TY I = 20 tons, TY II = 43 tons, TY III = 44 tons, TY IV = 56 tons

- \* KY 336 0.0 US 41A 2.3 McLeod RD
- \* KY 630 0.0 KY 262 2.0 US 41A
- \* KY 813 2.6 Farmer Crossing RD 2.8 US 62
- 4.3 Mine 5.0 Private Haul RD
- 10.2 Mortons Gap-WH CTY RD 12.3 US 41A
- \* KY 814 0.0 KY 109 1.4 Webster CO LN
- \* KY 1302 1.9 Bean Cemetery RD 2.7 Poole RD
- \* KY 1687 3.9 Mine 4.6 US 62
- \* KY 1751 0.0 US 41A 1.4 US 41

Weight Limit - Bridge over L&N RR @ milepoint 1.14  
 TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 58 tons

- \* KY 2083 0.9 US 62 1.1 South Hopkins Tipple
- \* KY 2086 0.0 Walnut Grove RD 1.2 KY 109
- \* McLeod Road
- CR 5140 0.0 KY 336 0.5 Mine
- \* Mortons Gap-White City Road
- CR 5153 0.0 KY 813 1.9 Mine
- \* Farmers Crossing Road
- CR 5161 0.0 KY 813 3.0 Ogelsby RD

Weight Limit - Bridge over Unnamed Tributary of Pond River  
 TY I = 20 tons, TY II = 36 tons, TY III = 46 tons, TY IV = 50 tons

- \* Ogelsby Road
- CR 5163 0.9 Mine 1.4 Farmer Crossing RD
- \* Goat Lane
- CR 5179 0.0 US 62 0.4 Drakes Creek RD
- \* Drakes Creek Road
- CR 5180 1.4 KY 813 1.5 Farmers Crossing RD
- \* Copper Creek Road
- CR 5257 0.0 KY 112 1.0 Clyde Lee RD

Weight Limit - Bridge over Copper Creek  
 TY I = 20 tons, TY II = 36 tons, TY III = 46 tons, TY IV = 50 tons

- \* Clyde Lee Road
- CR 5258 0.0 Copper Creek RD 0.4 Mine
- \* Leonard Jackson Road
- CR 5262 0.0 Dawson Daylight RD 1.0 Private Haul RD
- \* Walnut Grove Road
- CR 5301 0.0 Mine 0.6 KY 2086
- \* Dawson Daylight Road
- CR 5305 0.0 KY 109 2.4 Leonard Jackson RD
- \* Ferguson Town Spur
- CR 5311 0.0 Ferguson Town RD 0.1 Roberts Bros Tipple
- \* Ferguson Town Road
- CR 5325 3.0 Ferguson Town Spur 3.2 KY 109
- \* Poole Road
- CR 5390 0.2 KY 70 0.4 KY 1302
- \* Bean Cemetery Road
- CR 5396 0.0 KY 1302 0.4 Mine

## JACKSON COUNTY

| ROAD   | FROM             | TO                  |
|--|------------------|---------------------|
| * US 421   | 3.8 KY 30        | 10.8 KY 587         |
| Weight Limit - Bridge over Fork Lick Creek @ milepoint 6.26        |                  |                     |
| TY I = 20 tons, TY II = 38 tons, TY III = 38 tons, TY IV = 60 tons |                  |                     |
| Weight Limit - Bridge over McCammon Creek @ milepoint 8.82         |                  |                     |
| TY I = 20 tons, TY II = 38 tons, TY III = 38 tons, TY IV = 60 tons |                  |                     |
| * KY 30  | 0.0 Laurel CO LN | 12.5 US 421         |
| Weight Limit - Bridge over Moores Creek @ milepoint 0.59           |                  |                     |
| TY I = 20 tons, TY II = 34 tons, TY III = 35 tons, TY IV = 49 tons |                  |                     |
| Weight Limit - Bridge over Pond Creek @ milepoint 2.64             |                  |                     |
| TY I = 20 tons, TY II = 34 tons, TY III = 35 tons, TY IV = 49 tons |                  |                     |
| * KY 587   | 0.0 US 421       | 5.5 Brushy Ridge RD |
| * Brushy Ridge RD  |                  |                     |
| CR 5041  | 0.0 KY 587       | 1.1 Mine            |
| * Old Island City Road   |                  |                     |
| CR 5165  | 0.0 Clay CO LN   | 1.1 Mine            |
| * Mildred Road   |                  |                     |
| CR 5184  | 0.0 US 421       | 1.6 Laurel Fork RD  |

# ADMINISTRATIVE REGISTER - 1375

Weight Limit - Bridge over Laurel Fork  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons

\* Laurel Fork Road 0.0 Mildred RD 0.3 Mine  
 CR 5248

## JEFFERSON COUNTY

| ROAD                        | FROM                 | TO               |
|-----------------------------|----------------------|------------------|
| * US 31W                    | 3.2 Kosmos Cement CO | 14.8 I-264       |
| * KY 1934                   | 6.8 I-264            | 7.0 Ralph Avenue |
| * Ralph Avenue (Louisville) |                      | 1.8 Dupont Plant |
|                             | 0.9 KY 1934          |                  |

## JESSAMINE COUNTY

| ROAD   | FROM              | TO                 |
|--|-------------------|--------------------|
| * US 27  | 0.0 Garrard CO LN | 14.1 Fayette CO LN |
| Weight Limit - Bridge over Town Fork @ milepoint 5.59              |                   |                    |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                   |                    |
| * US 68  | 0.0 Mercer CO LN  | 12.1 Fayette CO LN |

## JOHNSON COUNTY

| ROAD   | FROM               | TO                  |
|--|--------------------|---------------------|
| * US 23  | 0.0 Floyd CO LN    | 18.4 Lawrence CO LN |
| Weight Limit - Bridge over C&O RR & Levisa Fork @ milepoint 3.53   |                    |                     |
| TY I = 20 tons, TY II = 28 tons, TY III = 33 tons, TY IV = 38 tons |                    |                     |
| Weight Limit - Bridge over Paint Creek @ milepoint 8.68            |                    |                     |
| TY I = 20 tons, TY II = 43 tons, TY III = 44 tons, TY IV = 55 tons |                    |                     |
| * US 460   | 0.0 Magoffin CO LN | 8.4 US 23           |
| * KY 3   | 0.1 KY 302         | 4.7 Martin CO LN    |
| * KY 40  | 0.0 Magoffin CO LN | 8.7 US 460          |
| Weight Limit - Bridge over Little Paint Creek @ milepoint 0.53     |                    |                     |
| TY I = 20 tons, TY II = 25 tons, TY III = 26 tons, TY IV = 43 tons |                    |                     |
| Weight Limit - Bridge over Little Paint Creek @ milepoint 1.50     |                    |                     |
| TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 40 tons |                    |                     |
| Weight Limit - Bridge over Road Fork Creek @ milepoint 4.60        |                    |                     |
| TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 40 tons |                    |                     |
| Weight Limit - Bridge over Road Fork Creek @ milepoint 4.92        |                    |                     |
| TY I = 20 tons, TY II = 28 tons, TY III = 29 tons, TY IV = 41 tons |                    |                     |
| Weight Limit - Bridge over Barnetts Creek @ milepoint 6.31         |                    |                     |
| TY I = 20 tons, TY II = 28 tons, TY III = 29 tons, TY IV = 41 tons |                    |                     |
| Weight Limit - Bridge over Big Paint Creek @ milepoint 6.46        |                    |                     |
| TY I = 20 tons, TY II = 20 tons, TY III = 23 tons, TY IV = 40 tons |                    |                     |
| * KY 172   | 2.5 Mine Access    | 12.4 KY 40          |
| Weight Limit - Bridge over Mudlick Creek @ milepoint 11.91         |                    |                     |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 53 tons |                    |                     |
| * KY 302   | 4.1 KY 2381        | 6.5 KY 3            |
| * KY 469   | 3.0 KY 1614        | 6.2 Lawrence CO LN  |
| * KY 993   | 0.0 KY 581         | 2.8 US 23           |
| * KY 1614  | 0.0 Morgan CO LN   | 1.2 KY 469          |
| * KY 2381  | 0.0 US 23          | 2.1 KY 302          |

## KNOTT COUNTY

| ROAD  | FROM              | TO                     |
|---|-------------------|------------------------|
| * KY 7  | 0.0 Letcher CO LN | 16.0 Floyd CO LN       |
| Reduced Weight Limit - Bridge over Beaver Fork @ milepoint 6.10         |                   |                        |
| TY I = 20 tons, TY II = 41 tons, TY III = 43 tons, TY IV = 60 tons      |                   |                        |
| * KY 15   | 0.0 Letcher CO LN | 9.4 Perry CO LN        |
| Reduced Weight Limit - Bridge over Carr Fork Reservoir @ milepoint 2.82 |                   |                        |
| TY I = 20 tons, TY II = 45 tons, TY III = 49 tons, TY IV = 55 tons      |                   |                        |
| Reduced Weight Limit - Bridge over Carr Fork Lake @ milepoint 5.64      |                   |                        |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons      |                   |                        |
| * KY 80   | 0.0 Perry CO LN   | 21.1 Floyd CO LN       |
| * KY 160  | 0.0 KY 15         | 4.2 Runnells Branch RD |
| Reduced Weight Limit - Bridge over Carr Fork Lake @ milepoint 1.74      |                   |                        |
| TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 56 tons      |                   |                        |
| 8.2 KY 1393   |                   |                        |
| * KY 550  | 20.6 Mine         | 12.5 KY 80             |
| Reduced Weight Limit - Bridge over Jones Fork @ milepoint 20.63         |                   |                        |
| TY I = 20 tons, TY II = 32 tons, TY III = 33 tons, TY IV = 51 tons      |                   |                        |
| Reduced Weight Limit - Bridge over Jones Fork @ milepoint 21.51         |                   |                        |
| TY I = 20 tons, TY II = 27 tons, TY III = 30 tons, TY IV = 39 tons      |                   |                        |
| Reduced Weight Limit - Bridge over Jones Fork @ milepoint 25.30         |                   |                        |
| TY I = 20 tons, TY II = 33 tons, TY III = 34 tons, TY IV = 48 tons      |                   |                        |



# ADMINISTRATIVE REGISTER - 1376

|  |                         |                            |
|--|-------------------------|----------------------------|
| * KY 899   | 0.0 KY 1393             | 4.9 Mine                   |
|  | 7.7 Mine                | 12.2 KY 7                  |
| Reduced Weight Limit - Bridge over Caney Creek @ milepoint 8.74    |                         |                            |
| TY I = 20 tons, TY II = 34 tons, TY III = 35 tons, TY IV = 44 tons |                         |                            |
| Reduced Weight Limit - Bridge over Caney Creek @ milepoint 11.82   |                         |                            |
| TY I = 20 tons, TY II = 40 tons, TY III = 40 tons, TY IV = 60 tons |                         |                            |
| * KY 1087  | 1.4 KY 3209             | 3.4 Mine                   |
|  | 12.0 Sandlick Branch RD | 14.1 KY 80                 |
|  | 19.9 Bruce Branch RD    | 20.6 KY 550                |
| * KY 1088  | 3.9 Youngs Fork RD      | 9.4 KY 15                  |
| Reduced Weight Limit - Bridge over Yellow Creek @ milepoint 9.12   |                         |                            |
| TY I = 20 tons, TY II = 36 tons, TY III = 38 tons, TY IV = 60 tons |                         |                            |
| Reduced Weight Limit - Bridge over Carr Creek @ milepoint 9.36     |                         |                            |
| TY I = 20 tons, TY II = 38 tons, TY III = 39 tons, TY IV = 56 tons |                         |                            |
| * KY 1231  | 0.0 KY 15               | 1.2 Irishman Creek RD      |
|  | 4.8 Mine                | 5.8 Mine                   |
| * KY 1393  | 2.8 KY 899              | 4.9 KY 160                 |
| * KY 1410  | 0.0 KY 160              | 4.7 Letcher CO LN          |
| Reduced Weight Limit - Bridge over Carr Fork @ milepoint 0.01      |                         |                            |
| TY I = 20 tons, TY II = 44 tons, TY III = 45 tons, TY IV = 55 tons |                         |                            |
| * KY 1498  | 0.0 KY 7                | 1.5 Floyd CO LN            |
| * KY 3209  | 0.0 KY 80               | 0.4 KY 1087                |
| Reduced Weight Limit - Bridge over Ball Fork @ milepoint 0.05      |                         |                            |
| TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons |                         |                            |
| Patten Branch of Beaver Creek Road                                 |                         |                            |
| * CR 5009  | 0.0 KY 7                | 0.2 Mine                   |
| Bruce Branch Road  |                         |                            |
| * CR 5026  | 0.0 KY 1087             | 0.6 Mine                   |
| Big Springs Branch Road  |                         |                            |
| * CR 5032  | 0.0 KY 550              | 0.9 Mine                   |
| Reduced Weight Limit - Bridge over Jones Fork                      |                         |                            |
| TY I = 19 tons, TY II = 20 tons, TY III = 23 tons, TY IV = 39 tons |                         |                            |
| Rock Fork (Boly) Road  |                         |                            |
| * CR 5037  | 0.0 KY 80               | 0.8 Mine                   |
| Bates Branch Road  |                         |                            |
| * CR 5117  | 0.0 KY 7                | 1.4 Mine                   |
| Perkins Branch-Lick Branch Road                                    |                         |                            |
| * CR 5145  | 0.0 KY 15               | 0.4 Mine                   |
| Runnells Branch Road   |                         |                            |
| * CR 5156  | 0.0 KY 160              | 0.5 Left FK Runnells BR RD |
| Left Fork of Runnells Branch Road                                  |                         |                            |
| * CR 5156A   | 0.0 Runnells Branch RD  | 0.3 Mine                   |
| Irishman Creek Road  |                         |                            |
| * CR 5203  | 0.0 KY 1231             | 2.5 Mine                   |
| Flaxpatch Branch Road  |                         |                            |
| * CR 5208  | 0.0 KY 1231             | 0.6 Mine                   |
| Defeated Creek Road  |                         |                            |
| * CR 5212  | 0.0 KY 15               | 3.2 Mine                   |
| Youngs Fork Road   |                         |                            |
| * CR 5226  | 0.0 KY 1088             | 1.3 Mine                   |

## KNOX COUNTY

| ROAD  | FROM              | TO                |
|---|-------------------|-------------------|
| * US 25E  | 0.0 Bell CO LN    | 26.6 Laurel CO LN |
| Weight Limit - Bridge over Cumberland River @ milepoint 0.85          |                   |                   |
| TY I = 20 tons, TY II = 38 tons, TY III = 38 tons, TY IV = 44 tons    |                   |                   |
| Weight Limit - Bridge over L&N RR @ milepoint 1.54                    |                   |                   |
| TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 51 tons    |                   |                   |
| Weight Limit - Bridge over Stinking Creek @ milepoint 3.70            |                   |                   |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 48 tons    |                   |                   |
| Weight Limit - Bridge over Turkey Creek @ milepoint 4.81              |                   |                   |
| TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 51 tons    |                   |                   |
| * KY 6  | 0.0 Whitley CO LN | 14.7 KY 11        |
| Weight Limit - Bridge over Lynn Camp Creek @ milepoint 0.23           |                   |                   |
| TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 49 tons    |                   |                   |
| Weight Limit - Bridge over Stewards Creek @ milepoint 0.83            |                   |                   |
| TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons    |                   |                   |
| Weight Limit - Bridge over Indian Creek @ milepoint 6.15              |                   |                   |
| TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons    |                   |                   |
| Weight Limit - Bridge over Tributary of Indian Creek @ milepoint 6.85 |                   |                   |
| TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons    |                   |                   |
| Weight Limit - Bridge over Indian Creek @ milepoint 8.37              |                   |                   |
| TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons    |                   |                   |

# ADMINISTRATIVE REGISTER - 1377

|   |                           |                          |
|---|---------------------------|--------------------------|
| * KY 11   | 0.0 Whitley CO LN         | 10.1 US 25E              |
| Weight Limit - Bridge over Little Poplar Creek @ milepoint 2.17       |                           |                          |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 51 tons    |                           |                          |
|   | 10.1 US 25E               | 22.7 Clay CO LN          |
| Weight Limit - Bridge over Little Richland Creek @ milepoint 13.00    |                           |                          |
| TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons    |                           |                          |
| Weight Limit - Bridge over Little Richland Creek @ milepoint 13.39    |                           |                          |
| TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 60 tons    |                           |                          |
| Weight Limit - Bridge over Little Richland Creek @ milepoint 13.57    |                           |                          |
| TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 60 tons    |                           |                          |
| * KY 223  | 0.0 US 25E                | 3.9 KY 718               |
| Weight Limit - Bridge over Roads Fork Stinking Creek @ milepoint 3.91 |                           |                          |
| TY I = 20 tons, TY II = 38 tons, TY III = 38 tons, TY IV = 60 tons    |                           |                          |
| * KY 225  | 5.9 Mine                  | 15.0 US 25E              |
| * KY 233  | 4.6 Lynn Camp Branch RD   | 6.2 US 25E               |
| * KY 718  | 0.0 KY 223                | 9.2 Alex Creek RD        |
| * KY 1418   | 0.0 Whitley CO LN         | 0.6 Hubbs Hollow RD      |
| * KY 1809   | 0.0 Whitley CO LN         | 6.3 KY 11                |
| * KY 2421   | 0.0 KY 225                | 0.9 KY 11                |
| * Alex Creek Road   |                           |                          |
| CR 5031   | 0.0 KY 718                | 0.8 Mine                 |
| Weight Limit - Bridge over Pigeon Fork                                |                           |                          |
| TY I = 20 tons, TY II = 26 tons, TY III = 31 tons, TY IV = 51 tons    |                           |                          |
| * Little Brush Creek Road   |                           |                          |
| CR 5166   | 0.0 KY 225                | 1.6 Lay Branch RD        |
| * Lay Branch Road   |                           |                          |
| CR 5169   | 0.0 Little Brush CK RD    | 0.2 Mines                |
| * Stoney Fork Road  |                           |                          |
| CR 5210   | 0.0 KY 1809               | 1.8 Swanpond Road        |
| * Hubbs Road  |                           |                          |
| CR 5214   | 0.0 KY 1809               | 1.5 Mine                 |
| Weight Limit - Bridge over Hubbs Creek                                |                           |                          |
| TY I = 20 tons, TY II = 24 tons, TY III = 28 tons, TY IV = 47 tons    |                           |                          |
| * Sugartree Road  |                           |                          |
| CR 5216   | 0.0 Hubbs RD              | 0.5 Mine                 |
| Weight Limit - Bridge over Hubbs Creek                                |                           |                          |
| TY I = 4 tons, TY II = 4 tons, TY III = 4 tons, TY IV = 4 tons        |                           |                          |
| * Old US 25E Loop #6 Road   |                           |                          |
| CR 5304   | 0.6 Bailey Branch RD      | 1.0 US 25E               |
| Weight Limit - Branch over Bailey Creek                               |                           |                          |
| TY I = 9 tons, TY II = 9 tons, TY III = 9 tons, TY IV = 9 tons        |                           |                          |
| * Bailey Branch Road  |                           |                          |
| CR 5305   | 0.0 Old US 25E Loop #6 RD | 0.5 Bailey Switch Tipple |
| * Richland Creek Road   |                           |                          |
| CR 5311   | 0.8 Harris RD             | 0.9 Higgins RD           |
| * Higgins Road  |                           |                          |
| CR 5323   | 0.0 US 25E                | 0.8 Richland Creek RD    |
| * Harris Road   |                           |                          |
| CR 5327   | 0.7 Mine                  | 0.2 Richland Creek RD    |
| * Lynn Camp Branch Road   |                           |                          |
| CR 5369   | 0.0 KY 233                | 1.0 Mine                 |

## LAUREL COUNTY ROAD

FROM

TO

|  |                     |                 |
|--|---------------------|-----------------|
| * Daniel Boone   |                     |                 |
| Parkway  | 0.0 US 25 & KY 80   | 10.6 Clay CO LN |
| Weight Limit - Bridge over L&N RR @ milepoint 0.85                 |                     |                 |
| TY I = 20 tons, TY II = 45 tons, TY III = 48 tons, TY IV = 55 tons |                     |                 |
| Weight Limit - Bridge over Little Laurel River @ milepoint 3.40    |                     |                 |
| TY I = 20 tons, TY II = 39 tons, TY III = 39 tons, TY IV = 60 tons |                     |                 |
| Weight Limit - Bridge over Sallys Branch Rd. @ milepoint 4.18      |                     |                 |
| TY I = 20 tons, TY II = 43 tons, TY III = 45 tons, TY IV = 60 tons |                     |                 |
| Weight Limit - Bridge over KY 1305 @ milepoint 6.42                |                     |                 |
| TY I = 20 tons, TY II = 39 tons, TY III = 39 tons, TY IV = 48 tons |                     |                 |
| Weight Limit - Bridge over Lick Creek Road @ milepoint 7.64        |                     |                 |
| TY I = 20 tons, TY II = 39 tons, TY III = 39 tons, TY IV = 48 tons |                     |                 |
| Weight Limit - Bridge over KY 488 @ milepoint 8.57                 |                     |                 |
| TY I = 20 tons, TY II = 41 tons, TY III = 42 tons, TY IV = 60 tons |                     |                 |
| * US 25  | 0.0 US 25E & US 25W | 16.3 KY 490     |
| Weight Limit - Bridge over Robinson Creek @ milepoint 3.28         |                     |                 |
| TY I = 20 tons, TY II = 36 tons, TY III = 37 tons, TY IV = 49 tons |                     |                 |
| Weight Limit - Bridge over Laurel River at Lily @ milepoint 4.14   |                     |                 |
| TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 60 tons |                     |                 |

Weight Limit - Bridge over L&N RR @ milepoint 7.19  
 TY I = 20 tons, TY II = 36 tons, TY III = 37 tons, TY IV = 48 tons  
 Weight Limit - Bridge over Little Laurel River @ milepoint 8.44  
 TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 60 tons  
 \* US 25E 0.0 Knox CO LN 2.0 I-75  
 \* US 25W 0.0 Whitley CO LN 1.0 US 25 & US 25E  
 \* KY 30 1.4 KY 490 9.8 Jackson CO LN  
 Weight Limit - Bridge over Rockcastle River @ milepoint 9.08  
 TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 59 tons  
 \* KY 80 0.0 Pulaski CO LN 11.1 US 25 & D Boone PKWY  
 Weight Limit - Bridge over I-75 @ milepoint 10.59  
 TY I = 20 tons, TY II = 34 tons, TY III = 37 tons, TY IV = 43 tons  
 11.1 US 25 11.8 KY 638  
 \* KY 192 18.2 I-75 22.0 D Boone PKWY  
 Weight Limit - Bridge over I-75 @ milepoint 18.24  
 TY I = 20 tons, TY II = 32 tons, TY III = 34 tons, TY IV = 42 tons  
 \* KY 490 0.0 US 25 0.9 KY 30  
 Weight Limit - Bridge over L&N RR @ milepoint 0.10  
 TY I = 20 tons, TY II = 31 tons, TY III = 32 tons, TY IV = 44 tons  
 0.9 KY 30 5.7 Victory-Greenmount RD  
 \* KY 1006 0.3 J & B Tipple 0.5 US 25  
 \* Railroad Street (London)  
 CR 5091N 0.0 KY 80 (4th Street) 0.5 Balmont Tipple  
 \* Carmichael Road  
 CR 5475 0.0 KY 80 4.1 Mine

## LAWRENCE COUNTY

| ROAD  | FROM              | TO                         |
|---|-------------------|----------------------------|
| * US 23   | 0.0 Johnson CO LN | 30.2 Boyd CO LN            |
| * KY 3  | 0.0 Martin CO LN  | 15.5 US 23                 |
| Weight limit - Bridge over Levisa & Tug Fks - Sox @ milepoint 14.87   |                   |                            |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons    |                   |                            |
| Weight Limit - Bridge over Two Mile Branch @ milepoint 15.52          |                   |                            |
| TY I = 20 tons, TY II = 35 tons, TY III = 37 tons, TY IV = 60 tons    |                   |                            |
| * KY 35   | 0.0 KY 3          | 0.1 West Virginia State LN |
| * KY 32   | 5.9 KY 469        | 28.9 US 23                 |
| Weight Limit - Bridge over Cains Creek @ milepoint 9.53               |                   |                            |
| TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons    |                   |                            |
| Weight Limit - Bridge over Blaine Creek @ milepoint 10.10             |                   |                            |
| TY I = 20 tons, TY II = 31 tons, TY III = 32 tons, TY IV = 54 tons    |                   |                            |
| Weight Limit - Bridge over Hood Creek @ milepoint 10.85               |                   |                            |
| TY I = 20 tons, TY II = 36 tons, TY III = 37 tons, TY IV = 60 tons    |                   |                            |
| Weight Limit - Bridge over Brushy Creek @ milepoint 16.05             |                   |                            |
| TY I = 20 tons, TY II = 35 tons, TY III = 37 tons, TY IV = 60 tons    |                   |                            |
| Weight Limit - Bridge over Rich Creek @ milepoint, 18.39              |                   |                            |
| TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 59 tons    |                   |                            |
| Weight Limit - Bridge over Blaine Creek @ milepoint 22.55             |                   |                            |
| TY I = 20 tons, TY II = 38 tons, TY III = 38 tons, TY IV = 60 tons    |                   |                            |
| Weight Limit - Bridge over Russey Branch @ milepoint 23.46            |                   |                            |
| TY I = 20 tons, TY II = 35 tons, TY III = 37 tons, TY IV = 60 tons    |                   |                            |
| * KY 469  | 0.0 Johnson CO LN | 2.0 KY 32                  |
| Weight Limit - Bridge over Left Fork of Blaine Creek @ milepoint 0.01 |                   |                            |
| TY I = 20 tons, TY II = 42 tons, TY III = 43 tons, TY IV = 60 tons    |                   |                            |
| * KY 645  | 0.0 Martin CO LN  | 5.2 US 23                  |
| * KY 1760   | 0.0 US 23         | 2.8 Georges Creek RD       |
| Donithon Branch Road  |                   |                            |
| CR 5118   | 0.0 KY 3          | 1.6 Mine                   |
| Yellow Creek-Tug Fork Road  |                   |                            |
| CR 5122   | 0.0 KY 3          | 0.8 Mine                   |
| Laurel Creek Road   |                   |                            |
| CR 5124   | 0.0 KY 3          | 1.5 Mine                   |
| Weight Limit - Bridge over Laurel Creek                               |                   |                            |
| TY I = 6 tons, TY II = 6 tons, TY III = 6 tons, TY IV = 6 tons        |                   |                            |
| * Georges Creek Road  |                   |                            |
| CR 5156   | 0.0 KY 1760       | 1.5 Mine                   |

## LESLIE COUNTY

| ROAD  | FROM             | TO               |
|---|------------------|------------------|
| * Daniel Boone Parkway  | 35.9 Clay CO LN  | 51.0 Perry CO LN |
| * US 421  | 0.0 Harlan CO LN | 22.6 KY 118      |
| Weight Limit - Bridge over Middle Fork Kentucky River @ milepoint 11.55 |                  |                  |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 46 tons      |                  |                  |

# ADMINISTRATIVE REGISTER - 1379

|  |                         |                           |
|--|-------------------------|---------------------------|
| * KY 66  | 0.0 Clay CO LN          | 2.8 Clay CO LN            |
| Weight Limit - Bridge over Red Bird River @ milepoint 2.71             |                         |                           |
| TY I = 20 tons, TY II = 33 tons, TY III = 33 tons, TY IV = 44 tons     |                         |                           |
| * KY 80  | 0.0 US 421              | 9.7 Perry CO LN           |
| Weight Limit - Bridge over Middle Fork Kentucky River @ milepoint 0.01 |                         |                           |
| TY I = 20 tons, TY II = 27 tons, TY III = 28 tons, TY IV = 31 tons     |                         |                           |
| Weight Limit - Bridge over Cutshin Creek @ milepoint 5.15              |                         |                           |
| TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 57 tons     |                         |                           |
| Weight Limit - Bridge over Wooten Creek @ milepoint 6.12               |                         |                           |
| TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 59 tons     |                         |                           |
| Weight Limit - Bridge over MacIntosh Creek @ milepoint 8.84            |                         |                           |
| TY I = 20 tons, TY II = 36 tons, TY III = 38 tons, TY IV = 60 tons     |                         |                           |
| * KY 118   | 0.0 US 421              | 3.5 D Boone PKWY          |
| * KY 221   | 0.0 Perry CO LN         | 1.9 KY 699                |
| * KY 257   | 0.0 US 421              | 2.4 Asher Branch RD       |
| * KY 699   | 0.0 KY 80               | 16.0 Perry CO LN          |
| Weight Limit - Bridge over Cutshin Creek @ milepoint 1.96              |                         |                           |
| TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 43 tons     |                         |                           |
| Weight Limit - Bridge over Maggard Creek @ milepoint 8.14              |                         |                           |
| TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons     |                         |                           |
| * KY 1807  | 0.0 KY 80               | 3.6 End State MAINT       |
| * KY 2008  | 0.0 KY 2009             | 0.6 White Oak RD          |
| 1.5 Begin State MAINT  |                         | 3.8 Harlan CO LN          |
| * KY 2009  | 0.0 Harlan CO LN        | 5.4 Bledsoe Tipple        |
| Weight Limit - Bridge over Greasy Creek @ milepoint 3.58               |                         |                           |
| TY I = 8 tons, TY II = 8 tons, TY III = 8 tons, TY IV = 8 tons         |                         |                           |
| * KY 2057  | 0.0 KY 699              | 0.9 Mine                  |
| * KY 2431  | 0.0 US 421              | 0.1 High School           |
| Weight Limit - Bridge over Middle Fork Kentucky River @ milepoint 0.01 |                         |                           |
| TY I = 20 tons, TY II = 26 tons, TY III = 28 tons, TY IV = 32 tons     |                         |                           |
| * KY 6272  | 0.0 Mine                | 0.5 KY 6274               |
| * KY 6273  | 1.0 KY 6275             | 1.2 KY 118                |
| * KY 6274  | 0.0 KY 6272             | 0.3 KY 6275               |
| * KY 6275  | 0.0 KY 6274             | 0.3 KY 6273               |
| Wendover Road  |                         |                           |
| CR 5001  | 0.0 KY 2431             | 1.6 Hurricane Creek RD    |
| Hurricane Creek Road   |                         |                           |
| CR 5002  | 0.7 Big BR H'Cane CR RD | 3.3 Wendover RD           |
| Camp Creek Long Fork Road  |                         |                           |
| CR 5005  | 0.0 Hurricane Creek RD  | 0.7 Mine Access           |
| Big Branch Hurricane Creek Road  |                         |                           |
| CR 5006  | 0.0 Hurricane Creek RD  | 1.6 Leeco Prep Plant      |
| Weight Limit - Bridge over Raccoon Creek                               |                         |                           |
| TY I = 4 tons, TY II = 4 tons, TY III = 4 tons, TY IV = 4 tons         |                         |                           |
| Bailey Branch Road   |                         |                           |
| CR 5027  | 0.0 KY 1807             | 0.6 Mine                  |
| Long Branch Road   |                         |                           |
| CR 5118  | 0.0 KY 699              | 0.2 Mine                  |
| Lewis Creek-Napier Road  |                         |                           |
| CR 5132  | 0.0 KY 2008             | 2.0 Mine                  |
| Abner Branch Road  |                         |                           |
| CR 5133  | 0.0 Harlan CO LN        | 1.3 Lewis Creek-Napier RD |
| White Oak Road   |                         |                           |
| CR 5135  | 0.0 KY 2008             | 0.8 Mine                  |
| Lewis Creek Road   |                         |                           |
| CR 5137  | 0.0 KY 2009             | 1.7 Mine                  |
| Phillips Fork Road   |                         |                           |
| CR 5225  | 5.0 Mine RD             | 5.2 Mine RD               |

## LETCHER COUNTY

| ROAD   | FROM                  | TO               |
|--|-----------------------|------------------|
| * US 23  | 0.0 Virginia State LN | 7.1 Pike CO LN   |
| Weight Limit - Bridge over Elkhorn Creek @ milepoint 5.83                |                       |                  |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 48 tons       |                       |                  |
| * US 119   | 0.0 Harlan CO LN      | 10.3 KY 932      |
|  | 17.6 KY 15            | 27.7 US 23       |
| Weight Limit - Bridge over North Fork Ky. River, L&N RR @ milepoint 17.7 |                       |                  |
| TY I = 20 tons, TY II = 44 tons, TY III = 46 tons, TY IV = 55 tons       |                       |                  |
| * KY 7   | 0.3 KY 1103           | 27.6 Knott CO LN |
| Weight Limit - Bridge over North Fork Kentucky River @ milepoint 2.61    |                       |                  |
| TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 31 tons       |                       |                  |
| Weight Limit - Bridge over Elk Creek @ milepoint 5.28                    |                       |                  |
| TY I = 20 tons, TY II = 36 tons, TY III = 38 tons, TY IV = 60 tons       |                       |                  |

# ADMINISTRATIVE REGISTER - 1380

Weight Limit - Bridge over Gaudill Branch @ milepoint 8.04  
 TY I = 20 tons, TY II = 41 tons, TY III = 44 tons, TY IV = 60 tons  
 Weight Limit - Bridge over Rockhouse Creek @ milepoint 22.31  
 TY I = 20 tons, TY II = 39 tons, TY III = 39 tons, TY IV = 60 tons  
 Weight Limit - Bridge over Rockhouse Creek @ milepoint 24.78  
 TY I = 20 tons, TY II = 35 tons, TY III = 37 tons, TY IV = 48 tons  
 \* KY 15 0.0 US 119 9.2 KY 7  
 Weight Limit - Bridge over North Fork Kentucky River @ milepoint 0.10  
 TY I = 20 tons, TY II = 40 tons, TY III = 40 tons, TY IV = 45 tons  
 Weight Limit - Bridge over North Fork Kentucky River @ milepoint 0.41  
 TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 54 tons  
 Weight Limit - Bridge over North Fork Kentucky River @ milepoint 0.70  
 TY I = 20 tons, TY II = 45 tons, TY III = 48 tons, TY IV = 57 tons  
 Weight Limit - Bridge over Business Ramp @ milepoint 1.33  
 TY I = 20 tons, TY II = 42 tons, TY III = 47 tons, TY IV = 60 tons  
 Weight Limit - Bridge over North Fork Kentucky River @ milepoint 1.48  
 TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 40 tons  
 Weight Limit - Bridge over North Fork Kentucky River @ milepoint 1.67  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons  
 9.2 KY 7 10.7 Knott CO LN  
 \* KY 113 0.0 KY 805 4.5 End State MAINT  
 Weight Limit - Bridge over North Fork Kentucky River @ milepoint 0.53  
 TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 48 tons  
 Weight Limit - Bridge over North Fork Kentucky River @ milepoint 1.49  
 TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons  
 Weight Limit - Bridge over Left Fork Milestone Creek @ milepoint 1.80  
 TY I = 20 tons, TY II = 36 tons, TY III = 37 tons, TY IV = 58 tons  
 Weight Limit - Bridge over Milestone Creek @ milepoint 2.48  
 TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons  
 \* KY 160 0.0 Harlan CO LN 1.9 KY 463  
 Weight Limit - Bridge over Line Fork @ milepoint 1.83  
 TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons  
 13.4 Lucky Branch RD 21.8 KY 15  
 Weight Limit - Bridge over Kings Creek @ milepoint 14.73  
 TY I = 20 tons, TY II = 32 tons, TY III = 33 tons, TY IV = 51 tons  
 Weight Limit - Bridge over North Fork Kentucky River @ milepoint 15.40  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons  
 \* KY 317 0.0 KY 805 8.9 KY 7  
 \* KY 463 0.0 KY 160 3.3 Perry CO LN  
 \* KY 588 3.7 Tolson Loading 5.0 KY 160  
 5.0 KY 160 6.2 Kingdom Come Creek RD  
 \* KY 805 0.0 US 119 9.2 US 23  
 Weight Limit - Bridge over Potters Fork @ milepoint 6.98  
 TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 51 tons  
 Weight Limit - Bridge over Potters Fork @ milepoint 8.18  
 TY I = 20 tons, TY II = 39 tons, TY III = 39 tons, TY IV = 60 tons  
 Weight Limit - Bridge over Potters Fork @ milepoint 8.92  
 TY I = 20 tons, TY II = 36 tons, TY III = 39 tons, TY IV = 60 tons  
 Weight Limit - Bridge in Haymond @ milepoint 9.24  
 TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 31 tons  
 \* KY 931 11.5 Mine 13.5 Mine  
 15.2 KY 1148 18.4 KY 7  
 \* KY 932 0.0 US 119 2.4 Meadow Branch RD  
 \* KY 1103 3.3 Defeated Creek 8.2 Tolby Branch RD  
 11.8 Mine 14.3 KY 7  
 \* KY 1148 0.0 KY 15 4.1 KY 931  
 \* KY 1410 0.0 Knott CO LN 1.6 KY 7  
 \* KY 1862 0.3 Mayking-Cram CR RD 0.4 US 119  
 Weight Limit - Bridge over North Fork Kentucky River @ milepoint 0.31  
 TY I = 20 tons, TY II = 22 tons, TY III = 31 tons, TY IV = 31 tons  
 \* Millstone-Democrat Road  
 CR 5020 1.7 Mine 2.7 KY 113  
 \* Beaverdam Branch Road  
 CR 5047 0.0 KY 7 2.0 Mine  
 \* Loves Branch Road  
 CR 5048 0.0 KY 7 1.5 Mine  
 \* Mayking-Cram Creek Road  
 CR 5153 0.0 KY 1862 1.5 Cram Creek RD  
 \* Cram Creek Road  
 CR 5169 0.0 Mayking-Cram CR RD 0.5 Mine  
 \* Meadow Branch Road  
 CR 5187 0.0 KY 932 2.1 Mine  
 \* Kingdom Come Creek Road  
 CR 5229 0.0 Ky 588 1.2 Mine

# ADMINISTRATIVE REGISTER - 1381

Weight Limit - Bridge over Cowan Creek  
 TY I = 20 tons, TY II = 30 tons, TY III = 34 tons, TY IV = 53 tons  
 Weight Limit - Bridge over Kingdom Come Creek  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons  
 \* Big Branch-Tolson Branch Road  
 CR 5258 0.0 KY 588 4.5 Mine  
 \* Whitaker Branch Road  
 CR 5259 0.0 KY 1103 2.5 Big BR-Tolson BR RD  
 \* Defeated Creek Road  
 CR 5265 5.1 Mine 5.6 KY 1103  
 Weight Limit - Bridge over Line Fork Creek  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons  
 \* Lucky Branch Road  
 CR 5272 0.0 KY 160 0.4 Mine  
 \* Johnson Branch Road  
 CR 5309 0.0 KY 160 0.3 Mine  
 \* Hollybush Branch Road  
 CR 5312 0.0 KY 160 0.4 Mine  
 \* Loggy Hollow Road  
 CR 5314 0.0 KY 15 1.1 Mine  
 \* Hicks Branch Road  
 CR 5338 0.0 KY 7 0.1 Isom #2 Tipple  
 Weight Limit - Bridge over Rockhouse Creek  
 TY I = 9 tons, TY II = 9 tons, TY III = 9 tons, TY IV = 9 tons  
 \* Caudill Creek Road  
 CR 5354 0.0 KY 7 2.3 Mine  
 \* Lowgap Branch/Elk Creek Road  
 CR 5361 0.0 KY 7 1.2 Elk Creek RD  
 Weight Limit - Bridge over Elk Creek  
 TY I = 20 tons, TY II = 36 tons, TY III = 42 tons, TY IV = 60 tons  
 \* Elk Creek Road  
 CR 5362 0.0 Lowgap BR/Elk CK RD 0.5 Mine

## LINCOLN COUNTY

| ROAD   | FROM            | TO                    |
|--|-----------------|-----------------------|
| * US 27  | 17.2 US 150     | 18.0 US 150 Bypass    |
| * US 150   | 0.0 Boyle CO LN | 4.3 US 150 Bypass     |
| Weight Limit - Bridge over Hanging Fork Creek @ milepoint 1.81     |                 |                       |
| TY I = 20 tons, TY II = 43 tons, TY III = 44 tons, TY IV = 58 tons |                 |                       |
|  | 6.4 US 27       | 19.7 Rockcastle CO LN |
| Weight Limit - Bridge over Logans Creek @ milepoint 7.04           |                 |                       |
| TY I = 20 tons, TY II = 36 tons, TY III = 38 tons, TY IV = 60 tons |                 |                       |
| Weight Limit - Bridge over Cedar Creek @ milepoint 13.30           |                 |                       |
| TY I = 20 tons, TY II = 25 tons, TY III = 27 tons, TY IV = 35 tons |                 |                       |
| Weight Limit - Bridge over L&N RR @ milepoint 18.62                |                 |                       |
| TY I = 20 tons, TY II = 36 tons, TY III = 39 tons, TY IV = 60 tons |                 |                       |
| Weight Limit - Bridge over Turkey Creek @ milepoint 19.35          |                 |                       |
| TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons |                 |                       |
| * US 150B  | 0.0 US 150      | 1.1 US 27             |

## LIVINGSTON COUNTY

| ROAD   | FROM           | TO             |
|--|----------------|----------------|
| * US 62  | 1.2 KY 453     | 2.9 Lyon CO LN |
| Weight Limit - Bridge over Cumberland River @ milepoint 2.78       |                |                |
| TY I = 20 tons, TY II = 26 tons, TY III = 29 tons, TY IV = 38 tons |                |                |
| * KY 453   | 0.5 B R T Dock | 2.8 US 62      |
| Weight Limit - Bridge over IC RR @ milepoint 0.92                  |                |                |
| TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 60 tons |                |                |

## LYON COUNTY

| ROAD   | FROM                 | TO                            |
|--|----------------------|-------------------------------|
| * Western Kentucky Parkway   | 3.7 US 62            | 5.6 Caldwell CO LN            |
| * US 62  | 0.0 Livingston CO LN | 12.2 Western Kentucky Parkway |
| Weight Limit - Bridge over IC RR @ milepoint 3.67                  |                      |                               |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                      |                               |

## McCREARY COUNTY

| ROAD   | FROM             | TO                 |
|--|------------------|--------------------|
| * US 27  | 4.6 KY 90        | 22.7 Pulaski CO LN |
| * KY 90  | 0.0 US 27        | 4.9 Eagle Creek RD |
| * KY 92  | 17.3 Railroad DR | 28.4 Whitley CO LN |
| Weight Limit - Bridge over Marsh Creek @ milepoint 25.42           |                  |                    |
| TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 59 tons |                  |                    |

# ADMINISTRATIVE REGISTER - 1382

|  |                    |                       |
|--|--------------------|-----------------------|
| * KY 1673                                | 0.0 Whitley CO LN  | 0.6 Whitley CO LN     |
| * KY 90 - Sawyer Road (Eagle Creek Road) |                    |                       |
| CR 5023                                  | 0.0 KY 90          | 1.4 Big Swag Ridge RD |
| * Big Swag Ridge Road                    |                    |                       |
| CR 5055                                  | 0.0 Eagle Creek RD | 1.3 Mine              |
| * Railroad Drive                         |                    |                       |
| CR 5203                                  | 0.0 KY 92          | 0.3 Revelo Prep Plant |

## McLEAN COUNTY

| ROAD  | FROM                 | TO                            |
|---|----------------------|-------------------------------|
| * US 431  | 0.0 Muhlenberg CO LN | 9.3 Barrett Hill RD           |
| Weight Limit - Bridge over Drain to Cypress Creek @ milepoint 0.80        |                      |                               |
| TY I = 20 tons, TY II = 39 tons, TY III = 39 tons, TY IV = 60 tons        |                      |                               |
| Weight Limit - Bridge over Unnamed Stream to Green River @ milepoint 4.63 |                      |                               |
| TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons        |                      |                               |
| Weight Limit - Bridge over Green River & Rough River @ milepoint 5.10     |                      |                               |
| TY I = 20 tons, TY II = 34 tons, TY III = 38 tons, TY IV = 46 tons        |                      |                               |
| Weight Limit - Bridge over Buck Creek @ milepoint 9.13                    |                      |                               |
| TY I = 20 tons, TY II = 36 tons, TY III = 38 tons, TY IV = 60 tons        |                      |                               |
| * KY 81   | 0.0 Muhlenberg CO LN | 6.2 Mine                      |
| Weight Limit - Bridge over Unnamed Stream @ milepoint 0.08                |                      |                               |
| TY I = 20 tons, TY II = 23 tons, TY III = 26 tons, TY IV = 43 tons        |                      |                               |
| Weight Limit - Bridge over Unnamed Stream @ milepoint 5.26                |                      |                               |
| TY I = 20 tons, TY II = 24 tons, TY III = 28 tons, TY IV = 47 tons        |                      |                               |
| Weight Limit - Bridge over Slough @ milepoint 5.74                        |                      |                               |
| TY I = 20 tons, TY II = 23 tons, TY III = 26 tons, TY IV = 43 tons        |                      |                               |
|   | 11.9 KY 256          | 18.3 Daviess CO LN            |
| * KY 136  | 11.1 KY 1792         | 12.9 KY 81                    |
| Weight Limit - Bridge over Long Falls Creek @ milepoint 11.26             |                      |                               |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 53 tons        |                      |                               |
| * KY 140  | 0.0 KY 256           | 0.1 KY 1792                   |
| * KY 256  | 5.6 Mine             | 10.4 KY 81                    |
| Weight Limit - Bridge over Porters Ditch @ milepoint 6.72                 |                      |                               |
| TY I = 19 tons, TY II = 19 tons, TY III = 20 tons, TY IV = 33 tons        |                      |                               |
| Weight Limit - Bridge over Branch of Porters Ditch @ milepoint 7.34       |                      |                               |
| TY I = 13 tons, TY II = 13 tons, TY III = 13 tons, TY IV = 13 tons        |                      |                               |
| Weight Limit - Bridge over Long Falls Creek @ milepoint 9.86              |                      |                               |
| TY I = 20 tons, TY II = 24 tons, TY III = 25 tons, TY IV = 31 tons        |                      |                               |
| * KY 1792   | 0.0 KY 140           | 2.6 KY 136                    |
| Weight Limit - Bridge over Porters Drainage Ditch @ milepoint 0.92        |                      |                               |
| TY I = 20 tons, TY II = 28 tons, TY III = 30 tons, TY IV = 48 tons        |                      |                               |
| * Barrett Hill Road   |                      |                               |
| CR 5014   | 0.0 US 431           | 2.4 Brierfield Schoolhouse RD |
| Weight Limit - Bridge over Buck Creek                                     |                      |                               |
| TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons        |                      |                               |
| * Brierfield Schoolhouse Road   |                      |                               |
| CR 5015   | 0.0 Barrett Hill RD  | 0.7 Mine                      |

## MADISON COUNTY

| ROAD   | FROM                 | TO                |
|--|----------------------|-------------------|
| * US 25  | 0.0 Rockcastle CO LN | 3.8 KY 21         |
| Weight Limit - Bridge over L & N Railroad @ milepoint 3.20         |                      |                   |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                      |                   |
| * KY 21  | 8.6 I-75             | 9.1 US 25         |
| Weight Limit - Bridge over I-75 @ milepoint 8.62                   |                      |                   |
| TY I = 20 tons, TY II = 39 tons, TY III = 40 tons, TY IV = 52 tons |                      |                   |
| * KY 52  | 13.0 KY 876          | 22.9 Estill CO LN |
| * KY 876   | 8.6 Kit Carson DR    | 10.8 KY 52        |

## MAGOFFIN COUNTY

| ROAD  | FROM                | TO                    |
|---|---------------------|-----------------------|
| * Mountain Parkway  |                     |                       |
|   | 63.1 Morgan CO LN   | 75.6 US 460           |
| Weight Limit - Bridge over Licking River @ milepoint 74.51            |                     |                       |
| TY I = 20 tons, TY II = 39 tons, TY III = 40 tons, TY IV = 50 tons    |                     |                       |
| * US 460  | 0.0 Morgan CO LN    | 20.4 Johnson CO LN    |
| Weight Limit - Bridge over Licking River @ milepoint 1.75             |                     |                       |
| TY I = 20 tons, TY II = 28 tons, TY III = 28 tons, TY IV = 40 tons    |                     |                       |
| Weight Limit - Bridge over State Road on Fork Creek @ milepoint 11.35 |                     |                       |
| TY I = 20 tons, TY II = 32 tons, TY III = 33 tons, TY IV = 44 tons    |                     |                       |
| * KY 7  | 4.8 Brushy Creek RD | 23.9 Mountain Parkway |
| Weight Limit - Bridge over Licking River @ milepoint 5.79             |                     |                       |
| TY I = 20 tons, TY II = 33 tons, TY III = 35 tons, TY IV = 57 tons    |                     |                       |

# ADMINISTRATIVE REGISTER - 1383

|  |                          |                      |
|--|--------------------------|----------------------|
| * KY 30  | 0.0 Breathitt CO LN      | 8.9 Mountain Parkway |
| Weight Limit - Bridge over Middle Fork @ milepoint 7.55            |                          |                      |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 48 tons |                          |                      |
| * KY 40  | 4.6 KY 1081              | 6.9 Johnson CO LN    |
| Weight Limit - Bridge over Little Paint Creek @ milepoint 6.48     |                          |                      |
| TY I = 20 tons, TY II = 27 tons, TY III = 28 tons, TY IV = 47 tons |                          |                      |
| * KY 364   | 0.0 KY 1081              | 1.3 Mine             |
| * KY 404   | 0.0 KY 7                 | 2.7 Floyd CO LN      |
| * KY 542   | 0.0 Breathitt CO LN      | 5.8 KY 7             |
| * KY 867   | 4.7 KY 1635              | 5.7 KY 7             |
|  | 5.7 KY 7                 | 7.4 Hickory Tipple   |
| * KY 1081  | 8.3 KY 364               | 16.9 KY 40           |
| * KY 1090  | 0.0 KY 30                | 1.5 Mine             |
| Weight Limit - Bridge over Middle Fork Creek @ milepoint 0.01      |                          |                      |
| TY I = 20 tons, TY II = 31 tons, TY III = 32 tons, TY IV = 52 tons |                          |                      |
| * KY 1397  | 2.5 Crane Nest Branch RD | 3.0 KY 30            |
| * KY 1471  | 0.0 Big Half Mountain RD | 4.3 KY 7             |
| Weight Limit - Bridge over Licking River @ milepoint 3.96          |                          |                      |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                          |                      |
| * KY 1502  | 1.3 Mine                 | 3.3 KY 542           |
| * KY 1635  | 0.0 Tiptop-Bettsmann RD  | 5.7 KY 867           |
| * KY 1734  | 0.0 KY 7                 | 1.3 Salt Lick RD     |
| * Salt Lick Road   |                          |                      |
| CR 5126  | 0.0 KY 1734              | 0.3 Mine             |
| * Brushy Fork Road   |                          |                      |
| CR 5132  | 0.0 KY 7                 | 1.0 Mine             |
| * Beetree Branch Road  |                          |                      |
| CR 5145  | 0.0 KY 7                 | 0.7 Mine             |
| * Big Half Mountain Road   |                          |                      |
| CR 5148  | 0.0 Mine                 | 0.5 KY 1471          |
| Weight Limit - Bridge over Big Half Mountain Creek                 |                          |                      |
| TY I = 5 tons, TY II = 5 tons, TY III = 5 tons, TY IV = 5 tons     |                          |                      |
| * Tiptop-Bettsmann Branch Road                                     |                          |                      |
| CR 5225B   | 0.0 Breathitt CO LN      | 0.7 KY 1635          |
| * Crane Nest Branch Road   |                          |                      |
| CR 5229  | 0.0 KY 1397              | 0.3 Mine             |

## MARTIN COUNTY

| ROAD  | FROM                     | TO                    |
|---|--------------------------|-----------------------|
| * KY 3  | 0.0 Johnson CO LN        | 13.3 KY 40            |
| Weight Limit - Branch Coldwater Fork Rockcastle Creek @ milepoint 13.09 |                          |                       |
| TY I = 20 tons, TY II = 31 tons, TY III = 32 tons, TY IV = 52 tons      |                          |                       |
|   | 21.8 Laurel Creek RD     | 23.2 Lawrence CO LN   |
| * KY 40   | 5.3 KY 3                 | 10.2 KY 3             |
| Weight Limit - Bridge over Rockcastle Fork @ milepoint 6.95             |                          |                       |
| TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 53 tons      |                          |                       |
| Weight Limit - Bridge over Rockcastle Creek @ milepoint 10.14           |                          |                       |
| TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons      |                          |                       |
|   | 10.2 KY 3                | 20.2 KY 292           |
| * KY 292  | 0.0 Pike CO LN           | 13.2 KY 40            |
| Weight Limit - Bridge over Wolfe Creek @ milepoint 11.99                |                          |                       |
| TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 43 tons      |                          |                       |
| * KY 645  | 0.0 KY 40                | 4.7 Lawrence CO LN    |
| * KY 908  | 1.7 Mine                 | 6.7 KY 40             |
| * KY 1224   | 0.5 Mine                 | 4.4 KY 40             |
| Weight Limit - Bridge over Rockcastle Fork @ milepoint 4.32             |                          |                       |
| TY I = 20 tons, TY II = 39 tons, TY III = 39 tons, TY IV = 55 tons      |                          |                       |
| * KY 1439   | 0.0 Meathouse Road       | 6.4 KY 1714           |
| Weight Limit - Bridge over Wolfe Creek @ milepoint 1.83                 |                          |                       |
| TY I = 20 tons, TY II = 31 tons, TY III = 32 tons, TY IV = 45 tons      |                          |                       |
| * KY 1714   | 1.7 Mine                 | 9.2 KY 292            |
| * KY 2032   | 0.0 KY 1439              | 4.0 KY 40             |
| * Big Branch Road   |                          |                       |
| CR 5102   | 0.0 KY 1714              | 0.7 Mine              |
| * Emily Branch Road   |                          |                       |
| CR 5105   | 0.0 KY 1714              | 1.0 Mine              |
| Weight Limit - Bridge over Holty Branch                                 |                          |                       |
| TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons      |                          |                       |
| * Meathouse Road  |                          |                       |
| CR 5116   | 0.0 KY 1439              | 2.6 Lowgap RD         |
| * Lowgap Road   |                          |                       |
| CR 5117   | 0.0 Pike CO LN           | 2.0 Meathouse RD      |
| * Middle Fork of Wolf Creek Road  |                          |                       |
| CR 5205   | 0.0 Mid FK Rockcastle RD | 4.0 Private Haul Road |



\* Middle Fork of Rockcastle Creek Road  
 CR 5206 0.0 KY 3 0.2 Mid FK Wolf CK RD  
 \* Venters Branch Road  
 CR 5212 0.0 KY 3 1.0 Mine  
 \* Little Laurel Creek Road  
 CR 5313 0.0 KY 3 0.6 Mine  
 Weight Limit - Bridge over Rockcastle Creek  
 TY I = 20 tons, TY II = 18 tons, TY III = 18 tons, TY IV = 18 tons

## MASON COUNTY

| ROAD   | FROM                | TO                    |
|--|---------------------|-----------------------|
| * US 62  | 12.7 US 68          | 17.4 KY 10 (West) 4.7 |
| * US 68  | 0.0 Fleming CO LN   | 11.9 US 62            |
| * KY 8   | 0.0 Bracken CO LN   | 11.0 KY 10            |
| Weight Limit - Bridge over Phillips Creek @ milepoint 7.11         |                     |                       |
| TY I = 20 tons, TY II = 32 tons, TY III = 33 tons, TY IV = 39 tons |                     |                       |
| * KY 10  | 9.7 US 68           | 15.9 Spring Creek RD  |
| Weight Limit - Bridge over L&N RR @ milepoint 9.79                 |                     |                       |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                     |                       |
| Weight Limit - Bridge over Bull Fork @ milepoint 13.30             |                     |                       |
| TY I = 20 tons, TY II = 40 tons, TY III = 40 tons, TY IV = 60 tons |                     |                       |
| * KY 11  | 0.0 Fleming CO LN   | 11.3 US 62            |
| Weight Limit - Bridge over Mill Creek @ milepoint 0.16             |                     |                       |
| TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 59 tons |                     |                       |
| * Spring Creek Road  |                     |                       |
| CR 5012  | 0.0 KY 10           | 1.8 Cabin Creek PK    |
| Weight Limit - Bridge over Spring Creek                            |                     |                       |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                     |                       |
| Weight Limit - Bridge over Spring Creek                            |                     |                       |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                     |                       |
| * Cabin Creek Pike   |                     |                       |
| CR 5013  | 0.0 Spring Creek RD | 0.7 Dravo Lime CO     |

## MERCER COUNTY

| ROAD   | FROM            | TO                      |
|--|-----------------|-------------------------|
| * US 68  | 6.8 US 127      | 20.3 Jessamine CO LN    |
| Weight Limit - Bridge over Shaker Creek @ milepoint 12.70          |                 |                         |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                 |                         |
| Weight Limit - Bridge over Kentucky River @ milepoint 20.29        |                 |                         |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                 |                         |
| * US 127   | 0.0 Boyle CO LN | 4.4 US 68               |
| * KY 33  | 0.0 Boyle CO LN | 7.7 US 68               |
| Weight Limit - Bridge over Southern RR @ milepoint 3.66            |                 |                         |
| TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons |                 |                         |
| * KY 342   | 0.0 KY 33       | 1.5 E W Brown Power PLT |

## MONTGOMERY COUNTY

| ROAD   | FROM             | TO              |
|--|------------------|-----------------|
| * US 460   | 7.3 KY 11        | 8.3 KY 686      |
| * KY 11  | 0.0 Powell CO LN | 9.2 KY 686      |
| Weight Limit - Bridge over Lulbegrud Creek @ milepoint 3.92        |                  |                 |
| TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 58 tons |                  |                 |
| Weight Limit - Bridge over Lulbegrud Creek @ milepoint 5.38        |                  |                 |
| TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons |                  |                 |
|  | 10.0 US 460      | 15.4 Bath CO LN |
| * KY 686   | 0.0 KY 11        | 2.7 US 460      |

## MORGAN COUNTY

| ROAD  | FROM                 | TO                  |
|---|----------------------|---------------------|
| * Mountain Parkway  |                      |                     |
|   | 57.7 Wolfe CO LN     | 63.1 Magoffin CO LN |
| Weight Limit - Bridge over Red River & KY 134 @ milepoint 60.40     |                      |                     |
| TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 60 tons  |                      |                     |
| Weight Limit - Bridge over Johnson Creek & KY 134 @ milepoint 62.12 |                      |                     |
| TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 60 tons  |                      |                     |
| * US 460  | 13.1 KY 205          | 17.7 KY 7           |
| Weight Limit - Bridge over Licking River @ milepoint 17.21          |                      |                     |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons  |                      |                     |
|   | 23.9 Malone-Jones RD | 28.8 Magoffin CO LN |
| Weight Limit - Bridge over White Oak Creek @ milepoint 25.94        |                      |                     |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 48 tons  |                      |                     |
| * KY 7  | 0.0 US 460           | 11.7 Elliott CO LN  |
| Weight Limit - Bridge over Elk Fork Creek @ milepoint 2.56          |                      |                     |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 51 tons  |                      |                     |

# ADMINISTRATIVE REGISTER - 1385

Weight Limit - Bridge over North Fork of Licking River @ milepoint 8.37

TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 51 tons

Weight Limit - Bridge over Road Fork @ milepoint 8.60

TY I = 20 tons, TY II = 31 tons, TY III = 34 tons, TY IV = 48 tons

|  |                      |                          |
|--|----------------------|--------------------------|
| * KY 172   | 11.8 Laurel Fork RD  | 12.3 Old House Branch RD |
|  | 18.7 Cinda Branch RD | 22.3 KY 1614             |
| * KY 205   | 0.0 Wolfe CO LN      | 6.8 US 460               |
| * KY 650   | 2.9 Mine             | 4.0 Elliott CO LN        |
| * KY 1614  | 0.0 KY 172           | 0.2 Johnson CO LN        |
| * Old House Branch Road                                    |                      |                          |
| CR 5035  | 0.0 KY 172           | 0.6 Mine                 |
| * Cinda Branch Road  |                      |                          |
| CR 5043  | 0.0 KY 172           | 0.3 Mine                 |
| * Laurel Fork Road   |                      |                          |
| CR 5064  | 0.0 KY 172           | 2.2 Elliott CO LN        |
| * Jones Creek Road   |                      |                          |
| CR 5103  | 0.0 Malone-Jones RD  | 0.4 Mine                 |
| Weight Limit - Bridge over Licking River                   |                      |                          |
| TY I = 1 ton, TY II = 1 ton, TY III = 1 ton, TY IV = 1 ton |                      |                          |
| * Malone-Jones Creek Road                                  |                      |                          |
| CR 5175  | 0.0 KY 7             | 1.3 Jones Creek RD       |
| Weight Limit - Bridge over Caney Creek                     |                      |                          |
| TY I = 1 ton, TY II = 1 ton, TY III = 1 ton, TY IV = 1 ton |                      |                          |

## MUHLENBERG COUNTY

| ROAD   | FROM                        | TO                        |
|--|-----------------------------|---------------------------|
| * Western Kentucky Parkway   |                             |                           |
|  | 43.4 Hopkins CO LN          | 65.7 Ohio CO LN           |
| Weight Limit - Bridge over Pond River Relief @ milepoint 43.60                   |                             |                           |
| TY I = 20 tons, TY II = 39 tons, TY III = 39 tons, TY IV = 60 tons               |                             |                           |
| Weight Limit - Bridge over KY 175-IC RR - Unnamed Creek @ milepoint 48.05        |                             |                           |
| TY I = 20 tons, TY II = 41 tons, TY III = 42 tons, TY IV = 60 tons               |                             |                           |
| Weight Limit - Bridge over KY 181 @ milepoint 52.52                              |                             |                           |
| TY I = 20 tons, TY II = 38 tons, TY III = 39 tons, TY IV = 55 tons               |                             |                           |
| Weight Limit - Bridge over IC RR @ milepoint 55.51                               |                             |                           |
| TY I = 20 tons, TY II = 42 tons, TY III = 43 tons, TY IV = 59 tons               |                             |                           |
| Weight Limit - Bridge over L&N RR, Branch Little Cypress Creek @ milepoint 57.58 |                             |                           |
| TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 60 tons               |                             |                           |
| Weight Limit - Bridge over Green River Parkway @ milepoint 65.38                 |                             |                           |
| TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 57 tons               |                             |                           |
| * US 62  | 8.8 KY 189                  | 10.5 KY 176               |
|  | 19.8 Cleaton-Green River RD | 26.0 Ohio CO LN           |
| Weight Limit - Bridge over I.C. RR @ milepoint 24.71                             |                             |                           |
| TY I = 20 tons, TY II = 28 tons, TY III = 28 tons, TY IV = 36 tons               |                             |                           |
| * US 431   | 9.8 KY 70                   | 27.7 McLean CO LN         |
| Weight Limit - Bridge over Pond Creek @ milepoint 12.45                          |                             |                           |
| TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons               |                             |                           |
| Weight Limit - Bridge over Western KY Parkway @ milepoint 17.48                  |                             |                           |
| TY I = 20 tons, TY II = 44 tons, TY III = 46 tons, TY IV = 60 tons               |                             |                           |
| Weight Limit - Bridge over Overflow Structure @ milepoint 27.71                  |                             |                           |
| TY I = 20 tons, TY II = 39 tons, TY III = 39 tons, TY IV = 60 tons               |                             |                           |
| * KY 70  | 15.4 US 431                 | 23.8 Butler CO LN         |
| Weight Limit - Bridge over Mud River @ milepoint 23.75                           |                             |                           |
| TY I = 20 tons, TY II = 38 tons, TY III = 39 tons, TY IV = 46 tons               |                             |                           |
| * KY 81  | 0.0 US 431                  | 7.4 McLean CO LN          |
| Weight Limit - Bridge over Cypress Creek @ milepoint 1.07                        |                             |                           |
| TY I = 20 tons, TY II = 39 tons, TY III = 39 tons, TY IV = 60 tons               |                             |                           |
| Weight Limit - Bridge over Branch of Muddy Fork @ milepoint 2.71                 |                             |                           |
| TY I = 20 tons, TY II = 24 tons, TY III = 27 tons, TY IV = 46 tons               |                             |                           |
| Weight Limit - Bridge over Muddy Fork @ milepoint 2.86                           |                             |                           |
| TY I = 20 tons, TY II = 23 tons, TY III = 26 tons, TY IV = 43 tons               |                             |                           |
| * KY 176   | 0.0 US 62                   | 12.5 T V A Paradise Plant |
| Weight Limit - Bridge over Pond Creek @ milepoint 4.29                           |                             |                           |
| TY I = 20 tons, TY II = 40 tons, TY III = 40 tons, TY IV = 60 tons               |                             |                           |
| * KY 189   | 6.0 Mine Access             | 8.8 US 62                 |
| * Cleaton-Green River Road   |                             |                           |
| CR 5022  | 0.0 US 62                   | 2.4 Gibraltar Haul RD     |
| * Gibraltar Haul Road  |                             |                           |
| CR 5040  | 0.0 Cleaton-Green River RD  | 0.2 Mine                  |
| * Green River Power Plant Road   |                             |                           |
| CR 5045  | 0.0 US 431                  | 0.7 KY Utilities Plant    |

# ADMINISTRATIVE REGISTER - 1386

## NICHOLAS COUNTY

| ROAD   | FROM              | TO                   |
|--|-------------------|----------------------|
| * US 68  | 0.0 Bourbon CO LN | 12.2 Robertson CO LN |
| Weight Limit - Bridge over Stony Creek @ milepoint 9.72            |                   |                      |
| TY I = 20 tons, TY II = 36 tons, TY III = 38 tons, TY IV = 60 tons |                   |                      |

## OHIO COUNTY

| ROAD   | FROM                  | TO                    |
|--|-----------------------|-----------------------|
| * Western Kentucky Parkway   | 65.7 Muhlenberg CO LN | 76.8 Green River PKWY |
| Weight Limit - Bridge over Lewis Creek @ milepoint 69.75                 |                       |                       |
| TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 60 tons       |                       |                       |
| Weight Limit - Bridge over KY 369 @ milepoint 72.43                      |                       |                       |
| TY I = 20 tons, TY II = 35 tons, TY III = 37 tons, TY IV = 49 tons       |                       |                       |
| Weight Limit - Bridge over US 231 @ milepoint 74.56                      |                       |                       |
| TY I = 20 tons, TY II = 43 tons, TY III = 45 tons, TY IV = 60 tons       |                       |                       |
| * Green River Parkway  | 35.1 Butler CO LN     | 59.5 Daviess CO LN    |
| Weight Limit - Bridge over Rough River @ milepoint 49.34                 |                       |                       |
| TY I = 20 tons, TY II = 44 tons, TY III = 45 tons, TY IV = 54 tons       |                       |                       |
| * US 62  | 0.0 Muhlenberg CO LN  | 19.8 KY 505 (South)   |
| Weight Limit - Bridge over Green River @ milepoint 0.01                  |                       |                       |
| TY I = 20 tons, TY II = 31 tons, TY III = 32 tons, TY IV = 41 tons       |                       |                       |
| Weight Limit - Bridge over Lewis Creek @ milepoint 1.45                  |                       |                       |
| TY I = 20 tons, TY II = 32 tons, TY III = 32 tons, TY IV = 57 tons       |                       |                       |
| Weight Limit - Bridge over Branch of Three Lick Fork @ milepoint 11.91   |                       |                       |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 53 tons       |                       |                       |
| Weight Limit - Bridge over Three Lick Fork @ milepoint 12.03             |                       |                       |
| TY I = 20 tons, TY II = 36 tons, TY III = 38 tons, TY IV = 60 tons       |                       |                       |
| Weight Limit - Bridge over Muddy Creek @ milepoint 12.30                 |                       |                       |
| TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 59 tons       |                       |                       |
| Weight Limit - Bridge over Elmlick Creek @ milepoint 14.95               |                       |                       |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons       |                       |                       |
| * US 231   | 0.0 Butler CO LN      | 10.0 US 62 (South)    |
|  | 10.0 US 62 (North)    | 24.3 Daviess CO LN    |
| Weight Limit - Bridge over North Fork Muddy Creek @ milepoint 12.30      |                       |                       |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons       |                       |                       |
| Weight Limit - Bridge over Barnett Creek @ milepoint 20.30               |                       |                       |
| TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons       |                       |                       |
| * KY 69  | 6.9 Mine              | 7.6 KY 85 (South)     |
| * KY 85  | 7.3 KY 69 (East)      | 11.4 US 62            |
| Weight Limit - Bridge over Branch West Fork Lewis Creek @ milepoint 9.69 |                       |                       |
| TY I = 20 tons, TY II = 33 tons, TY III = 35 tons, TY IV = 56 tons       |                       |                       |
| * KY 269   | 0.0 Butler CO LN      | 5.6 US 231            |
| * KY 1245  | 4.6 Pyramid Washer    | 5.2 James RD          |
| * KY 1903  | 0.0 US 62             | 0.9 Lewis Creek Dock  |
| Weight Limit - Bridge over Lewis Creek @ milepoint 0.94                  |                       |                       |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons       |                       |                       |
| * Horton-Mount Pleasant Road   | CR 5124               | 0.1 Southwind Tipple  |
| Weight Limit - Bridge over Pigeon Creek                                  |                       |                       |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons       |                       |                       |
| * Daniels Mine Road (West)   | CR 5206A              | 1.6 Mine              |
|  | 0.0 US 62             |                       |
| * Schultztown-Cool Springs Road  | CR 5267               | 3.6 KY 269            |
|  | 2.5 Mine              |                       |
| * James Road   | CR 5322               | 0.4 KY 1245           |
|  | 0.0 US 62             |                       |
| Weight Limit - Bridge over Railroad Ditch                                |                       |                       |
| TY I = 4 tons, TY II = 4 tons, TY III = 4 tons, TY IV = 4 tons           |                       |                       |
| Weight Limit - Bridge over Render Creek                                  |                       |                       |
| TY I = 3 tons, TY II = 3 tons, TY III = 3 tons, TY IV = 3 tons           |                       |                       |

## OWSLEY COUNTY

| ROAD   | FROM                 | TO           |
|--|----------------------|--------------|
| * KY 11  | 0.0 Clay CO LN       | 10.8 KY 1938 |
| Weight Limit - Bridge over Sexton Creek @ milepoint 1.80           |                      |              |
| TY I = 20 tons, TY II = 39 tons, TY III = 40 tons, TY IV = 53 tons |                      |              |
| Weight Limit - Bridge over Island Creek @ milepoint 4.02           |                      |              |
| TY I = 20 tons, TY II = 41 tons, TY III = 42 tons, TY IV = 56 tons |                      |              |
| Weight Limit - Bridge over White Oak Creek @ milepoint 6.18        |                      |              |
| TY I = 20 tons, TY II = 34 tons, TY III = 35 tons, TY IV = 49 tons |                      |              |
| * KY 1938  | 1.6 Minnow Branch RD | 2.5 KY 11    |

# ADMINISTRATIVE REGISTER - 1387

\* Minnow Branch Road  
CR 5304 0.0 KY 1938 0.3 Mine

## PENDLETON COUNTY

| ROAD  | FROM                 | TO                  |
|---|----------------------|---------------------|
| * US 27   | 0.0 Harrison CO LN   | 19.4 Campbell CO LN |
| Weight Limit - Bridge over Blanket Creek near Four Oak @ milepoint 4.41 |                      |                     |
| TY I = 20 tons, TY II = 40 tons, TY III = 43 tons, TY IV = 60 tons      |                      |                     |
| Weight Limit - Bridge over L&N RR @ milepoint 7.57                      |                      |                     |
| TY I = 20 tons, TY II = 31 tons, TY III = 33 tons, TY IV = 54 tons      |                      |                     |
| Weight Limit - Bridge over South Fork of Licking River @ milepoint 8.18 |                      |                     |
| TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 60 tons      |                      |                     |
| Weight Limit - Bridge over L&N RR-CR 1011-Kennedy Br. @ milepoint 15.78 |                      |                     |
| TY I = 20 tons, TY II = 39 tons, TY III = 40 tons, TY IV = 60 tons      |                      |                     |
| * KY 8  | 2.2 Black River Lime | 4.3 Bracken CO LN   |

## PERRY COUNTY

| ROAD   | FROM                        | TO                    |
|--|-----------------------------|-----------------------|
| * Daniel Boone Parkway   |                             |                       |
|  | 51.0 Leslie CO LN           | 59.1 KY 15            |
| * KY 7   | 0.0 KY 15                   | 11.4 KY 699           |
| Weight Limit - Bridge over Maces @ milepoint 2.44                            |                             |                       |
| TY I = 20 tons, TY II = 39 tons, TY III = 40 tons, TY IV = 53 tons           |                             |                       |
| * KY 15  | 0.0 Knott CO LN             | 25.2 Breathitt CO LN  |
| Weight Limit - Bridge over Main Street, Carr Fork, & L&N RR @ milepoint 0.20 |                             |                       |
| TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 55 tons           |                             |                       |
| Weight Limit - Bridge over Carr Fork & L&N RR @ milepoint 3.37               |                             |                       |
| TY I = 20 tons, TY II = 45 tons, TY III = 48 tons, TY IV = 55 tons           |                             |                       |
| Weight Limit - Bridge over L&N RR @ milepoint 13.17                          |                             |                       |
| TY I = 20 tons, TY II = 45 tons, TY III = 50 tons, TY IV = 55 tons           |                             |                       |
| Weight Limit - Bridge over KY 80, N Fork KY River @ milepoint 13.57          |                             |                       |
| TY I = 20 tons, TY II = 44 tons, TY III = 45 tons, TY IV = 49 tons           |                             |                       |
| Weight Limit - Bridge over First Creek & L&N RR @ milepoint 15.95            |                             |                       |
| TY I = 20 tons, TY II = 41 tons, TY III = 42 tons, TY IV = 56 tons           |                             |                       |
| * KY 28  | 3.5 Buckhorn-Breathitt RD   | 6.0 Breathitt CO LN   |
|  | 6.0 Breathitt CO LN         | 18.1 KY 15            |
| Weight Limit - Bridge over Grapevine Creek @ milepoint 15.02                 |                             |                       |
| TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons           |                             |                       |
| * KY 80  | 0.0 Leslie CO LN            | 4.6 KY 451            |
| Weight Limit - Bridge over Right Fork of Big Creek @ milepoint 1.57          |                             |                       |
| TY I = 20 tons, TY II = 36 tons, TY III = 38 tons, TY IV = 60 tons           |                             |                       |
|  | 7.9 D Boone Parkway & KY 15 | 15.9 Knott CO LN      |
| * KY 221   | 0.0 Harlan CO LN            | 0.5 Leslie CO LN      |
| * KY 451   | 7.2 Mine                    | 7.7 Daniel Boone PKWY |
|  | 7.7 Daniel Boone PKWY       | 7.8 KY 80             |
|  | 7.8 KY 80                   | 10.9 KY 2021          |
| * KY 463   | 0.0 Letcher CO LN           | 6.5 KY 699            |
| Weight Limit - Bridge over Leatherwood Creek @ milepoint 6.34                |                             |                       |
| TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons           |                             |                       |
| * KY 476   | 2.0 KY 550                  | 2.4 Darfork Tipple    |
| Weight Limit - Bridge over Lott's Creek @ milepoint 2.07                     |                             |                       |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 53 tons           |                             |                       |
| Weight Limit - Bridge over Lott's Creek @ milepoint 2.22                     |                             |                       |
| TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 40 tons           |                             |                       |
|  | 3.9 KY 1146                 | 18.1 Mine             |
| Weight Limit - Bridge over Troublesome Creek @ milepoint 8.72                |                             |                       |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons           |                             |                       |
| Weight Limit - Bridge over Ball Fork @ milepoint 12.36                       |                             |                       |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 54 tons           |                             |                       |
| * KY 550   | 0.0 KY 15 & KY 80           | 2.5 KY 476            |
| Weight Limit - Bridge over Lott's Creek @ milepoint 2.45                     |                             |                       |
| TY I = 20 tons, TY II = 35 tons, TY III = 37 tons, TY IV = 48 tons           |                             |                       |
| * KY 699   | 0.0 Leslie CO LN            | 12.5 KY 7             |
| Weight Limit - Bridge over Leatherwood Creek @ milepoint 4.75                |                             |                       |
| TY I = 20 tons, TY II = 33 tons, TY III = 35 tons, TY IV = 57 tons           |                             |                       |
| Weight Limit - Bridge over Leatherwood Creek @ milepoint 8.01                |                             |                       |
| TY I = 20 tons, TY II = 38 tons, TY III = 38 tons, TY IV = 60 tons           |                             |                       |
| Weight Limit - Bridge over Big Leather Creek @ milepoint 10.77               |                             |                       |
| TY I = 20 tons, TY II = 41 tons, TY III = 42 tons, TY IV = 60 tons           |                             |                       |
| * KY 1087  | 0.0 KY 476                  | 0.7 Lick Branch RD    |
| * KY 1095  | 0.4 Kelly Fork RD           | 2.9 KY 15             |
| Weight Limit - Bridge over Carr Fork @ milepoint 2.55                        |                             |                       |
| TY I = 18 tons, TY II = 19 tons, TY III = 22 tons, TY IV = 31 tons           |                             |                       |

# ADMINISTRATIVE REGISTER - 1388

|  |                           |                                |
|--|---------------------------|--------------------------------|
| * KY 1096  | 0.0 KY 80                 | 4.0 Whitaker Tipple            |
| Weight Limit - Bridge over Big Creek @ milepoint 0.02              |                           |                                |
| TY I = 20 tons, TY II = 40 tons, TY III = 38 tons, TY IV = 46 tons |                           |                                |
| Weight Limit - Bridge over Big Creek @ milepoint 3.55              |                           |                                |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                           |                                |
| * KY 1146  | 2.2 Jakes Fork Tipple     | 2.7 KY 476                     |
| Weight Limit - Bridge over Trace Fork @ milepoint 2.69             |                           |                                |
| TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 31 tons |                           |                                |
|  | 2.7 KY 476                | 4.0 KY 80                      |
|  | 4.0 KY 80                 | 4.6 Buckhorn Prep Plant        |
| * KY 2021  | 2.3 Hurricane Branch RD   | 3.4 KY 451                     |
| * KY 3196  | 0.0 Beech Fork RD         | 0.1 KY 699                     |
| Weight Limit - Bridge over Leatherwood Creek @ milepoint 0.01      |                           |                                |
| TY I = 20 tons, TY II = 36 tons, TY III = 38 tons, TY IV = 60 tons |                           |                                |
| * Wayne Davidson Road  |                           |                                |
| CR 5005  | 0.3 Cumberland Elk Tipple | 0.5 KY 15                      |
| * Coates Branch Road   |                           |                                |
| CR 5044  | 0.0 Ky 476                | 0.5 Mine                       |
| * Lick Branch Road   |                           |                                |
| CR 5045  | 0.0 KY 1087               | 0.6 Mine                       |
| * Jeff-Knott County Line Road                                      |                           |                                |
| CR 5100  | 0.0 Old KY 15 Loop #1 RD  | 2.4 Mine                       |
| * Old KY 15 Loop #1 Road   |                           |                                |
| CR 5102  | 0.0 KY 15                 | 0.5 Jeff-Knott CO LN RD        |
| Weight Limit - Bridge over North Fork of Kentucky River            |                           |                                |
| TY I = 10 tons, TY II = 10 tons, TY III = 10 tons, TY IV = 10 tons |                           |                                |
| * Oakwood Avenue-Stacy Branch Road                                 |                           |                                |
| CR 5117  | 0.0 Main ST (Vicco)       | 1.3 Chester Tipple             |
| * Main Street (Vicco)  |                           |                                |
| CR 5118B   | 0.0 KY 1095               | 0.6 Knott CO LN                |
| * Kelly Fork Road  |                           |                                |
| CR 5119  | 0.0 KY 1095               | 0.4 Emmons Tipple              |
| * Little Leatherwood Creek Road                                    |                           |                                |
| CR 5139  | 0.0 KY 699                | 5.7 Mine                       |
| Weight Limit - Bridge over Straight Fork                           |                           |                                |
| TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons |                           |                                |
| Weight Limit - Bridge over Little Leatherwood Creek                |                           |                                |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                           |                                |
| Weight Limit - Bridge over Little Leatherwood Creek                |                           |                                |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                           |                                |
| * Beech Fork Road  |                           |                                |
| CR 5146  | 0.0 KY 3196               | 3.0 Mine                       |
| * Jackson Fork Road  |                           |                                |
| CR 5152  | 0.0 KY 463                | 0.4 Mine                       |
| * Coal Waste Road  |                           |                                |
| CR 5237  | 0.0 Leatherwood Tipple    | 0.8 Leatherwood Lookout TWR RD |
| * Leatherwood Lookout Tower Road                                   |                           |                                |
| CR 5238  | 0.0 Coal Waste RD         | 2.2 Leslie CO LN               |
| * Hurricane Branch Road  |                           |                                |
| CR 5301  | 0.0 KY 2021               | 1.0 Mine                       |
| * Sam Campbell Branch Road (Old Pigeon Roose-Hull School RD)       |                           |                                |
| CR 5319  | 0.0 KY 15                 | 4.8 River Processing Tipple    |
| * Trace Branch-Tenmile Creek Road                                  |                           |                                |
| CR 5326  | 0.0 KY 15                 | 1.1 Mine                       |
| Weight Limit - Bridge over Ten Mile Creek                          |                           |                                |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                           |                                |
| * Spencer Creek-Napfor Branch Road                                 |                           |                                |
| CR 5333  | 0.0 KY 28                 | 1.9 Mine                       |
| * Buckhorn-Breathitt County Line Road                              |                           |                                |
| CR 5349  | 0.0 KY 28                 | 1.2 Mine                       |

## PIKE COUNTY

| ROAD   | FROM              | TO               |
|--|-------------------|------------------|
| * US 23  | 0.0 Letcher CO LN | 39.6 Floyd CO LN |
| Weight Limit - Bridge over Shelby Creek @ milepoint 21.36          |                   |                  |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                   |                  |
| Weight Limit - Bridge over Little Creek @ milepoint 22.25          |                   |                  |
| TY I = 20 tons, TY II = 34 tons, TY III = 36 tons, TY IV = 60 tons |                   |                  |
| Weight Limit - Bridge over Shelby Creek @ milepoint 23.90          |                   |                  |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                   |                  |
| Weight Limit - Bridge over C&O RR & Levisa Fork @ milepoint 26.14  |                   |                  |
| TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons |                   |                  |
| * US 23X   | 2.1 KY 1384       | 2.3 US 23        |

|  |                           |                             |
|--|---------------------------|-----------------------------|
| * US 119   | 0.0 US 23                 | 30.9 West Virginia State LN |
| Weight Limit - Bridge over Raccoon Creek @ milepoint 6.99              |                           |                             |
| TY I = 18 tons, TY II = 20 tons, TY III = 23 tons, TY IV = 40 tons     |                           |                             |
| Weight Limit - Bridge over John's Creek @ milepoint 8.32               |                           |                             |
| TY I = 20 tons, TY II = 21 tons, TY III = 24 tons, TY IV = 37 tons     |                           |                             |
| Weight Limit - Bridge over Bent Branch @ milepoint 10.40               |                           |                             |
| TY I = 20 tons, TY II = 35 tons, TY III = 37 tons, TY IV = 60 tons     |                           |                             |
| Weight Limit - Bridge over Bent Branch @ milepoint 10.64               |                           |                             |
| TY I = 15 tons, TY II = 15 tons, TY III = 15 tons, TY IV = 15 tons     |                           |                             |
| Weight Limit - Bridge over Bent Branch @ milepoint 11.26               |                           |                             |
| TY I = 15 tons, TY II = 15 tons, TY III = 15 tons, TY IV = 15 tons     |                           |                             |
| Weight Limit - Bridge over Bent Branch @ milepoint 11.64               |                           |                             |
| TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 60 tons     |                           |                             |
| Weight Limit - Bridge over Bent Branch @ milepoint 11.78               |                           |                             |
| TY I = 20 tons, TY II = 23 tons, TY III = 24 tons, TY IV = 40 tons     |                           |                             |
| Weight Limit - Bridge over Bent Branch @ milepoint 11.99               |                           |                             |
| TY I = 14 tons, TY II = 14 tons, TY III = 14 tons, TY IV = 14 tons     |                           |                             |
| Weight Limit - Bridge over Fork of Big Creek @ milepoint 16.80         |                           |                             |
| TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 60 tons     |                           |                             |
| Weight Limit - Bridge over Big Creek @ milepoint 17.46                 |                           |                             |
| TY I = 15 tons, TY II = 15 tons, TY III = 15 tons, TY IV = 15 tons     |                           |                             |
| Weight Limit - Bridge over Reed Fork @ milepoint 18.88                 |                           |                             |
| TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 31 tons     |                           |                             |
| Weight Limit - Bridge over Big Creek @ milepoint 20.55                 |                           |                             |
| TY I = 20 tons, TY II = 24 tons, TY III = 28 tons, TY IV = 47 tons     |                           |                             |
| Weight Limit - Bridge over Tug River @ milepoint 30.94                 |                           |                             |
| TY I = 20 tons, TY II = 45 tons, TY III = 45 tons, TY IV = 52 tons     |                           |                             |
| * US 119 New   | 0.0 US 23                 | 2.7 US 119                  |
| * US 460   | 0.0 US 23                 | 24.0 Virginia State LN      |
| Weight Limit - Bridge over Levisa Fork @ milepoint 4.26                |                           |                             |
| TY I = 20 tons, TY II = 38 tons, TY III = 39 tons, TY IV = 46 tons     |                           |                             |
| * KY 80  | 0.0 US 460                | 6.9 Virginia State LN       |
| Weight Limit - Bridge over Russell Fork of Big Sandy @ milepoint 3.07  |                           |                             |
| TY I = 20 tons, TY II = 41 tons, TY III = 42 tons, TY IV = 57 tons     |                           |                             |
| Weight Limit - Bridge over Russell Fork & Clinchfield @ milepoint 3.60 |                           |                             |
| TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 57 tons     |                           |                             |
| * KY 122   | 3.6 Mine                  | 5.2 KY 610                  |
|  | 6.8 Robinson Creek RD     | 10.4 US 23                  |
| * KY 194   | 0.0 Floyd CO LN           | 16.8 US 119                 |
|  | 16.8 US 119               | 27.8 Mine                   |
| Weight Limit - Bridge over John's Creek @ milepoint 25.62              |                           |                             |
| TY I = 20 tons, TY II = 28 tons, TY III = 30 tons, TY IV = 48 tons     |                           |                             |
|  | 31.0 Mine                 | 40.0 KY 1499                |
|  | 47.2 Mine                 | 55.7 KY 632                 |
| Weight Limit - Bridge over Peter Creek @ milepoint 51.37               |                           |                             |
| TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons     |                           |                             |
|  | 66.5 Lynntrough Branch RD | 67.7 KY 2062                |
|  | 69.6 KY 2059              | 73.2 Virginia State LN      |
| * KY 195   | 0.0 KY 197                | 11.6 US 460                 |
| Weight Limit - Bridge over Russell Fork @ milepoint 11.44              |                           |                             |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons     |                           |                             |
| * KY 197   | 0.0 US 23                 | 16.6 KY 80                  |
| Weight Limit - Bridge over Sycamore Creek @ milepoint 6.70             |                           |                             |
| TY I = 20 tons, TY II = 32 tons, TY III = 38 tons, TY IV = 46 tons     |                           |                             |
| Weight Limit - Bridge over Elkhorn Creek @ milepoint 13.91             |                           |                             |
| TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 56 tons     |                           |                             |
| * KY 199   | 8.2 KY 1056               | 11.6 US 119                 |
| Weight Limit - Bridge over Pond Creek @ milepoint 81.29                |                           |                             |
| TY I = 20 tons, TY II = 40 tons, TY III = 39 tons, TY IV = 58 tons     |                           |                             |
| Weight Limit - Bridge over Pond Creek @ milepoint 8.72                 |                           |                             |
| TY I = 20 tons, TY II = 34 tons, TY III = 35 tons, TY IV = 44 tons     |                           |                             |
| Weight Limit - Bridge over Pond Creek @ milepoint 11.34                |                           |                             |
| TY I = 20 tons, TY II = 41 tons, TY III = 42 tons, TY IV = 59 tons     |                           |                             |
| * KY 292   | 0.0 Goody-AFLX-BURNWL RD  | 4.8 US 119                  |
|  | 4.8 US 119                | 12.7 Martin CO LN           |
| * KY 319   | 3.8 KY 1056 (East)        | 5.8 Hatfield Branch RD      |
| Weight Limit - Bridge over Blackberry Creek @ milepoint 4.40           |                           |                             |
| TY I = 20 tons, TY II = 43 tons, TY III = 45 tons, TY IV = 60 tons     |                           |                             |
|  | 8.9 Mine                  | 12.3 US 119                 |
| Weight Limit - Bridge over Blackberry Fork @ milepoint 10.33           |                           |                             |
| TY I = 3 tons, TY II = 3 tons, TY III = 3 tons, TY IV = 3 tons         |                           |                             |
| * KY 468   | 0.0 US 119                | 13.6 KY 292                 |
| * KY 610   | 0.0 US 23                 | 2.7 Burk Branch RD          |

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Weight Limit - Bridge over Beefhide Creek @ Myra  
 TY I = 20 tons, TY II = 38 tons, TY III = 39 tons, TY IV = 60 tons  
 8.0 Virgie Tipple 8.9 KY 122  
 \* KY 611 0.0 KY 195 6.0 US 23  
 \* KY 612 0.0 Turkey CK-Long FK RD 1.6 Sukey Fork RD  
 \* KY 632 0.0 KY 194 @ Kimper 15.0 KY 194 @ Phelps  
 Weight Limit - Bridge over Johns Creek @ milepoint 1.19  
 TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 40 tons  
 Weight Limit - Bridge over Peter Creek @ milepoint 14.96  
 TY I = 20 tons, TY II = 44 tons, TY III = 46 tons, TY IV = 60 tons  
 \* KY 1056 0.0 KY 199 4.5 Left FK/Blackberry RD  
 5.2 Blue Springs BR RD 7.7 KY 319 (North)  
 Weight Limit - Bridge over Blackberry Creek @ milepoint 6.32  
 TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons  
 Weight Limit - Bridge over Blackberry Creek @ milepoint 6.52  
 TY I = 20 tons, TY II = 43 tons, TY III = 45 tons, TY IV = 60 tons  
 7.7 KY 319 (South) 10.1 West Virginia State LN  
 \* KY 1384 0.0 US 23 7.7 US 23X  
 \* KY 1426 0.0 US 23 3.5 Hoopwood Branch RD  
 \* KY 1441 4.4 Mine 10.1 US 119  
 Weight Limit - Bridge over Raccoon Creek @ milepoint 4.79  
 TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons  
 Weight Limit - Bridge over Raccoon Creek @ milepoint 6.04  
 TY I = 20 tons, TY II = 29 tons, TY III = 31 tons, TY IV = 51 tons  
 Weight Limit - Bridge over Raccoon Creek @ milepoint 7.96  
 TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons  
 Weight Limit - Bridge over Raccoon Creek @ milepoint 8.55  
 TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 40 tons  
 \* KY 1469 6.0 Mine 11.4 KY 610  
 11.4 KY 610 12.2 KY Elkhorn Tipple  
 \* KY 1499 0.0 US 460 6.1 KY 194  
 Weight Limit - Bridge over Levisa Fork @ milepoint 6.03  
 TY I = 15 tons, TY II = 25 tons, TY III = 28 tons, TY IV = 41 tons  
 \* KY 1758 6.8 Daugherty Tipple 7.8 KY 632  
 Weight Limit - Bridge over Johns Creek @ milepoint 7.79  
 TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons  
 \* KY 1789 0.0 US 460 0.4 Clark Elkhorn #1 Tipple  
 \* KY 2059 0.0 KY 194 0.3 Private Haul Road  
 1.6 Private Haul Road 2.3 Lower Elk Creek RD  
 \* KY 2061 0.0 US 23 3.4 Mine  
 Weight Limit - Bridge over Cowpen Creek @ milepoint 0.81  
 TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons  
 \* KY 2062 0.0 KY 194 3.1 KY 194  
 \* KY 2552 0.0 US 23 0.3 Shelbyana RD  
 Weight Limit - Bridge over Shelby Creek @ milepoint 0.01  
 TY I = 20 tons, TY II = 31 tons, TY III = 32 tons, TY IV = 39 tons  
 \* KY 3154 0.2 Meathouse Branch RD 0.5 US 119  
 \* KY 3227 0.0 US 23 1.0 Coal Run Tipple  
 \* Raccoon Creek Road  
 CR 5001 0.0 KY 1441 0.2 Mine  
 \* Grassy Branch Road  
 CR 5005 0.0 KY 1441 0.5 Mine  
 \* Winn Branch Road  
 CR 5011 0.0 US 119 1.3 Mine  
 Weight Limit - Bridge over Little Ratliff Creek  
 TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons  
 \* Varney Branch Road  
 CR 5021 0.0 KY 194 0.3 Utility Tipple  
 \* Meathouse Fork Road  
 CR 5022 0.0 KY 194 1.3 Rockhouse FK-Pigeon RD  
 \* Rockhouse Fork-Pigeon Creek Road  
 CR 5024 0.0 Meathouse FK RD 1.9 Mine  
 \* Meathouse Branch Road  
 CR 5025 0.0 KY 3154 3.2 Mine  
 \* Dix Fork Road  
 CR 5032 0.0 US 119 0.1 Mine  
 Weight Limit - Bridge over Big Creek  
 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons  
 \* Peg Branch Road  
 CR 5043 0.0 US 119 0.6 Mine Entrance  
 \* Goody-Aflex-Burnwell Road  
 CR 5050 0.0 KY 292 0.5 Belfry #1 Prep Plant  
 \* Turkey Creek-Long Fork Road  
 CR 5062 0.0 KY 468 3.1 KY 612

|  |                         |                           |
|--|-------------------------|---------------------------|
| * Sukey Fork Road  |                         |                           |
| CR 5063  | 0.0 KY 612              | 0.5 Mine Entrance         |
| * Bent Branch Road   |                         |                           |
| CR 5074  | 0.0 KY 468              | 1.0 Gex Tipple            |
| Weight Limit - Bridge over Big Creek                               |                         |                           |
| TY I = 17 tons, TY II = 18 tons, TY III = 20 tons, TY IV = 32 tons |                         |                           |
| * Swinge Camp Branch Road  |                         |                           |
| CR 5075  | 0.0 KY 468              | 0.4 Mine Entrance         |
| Weight Limit - Bridge over Big Creek                               |                         |                           |
| TY I = 1 ton, TY II = 1 ton, TY III = 1 ton, TY IV = 1 ton         |                         |                           |
| * Halfway Branch Road  |                         |                           |
| CR 5077  | 0.0 KY 468              | 0.5 Mine Entrance         |
| * Rockhouse Fork Road  |                         |                           |
| CR 5078  | 0.0 KY 468              | 0.2 Case Prep Plant       |
| Weight Limit - Bridge over Big Creek                               |                         |                           |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                         |                           |
| * Big Branch/Meathouse Creek Road                                  |                         |                           |
| CR 5111  | 0.0 Martin CO LN        | 2.7 Mine Entrance         |
| * Miller Creek Road  |                         |                           |
| CR 5123  | 3.6 Miller Creek Tipple | 5.1 KY 194                |
| Weight Limit - Bridge over Johns Creek                             |                         |                           |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                         |                           |
| * Joes Creek Road  |                         |                           |
| CR 5127  | 0.0 KY 194              | 0.4 Mine Entrance         |
| Weight Limit - Bridge over Johns Creek                             |                         |                           |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                         |                           |
| * Lick Branch Road   |                         |                           |
| CR 5141  | 0.0 KY 468              | 0.8 Mine Entrance         |
| * Dicks Fork Road  |                         |                           |
| CR 5163  | 0.0 KY 194              | 0.6 Mine Entrance         |
| * Lane Branch Road   |                         |                           |
| CR 5168  | 0.0 KY 632              | 1.2 Mine Entrance         |
| * Mullen Fork Road   |                         |                           |
| CR 5191  | 0.0 KY 199              | 2.1 Mine Entrance         |
| Weight Limit - Bridge over Pond Creek                              |                         |                           |
| TY I = 18 tons, TY II = 18 tons, TY III = 18 tons, TY IV = 18 tons |                         |                           |
| * Hatfield Branch Road   |                         |                           |
| CR 5210  | 0.0 KY 319              | 0.8 Mine Entrance         |
| * Left Fork/Blackberry Road  |                         |                           |
| CR 5213  | 0.0 KY 1056             | 1.5 Mine Entrance         |
| Weight Limit - Bridge over Right Fork Blackberry Creek             |                         |                           |
| TY I = 20 tons, TY II = 37 tons, TY III = 48 tons, TY IV = 60 tons |                         |                           |
| * Blue Springs Branch Road   |                         |                           |
| CR 5218  | 0.0 KY 1056             | 0.1 Mine Entrance         |
| Weight Limit - Bridge over Blackberry Creek                        |                         |                           |
| TY I = 16 tons, TY II = 16 tons, TY III = 16 tons, TY IV = 16 tons |                         |                           |
| * Lynntrough Branch Road   |                         |                           |
| CR 5233  | 0.0 KY 194              | 0.2 Majestic Tipple       |
| * Lower Elk Creek Road   |                         |                           |
| CR 5241  | 0.0 KY 2059             | 0.6 Mine Entrance         |
| * Prater Branch Road   |                         |                           |
| CR 5253  | 0.0 KY 194              | 0.8 Mine Entrance         |
| * Calloway Branch Road   |                         |                           |
| CR 5260  | 0.0 KY 632              | 1.1 KY Carbon Scales      |
| * Little Hackney Creek Road  |                         |                           |
| CR 5281  | 0.0 US 460              | 1.5 Mine Entrance         |
| * Card Creek-Card Knob Road  |                         |                           |
| CR 5285  | 1.6 Mine Entrance       | 4.6 US 460                |
| * Island Creek Road  |                         |                           |
| CR 5287  | 0.0 Bane Tipple         | 0.6 CR 5288               |
| * Island Creek-Grapevine Road                                      |                         |                           |
| CR 5288  | 0.0 CR 5287             | 0.5 CR 5289               |
| * Left Fork/Island Creek Road                                      |                         |                           |
| CR 5289  | 0.0 CR 5288             | 0.2 Mine Entrance         |
| * Daniel Branch Road   |                         |                           |
| CR 5326  | 0.0 US 460              | 0.4 Mine Entrance         |
| * Harless Creek Road   |                         |                           |
| CR 5330  | 0.0 US 460              | 1.5 Mine Entrance         |
| * Dog Branch Road  |                         |                           |
| CR 5332  | 0.0 KY 195              | 0.4 Mine Entrance         |
| * Ratliff Hollow Road  |                         |                           |
| CR 5339  | 0.0 KY 195              | 0.2 Wolfpit Tip @ Ratliff |
| Weight Limit - Bridge over Marrowbone Creek                        |                         |                           |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                         |                           |



ADMINISTRATIVE REGISTER - 1392

|  |                           |                           |
|--|---------------------------|---------------------------|
| * Shortridge Fork Road   |                           |                           |
| CR 5355  | 0.0 CR 5285               | 0.9 Mine                  |
| * Abes Fork Road   |                           |                           |
| CR 5356  | 0.0 Virginia State LN     | 0.4 Potter Prep Plant     |
| * Ohio Street (Elkhorn City)                                       |                           |                           |
| CR 5361T   | 0.0 KY 80                 | 0.5 Potter Processing     |
| * Old Bridge Street (Elkhorn City)                                 |                           |                           |
| CR 5361Z   | 0.0 KY 80                 | 0.1 Private Access Road   |
| * Brushy Branch Road   |                           |                           |
| CR 5379  | 0.0 KY 195                | 0.8 Mine                  |
| * Marrowbone Creek Road  |                           |                           |
| CR 5381  | 0.0 KY 195                | 1.2 Mine                  |
| Weight Limit - Bridge over Marrowbone Creek                        |                           |                           |
| TY I = 18 tons, TY II = 18 tons, TY III = 18 tons, TY IV = 18 tons |                           |                           |
| * Bowling Fork Road  |                           |                           |
| CR 5384  | 0.0 KY 195                | 1.9 Mine                  |
| * Fleming Branch Road  |                           |                           |
| CR 5410  | 0.0 KY 610                | 0.8 Mine                  |
| Weight Limit - Bridge over Shelby Creek                            |                           |                           |
| TY I = 3 tons, TY II = 3 tons, TY III = 3 tons, TY IV = 3 tons     |                           |                           |
| * Little Fork/Left Fork Road                                       |                           |                           |
| CR 5416  | 0.0 KY 611                | 0.2 Mine                  |
| * Rockhouse Creek/Greasy Road                                      |                           |                           |
| CR 5422  | 0.0 KY 195                | 0.3 Bad Fork RD           |
| Weight Limit - Bridge over Marrowbone Creek                        |                           |                           |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                           |                           |
| * Wolfpen Branch Road  |                           |                           |
| CR 5444  | 0.0 KY 80                 | 0.8 Mine                  |
| * Red Creek Road   |                           |                           |
| CR 5463  | 0.0 US 460                | 0.8 Right FK/Red CK RD    |
| * Right Fork/Red Creek Road  |                           |                           |
| CR 5465  | 0.0 Red Creek Road        | 0.8 Mine                  |
| * Shelbiana Road   |                           |                           |
| CR 5473  | 0.0 KY 2553               | 0.2 Dry BR/Dry CK RD      |
| * Marion Branch Road   |                           |                           |
| CR 5478  | 0.0 KY 1426               | 1.6 Chapperal Tipple      |
| Weight Limit - Bridge over Island Creek                            |                           |                           |
| TY I = 20 tons, TY II = 21 tons, TY III = 21 tons, TY IV = 21 tons |                           |                           |
| * Tollage Creek Road   |                           |                           |
| CR 5496  | 0.0 US 23                 | 1.0 Mine                  |
| * Dog Fork/Hurricane Creek Road                                    |                           |                           |
| CR 5522  | 0.0 KY 1384               | 1.3 Mine                  |
| * Coal Run Road  |                           |                           |
| CR 5524  | 0.0 US 23                 | 0.2 Lackens Branch RD     |
| * Lackens Branch Road  |                           |                           |
| CR 5525  | 0.0 Coal Run RD           | 0.7 Mine                  |
| * Cedar Creek/Island Creek Road                                    |                           |                           |
| CR 5528  | 0.0 KY 1384               | 1.1 KY 1426               |
| * Hoopwood Branch Road   |                           |                           |
| CR 5529  | 0.0 KY 1426               | 0.5 Mine                  |
| * Raccoon Branch Road  |                           |                           |
| CR 5531  | 0.0 KY 1426               | 1.3 Mine                  |
| * Billy Compton Road   |                           |                           |
| CR 5534  | 0.0 Island Creek RD       | 0.2 Road BR/Sookeys CR RD |
| * Island Creek Road  |                           |                           |
| CR 5535  | 0.0 KY 1426               | 4.0 Mine                  |
| * Road Branch/Sookey's Creek Road                                  |                           |                           |
| CR 5539  | 0.0 RT FK Sookeys CK RD   | 1.9 Billy Compton RD      |
| * Right Fork Sookeys Creek Road                                    |                           |                           |
| CR 5540  | 0.0 Road BR/Sookeys CK RD | 0.5 Mine                  |
| * Bear Fork - Tinker Fork Road                                     |                           |                           |
| CR 5547  | 0.0 Bear Fork RD          | 1.1 Floyd CO LN           |
| * L Robinson - Floyd County Road                                   |                           |                           |
| CR 5550  | 0.0 Robinson Creek RD     | 0.6 Floyd CO LN           |
| * Little Fork/Robinson Road  |                           |                           |
| CR 5553  | 0.0 Robinson Creek RD     | 1.6 Mine                  |
| * Robinson Creek Road  |                           |                           |
| CR 5554  | 0.0 KY 122                | 4.1 Mine                  |
| Weight Limit - Bridge over Robinson Creek                          |                           |                           |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                           |                           |
| Weight Limit - Bridge over Robinson Creek                          |                           |                           |
| TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons |                           |                           |
| * Burk Branch Road   |                           |                           |
| CR 5578  | 0.0 KY 610                | 0.9 Mine                  |

# ADMINISTRATIVE REGISTER - 1393

|  |                      |                           |
|--|----------------------|---------------------------|
| * Lizzie Fork Road   |                      |                           |
| CR 5590  | 0.0 US 23            | 1.4 Mine                  |
| Weight Limit - Bridge over Caney Creek                             |                      |                           |
| TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons |                      |                           |
| * Rob Fork Road  |                      |                           |
| CR 5593  | 0.0 US 23            | 0.5 Damron Fork Tipple    |
| * Dry Branch/Dry Creek Road  |                      |                           |
| CR 5605  | 0.0 Shelbiana RD     | 2.3 Dry BR/Dry CK Spur RD |
| * Esco Road  |                      |                           |
| CR 5609  | 0.0 US 23            | 0.6 Landmark Tipple       |
| * Sugar Camp Branch Road   |                      |                           |
| CR 5611  | 0.0 KY 122           | 1.5 Mine                  |
| * Bear Fork Branch Road  |                      |                           |
| CR 5616  | 0.0 KY 122           | 1.5 Bear FK-Tinker FK RD  |
| * Dry Branch/Dry Creek Spur  |                      |                           |
| CR 5618  | 0.0 Dry BR/Dry CK RD | 0.3 Mine                  |

## POWELL COUNTY

| ROAD   | FROM             | TO                    |
|--|------------------|-----------------------|
| * Mountain Parkway   | 11.9 Clark CO LN | 36.0 Wolfe CO LN      |
| Weight Limit - Bridge over Lulbegrud Creek @ milepoint 11.90       |                  |                       |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 45 tons |                  |                       |
| Weight Limit - Bridge over Red River @ milepoint 18.22             |                  |                       |
| TY I = 20 tons, TY II = 37 tons, TY III = 37 tons, TY IV = 45 tons |                  |                       |
| Weight Limit - Bridge over Red River @ milepoint 24.83             |                  |                       |
| TY I = 20 tons, TY II = 39 tons, TY III = 40 tons, TY IV = 50 tons |                  |                       |
| Weight Limit - Bridge over Cane Creek @ milepoint 26.12            |                  |                       |
| TY I = 20 tons, TY II = 44 tons, TY III = 46 tons, TY IV = 60 tons |                  |                       |
| Weight Limit - Bridge over KY 613 @ milepoint 27.38                |                  |                       |
| TY I = 20 tons, TY II = 44 tons, TY III = 46 tons, TY IV = 60 tons |                  |                       |
| Weight Limit - Bridge over North Fork Red River @ milepoint 27.94  |                  |                       |
| TY I = 20 tons, TY II = 44 tons, TY III = 45 tons, TY IV = 55 tons |                  |                       |
| Weight Limit - Bridge over Middle Fork Red River @ milepoint 31.96 |                  |                       |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 46 tons |                  |                       |
| Weight Limit - Bridge over KY 11 & 15 @ milepoint 32.08            |                  |                       |
| TY I = 20 tons, TY II = 42 tons, TY III = 43 tons, TY IV = 54 tons |                  |                       |
| * KY 11  | 21.0 KY 15       | 25.0 Montgomery CO LN |
| * KY 15  | 3.5 KY 11        | 4.1 Mountain Parkway  |
| Weight Limit - Bridge over Mountain Parkway @ milepoint 4.08       |                  |                       |
| TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 60 tons |                  |                       |

## PULASKI COUNTY

| ROAD   | FROM                    | TO                    |
|--|-------------------------|-----------------------|
| * US 27  | 0.0 McCreary CO LN      | 16.9 KY 80 Bypass     |
| Weight Limit - Bridge over Cumberland River @ milepoint 9.19       |                         |                       |
| TY I = 20 tons, TY II = 27 tons, TY III = 35 tons, TY IV = 40 tons |                         |                       |
| Weight Limit - Bridge over Pitman Creek @ milepoint 10.06          |                         |                       |
| TY I = 20 tons, TY II = 22 tons, TY III = 23 tons, TY IV = 31 tons |                         |                       |
| * KY 80  | 19.1 US 27              | 40.4 Laurel CO LN     |
| Weight Limit - Bridge over Southern RR @ milepoint 19.24           |                         |                       |
| TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 59 tons |                         |                       |
| Weight Limit - Bridge over Buck Creek @ milepoint 31.55            |                         |                       |
| TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 55 tons |                         |                       |
| * KY 80B   | 0.0 US 27               | 2.3 KY 80             |
| * KY 90  | 2.0 KY 790              | 4.2 US 27             |
| Weight Limit - Bridge over Cumberland River @ milepoint 3.07       |                         |                       |
| TY I = 20 tons, TY II = 22 tons, TY III = 35 tons, TY IV = 40 tons |                         |                       |
| * KY 192   | 0.0 KY 80               | 15.0 Old Whitley Road |
| Weight Limit - Bridge over Pitman Creek @ milepoint 4.13           |                         |                       |
| TY I = 20 tons, TY II = 40 tons, TY III = 39 tons, TY IV = 58 tons |                         |                       |
| Weight Limit - Bridge over Buck Creek @ milepoint 10.57            |                         |                       |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 48 tons |                         |                       |
| * KY 790   | 0.0 Wayne CO LN         | 5.7 KY 90             |
| * KY 1247  | 0.0 US 27               | 8.3 KY 80 Bypass      |
| Weight Limit - Bridge over Southern RR @ milepoint 0.08            |                         |                       |
| TY I = 20 tons, TY II = 40 tons, TY III = 41 tons, TY IV = 52 tons |                         |                       |
| Weight Limit - Bridge over Pitman Creek @ milepoint 3.40           |                         |                       |
| TY I = 20 tons, TY II = 31 tons, TY III = 32 tons, TY IV = 52 tons |                         |                       |
| * KY 1580  | 0.0 Ferguson Tipple     | 0.5 KY 1247           |
| * KY 1675  | 5.7 Acorn-Lick Creek RD | 10.5 KY 80            |
| Weight Limit - Bridge over Branch of Short Creek @ milepoint 9.48  |                         |                       |
| TY I = 20 tons, TY II = 39 tons, TY III = 40 tons, TY IV = 53 tons |                         |                       |
| * KY 1956  | 0.0 KY 80               | 0.8 Line Creek RD     |

# ADMINISTRATIVE REGISTER - 1394

|  |                         |                         |
|--|-------------------------|-------------------------|
| * Acorn-Lick Creek Road  |                         |                         |
| CR 5016  | 0.0 KY 1675             | 1.7 Ano RD              |
| * Bolthouse Ridge Road   |                         |                         |
| CR 5017  | 0.0 Ano RD              | 0.9 Mine                |
| * Ano Road   |                         |                         |
| CR 5018  | 0.0 Acorn-Lick Creek RD | 1.4 Bolthouse Ridge RD  |
| * Line Creek Road  |                         |                         |
| CR 5027  | 0.0 KY 1956             | 0.8 Buffalo Branch RD   |
| * Buffalo Branch Road  |                         |                         |
| CR 5028  | 0.0 Line Creek RD       | 0.4 Rockcastle CO LN    |
| Weight Limit - Bridge over Line Creek                              |                         |                         |
| TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons |                         |                         |
| * Old Whitley Road   |                         |                         |
| CR 5216  | 0.0 KY 192              | 3.9 Cumberland River RD |
| * Cumberland River Road  |                         |                         |
| CR 5225  | 0.0 Old Whitley RD      | 1.1 Mine                |
| * Cooper Power Plant Road  |                         |                         |
| CR 5349  | 0.0 KY 1247             | 0.6 E KY Power Plant    |

## ROBERTSON COUNTY

| ROAD    | FROM               | TO                |
|---------|--------------------|-------------------|
| * US 68 | 0.0 Nicholas CO LN | 1.4 Fleming CO LN |

## ROCKCASTLE COUNTY

| ROAD   | FROM                  | TO                 |
|--|-----------------------|--------------------|
| * US 25  | 11.8 I-75             | 13.9 US 150        |
|  | 24.9 R B S Tipple     | 27.0 Madison CO LN |
| * US 150   | 0.0 Lincoln CO LN     | 10.5 US 25         |
| Weight Limit - Bridge over Negro Creek @ milepoint 4.78            |                       |                    |
| TY I = 20 tons, TY II = 38 tons, TY III = 38 tons, TY IV = 60 tons |                       |                    |
| * KY 1249  | 3.0 Buffalo Branch RD | 3.5 Dyer Branch RD |
| * Buffalo Branch Road  |                       |                    |
| CR 5180  | 0.0 KY 1249           | 2.3 Pulaski CO LN  |
| * Dyer Branch Road   |                       |                    |
| CR 5229  | 0.0 KY 1249           | 0.4 Mine Access    |

## SIMPSON COUNTY

| ROAD     | FROM                   | TO                |
|----------|------------------------|-------------------|
| * US 31W | 0.0 Tennessee State LN | 14.0 Warren CO LN |

## UNION COUNTY

| ROAD  | FROM              | TO            |
|---|-------------------|---------------|
| * US 60   | 1.4 KY 109        | 5.7 KY 109    |
| Weight Limit - Bridge over Branch of Cypress Creek @ milepoint 3.66 |                   |               |
| TY I = 20 tons, TY II = 38 tons, TY III = 39 tons, TY IV = 55 tons  |                   |               |
| * KY 109  | 0.0 Webster CO LN | 1.5 US 60     |
|   | 1.5 US 60         | 3.2 KY 1508   |
| * KY 1508   | 0.0 KY 109        | 2.7 Pyro Dock |

## WARREN COUNTY

| ROAD   | FROM              | TO                      |
|--|-------------------|-------------------------|
| * Green River Parkway  |                   |                         |
|  | 0.0 I-65          | 18.2 Butler CO LN       |
| Weight Limit - Bridge over I-65 @ milepoint 0.01                   |                   |                         |
| TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 52 tons |                   |                         |
| Weight Limit - Bridge over US 31-W @ milepoint 3.57                |                   |                         |
| TY I = 20 tons, TY II = 44 tons, TY III = 45 tons, TY IV = 59 tons |                   |                         |
| * US 31W   | 0.0 Simpson CO LN | 9.0 Green River Parkway |
| Weight Limit - Bridge over L&N RR @ milepoint 7.99                 |                   |                         |
| TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons |                   |                         |

## WAYNE COUNTY

| ROAD                      | FROM                      | TO                        |
|---------------------------|---------------------------|---------------------------|
| * KY 776                  | 9.2 Denny Creek RD        | 9.8 Brammer Hill Ridge RD |
| * KY 790                  | 5.0 Brammer Hill-Delta RD | 10.5 Pulaski CO LN        |
| * Brammer Hill Ridge Road |                           |                           |
| CR 5023                   | 0.0 KY 776                | 4.2 Mine                  |
| * Denny Creek Road        |                           |                           |
| CR 5024                   | 0.0 KY 776                | 0.4 Sizemore RD           |
| * Brammer Hill-Delta Road |                           |                           |
| CR 5030                   | 0.0 KY 790                | 2.4 Brammer Hill Ridge RD |
| * Sizemore Road           |                           |                           |
| CR 5155                   | 0.0 Denny Creek RD        | 1.7 Mine                  |

# ADMINISTRATIVE REGISTER - 1395

## WEBSTER COUNTY

| ROAD   | FROM                | TO                         |
|--|---------------------|----------------------------|
| * Pennyryle PKWY   | 55.0 Hopkins CO LN  | 62.6 KY 56                 |
| * US 41  | 0.0 Hopkins CO LN   | 12.1 Henderson CO LN       |
| * US 41A   | 0.0 Hopkins CO LN   | 19.5 KY 56                 |
| * KY 56  | 5.3 US 41A          | 12.5 US 41                 |
| Weight Limit - Bridge over Branch @ milepoint 12.42                |                     |                            |
| TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons |                     |                            |
|  | 12.5 US 41          | 14.4 Old Eastwood Ferry RD |
| * KY 109   | 2.9 KY 670          | 14.7 Union CO LN           |
| Weight Limit - Bridge over Crab Orchard Creek @ milepoint 7.33     |                     |                            |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 51 tons |                     |                            |
| Weight Limit - Bridge over Caney Fork @ milepoint 10.72            |                     |                            |
| TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 51 tons |                     |                            |
| * KY 120   | 3.6 Mine            | 6.7 US 41A                 |
| * KY 132   | 23.6 Mine           | 28.5 KY 56                 |
| * KY 270   | 8.6 Mine            | 13.2 US 41A                |
| * KY 670   | 0.0 KY 109          | 2.7 US 41A                 |
| * KY 814   | 0.0 Hopkins CO LN   | 0.6 US 41A                 |
| * Old Eastwood Ferry Road  |                     |                            |
| CR 5034  | 0.0 KY 56           | 0.1 Sebree Dock            |
| * Quinns Landing Road  |                     |                            |
| CR 5036  | 0.0 Henderson CO LN | 0.2 Big Rivers Plant       |

## WHITLEY COUNTY

| ROAD   | FROM                   | TO                  |
|--|------------------------|---------------------|
| * US 25T   | 0.0 US 25W             | 0.7 US 25W          |
| * US 25W   | 0.0 Tennessee State LN | 14.1 KY 26          |
| Weight Limit - Bridge over Elk Fork Creek @ milepoint 0.53         |                        |                     |
| TY I = 20 tons, TY II = 43 tons, TY III = 45 tons, TY IV = 60 tons |                        |                     |
| Weight Limit - Bridge over Clear Creek @ milepoint 5.04            |                        |                     |
| TY I = 20 tons, TY II = 30 tons, TY III = 32 tons, TY IV = 39 tons |                        |                     |
| Weight Limit - Bridge over Clear Fork Creek @ milepoint 6.23       |                        |                     |
| TY I = 20 tons, TY II = 30 tons, TY III = 32 tons, TY IV = 39 tons |                        |                     |
| Weight Limit - Bridge over L&N RR @ milepoint 11.02                |                        |                     |
| TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons |                        |                     |
|  | 29.6 I-75              | 32.8 US 25T         |
|  | 33.5 KY 312 (East)     | 33.7 Laurel CO LN   |
| Weight Limit - Bridge over Lynn Camp Creek @ milepoint 33.73       |                        |                     |
| TY I = 20 tons, TY II = 39 tons, TY III = 39 tons, TY IV = 45 tons |                        |                     |
| * KY 6   | 0.0 KY 26              | 1.6 Knox CO LN      |
| Weight Limit - Bridge over Unnamed Stream @ milepoint 0.47         |                        |                     |
| TY I = 20 tons, TY II = 41 tons, TY III = 43 tons, TY IV = 60 tons |                        |                     |
| Weight Limit - Bridge over Corn Creek @ milepoint 1.64             |                        |                     |
| TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 49 tons |                        |                     |
| * KY 11  | 0.0 KY 92              | 2.6 Knox CO LN      |
| * KY 26  | 0.0 US 25W             | 14.3 US 25W         |
| * KY 92  | 0.0 McCreary CO LN     | 11.3 US 25W (South) |
| Weight Limit - Bridge over Pleasant Run @ milepoint 0.23           |                        |                     |
| TY I = 20 tons, TY II = 38 tons, TY III = 38 tons, TY IV = 60 tons |                        |                     |
| Weight Limit - Bridge over Pleasant Run @ milepoint 1.51           |                        |                     |
| TY I = 20 tons, TY II = 31 tons, TY III = 33 tons, TY IV = 46 tons |                        |                     |
| Weight Limit - Bridge over Jellico Creek @ milepoint 2.99          |                        |                     |
| TY I = 20 tons, TY II = 25 tons, TY III = 28 tons, TY IV = 40 tons |                        |                     |
| Weight Limit - Bridge over Briar Creek @ milepoint 8.39            |                        |                     |
| TY I = 17 tons, TY II = 19 tons, TY III = 19 tons, TY IV = 34 tons |                        |                     |
| Weight Limit - Bridge over I-75 @ milepoint 11.00                  |                        |                     |
| TY I = 20 tons, TY II = 40 tons, TY III = 39 tons, TY IV = 51 tons |                        |                     |
|  | 11.3 US 25W (North)    | 33.4 Bell CO LN     |
| Weight Limit - Bridge over Cumberland River @ milepoint 22.02      |                        |                     |
| TY I = 15 tons, TY II = 15 tons, TY III = 15 tons, TY IV = 15 tons |                        |                     |
| Weight Limit - Bridge over Golden Fork @ milepoint 26.66           |                        |                     |
| TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 31 tons |                        |                     |
| Weight Limit - Bridge over Harpes Creek @ milepoint 27.89          |                        |                     |
| TY I = 20 tons, TY II = 38 tons, TY III = 38 tons, TY IV = 60 tons |                        |                     |
| * KY 628   | 1.9 Jordan Hollow RD   | 5.2 US 25W          |
| Weight Limit - Bridge over Possum Creek @ milepoint 3.91           |                        |                     |
| TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons |                        |                     |
| Weight Limit - Bridge over I-75 @ milepoint 4.91                   |                        |                     |
| TY I = 20 tons, TY II = 39 tons, TY III = 39 tons, TY IV = 48 tons |                        |                     |
| * KY 779   | 6.3 KY 1064 (South)    | 7.0 KY 1064 (North) |
|  | 8.0 KY 1418            | 12.7 KY 11          |
| Weight Limit - Bridge over Cumberland River @ milepoint 11.83      |                        |                     |
| TY I = 15 tons, TY II = 15 tons, TY III = 15 tons, TY IV = 15 tons |                        |                     |

# ADMINISTRATIVE REGISTER - 1396

|  |                        |                          |
|--|------------------------|--------------------------|
| * KY 904   | 0.0 KY 92              | 13.5 KY 92               |
| Weight Limit - Bridge over Cumberland River @ milepoint 0.09       |                        |                          |
| TY I = 15 tons, TY II = 15 tons, TY III = 15 tons, TY IV = 15 tons |                        |                          |
| Weight Limit - Bridge over Popular Creek @ milepoint 13.44         |                        |                          |
| TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 60 tons |                        |                          |
| * KY 1064  | 0.0 KY 92              | 4.2 KY 779 (West)        |
| Weight Limit - Bridge over Unnamed Stream @ milepoint 0.79         |                        |                          |
| TY I = 12 tons, TY II = 12 tons, TY III = 12 tons, TY IV = 12 tons |                        |                          |
|  | 4.2 KY 779 (East)      | 12.0 KY 6                |
| * KY 1418  | 0.0 KY 779             | 1.5 Knox CO LN           |
| * KY 1595  | 3.1 Mine               | 4.6 KY 92                |
| Weight Limit - Bridge over Poplar Creek @ milepoint 4.49           |                        |                          |
| TY I = 20 tons, TY II = 28 tons, TY III = 30 tons, TY IV = 52 tons |                        |                          |
| * KY 1673  | 0.0 KY 92              | 0.4 McCreary CO LN       |
|  | 0.4 McCreary CO LN     | 1.4 Mine                 |
| * KY 1809  | 0.0 KY 92              | 1.4 Knox CO LN           |
| Weight Limit - Bridge over Golden Creek @ milepoint 0.21           |                        |                          |
| TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 53 tons |                        |                          |
| * KY 1898  | 1.8 Mine               | 2.8 KY 92                |
| Weight Limit - Bridge over Jellico Creek @ milepoint 2.20          |                        |                          |
| TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 38 tons |                        |                          |
| * KY 2995  | 0.0 KY 2996            | 0.8 Dean Chambers Tipple |
| * KY 2996  | 0.0 US 25W             | 0.7 KY 2995              |
| McNeil Hollow-Corn Creek Road                                      |                        |                          |
| CR 5045  | 0.0 KY 26              | 2.4 Mine                 |
| Morgan Road  |                        |                          |
| CR 5048  | 0.0 KY 1064            | 0.7 Mine                 |
| Bunch Creek Road   |                        |                          |
| CR 5154  | 0.0 KY 92              | 0.5 Mine                 |
| Carpenter-Lick Fork Road   |                        |                          |
| CR 5172  | 0.0 KY 92              | 0.8 Mine                 |
| Weight Limit - Bridge over Popular Creek                           |                        |                          |
| TY I = 5 tons, TY II = 5 tons, TY III = 5 tons, TY IV = 5 tons     |                        |                          |
| * Doc Siler Road   |                        |                          |
| CR 5223  | 0.0 Skaggs RD          | 0.1 Tennessee ST LN      |
| Skaggs Branch Road   |                        |                          |
| CR 5224  | 0.0 Doc Siler RD       | 0.7 Mine                 |
| * Keswick-Gatliff Road   |                        |                          |
| CR 5227  | 2.0 Mine               | 8.0 KY 904               |
| Weight Limit - Bridge over Cane Creek                              |                        |                          |
| TY I = 20 tons, TY II = 40 tons, TY III = 46 tons, TY IV = 60 tons |                        |                          |
| Weight Limit - Bridge over Patterson Creek                         |                        |                          |
| TY I = 18 tons, TY II = 20 tons, TY III = 24 tons, TY IV = 40 tons |                        |                          |
| Weight Limit - Bridge over Bennetts Branch                         |                        |                          |
| TY I = 20 tons, TY II = 28 tons, TY III = 33 tons, TY IV = 56 tons |                        |                          |
| Upper Cane Creek Road  |                        |                          |
| CR 5230  | 0.0 Keswick-Gatliff RD | 0.5 Mine                 |
| Bethel Church Road   |                        |                          |
| CR 5268  | 0.0 KY 904             | 0.2 Mine                 |
| Weight Limit - Bridge over Patterson Creek                         |                        |                          |
| TY I = 1 ton, TY II = 1 ton, TY III = 1 ton, TY IV = 1 ton         |                        |                          |
| Cotton Creek - Dal Road  |                        |                          |
| CR 5272  | 5.0 Mine               | 5.7 KY 904               |
| Paint Creek - Wolf Creek Road                                      |                        |                          |
| CR 5320  | 0.0 KY 92              | 1.1 Mine                 |
| Jordan Hollow Road   |                        |                          |
| CR 5321  | 0.0 KY 628             | 0.3 Mine                 |
| Kensee Hollow Road   |                        |                          |
| CR 5326  | 0.0 US 25W             | 0.8 Mine                 |

## WOLFE COUNTY

| ROAD   | FROM              | TO                |
|--|-------------------|-------------------|
| * Mountain PKWY  | 36.0 Powell CO LN | 53.3 KY 1010      |
| Weight Limit - Bridge over Swiftcamp Creek @ milepoint 43.77         |                   |                   |
| TY I = 20 tons, TY II = 38 tons, TY III = 39 tons, TY IV = 47 tons   |                   |                   |
| Weight Limit - Bridge over KY 191 @ milepoint 46.22                  |                   |                   |
| TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 59 tons   |                   |                   |
| Weight Limit - Bridge over KY 1512 @ milepoint 49.67                 |                   |                   |
| TY I = 20 tons, TY II = 40 tons, TY III = 41 tons, TY IV = 53 tons   |                   |                   |
|  | 57.2 KY 205       | 57.7 Morgan CO LN |
| Weight Limit - Bridge over Helechawa-Lee City Road @ milepoint 57.19 |                   |                   |
| TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons   |                   |                   |

# ADMINISTRATIVE REGISTER - 1397

|  |                     |                   |
|--|---------------------|-------------------|
| * KY 15  | 0.0 Breathitt CO LN | 14.0 KY 715       |
| Weight Limit - Bridge over Holly Creek @ milepoint 1.79            |                     |                   |
| TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 60 tons |                     |                   |
| Weight Limit - Bridge over Mountain Parkway @ milepoint 12.87      |                     |                   |
| TY I = 20 tons, TY II = 38 tons, TY III = 39 tons, TY IV = 52 tons |                     |                   |
| * KY 15S   | 0.0 KY 15           | 1.1 Mountain PKWY |
| Weight Limit - Bridge over Mountain Parkway @ milepoint 1.05       |                     |                   |
| TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 58 tons |                     |                   |
| * KY 191   | 14.3 KY 205         | 15.9 KY 205       |
| * KY 205   | 4.3 KY 1094         | 6.4 KY 191        |
| Weight Limit - Bridge over State Road Fork @ milepoint 6.32        |                     |                   |
| TY I = 20 tons, TY II = 32 tons, TY III = 33 tons, TY IV = 53 tons |                     |                   |
|  | 6.4 KY 191          | 6.9 Morgan CO LN  |
| * KY 651   | 0.0 Sandy Ridge RD  | 2.1 KY 15         |
| * KY 715   | 2.6 KY 2016         | 5.8 KY 15         |
| * KY 1010  | 1.6 Mine            | 3.7 Mountain PKWY |
| Weight Limit - Bridge over Mountain Parkway @ milepoint 3.65       |                     |                   |
| TY I = 20 tons, TY II = 22 tons, TY III = 23 tons, TY IV = 31 tons |                     |                   |
| * KY 1094  | 2.7 Mine            | 7.5 KY 205        |
| * KY 2016  | 0.2 Mine            | 4.5 KY 715        |
| * KY 3040  | 0.0 KY 15           | 0.4 J & A Tipple  |
| * Sandy Ridge Road   |                     |                   |
| CR 5220  | 0.0 KY 651          | 2.7 Mine          |

Section 5. No person shall operate, or knowingly cause to be operated, on any bridge listed in Section 4 of this administrative regulation any vehicle whose gross vehicle weight exceeds the weight limits specified for that bridge.

Section 6. In accordance with KRS 189.230(3) the Department of Highways shall post the gross vehicle weight limits for each bridge listed in Section 4 of this administrative regulation.

Section 7. No person shall operate, or knowingly cause to be operated, on any bridge on the extended weight coal haul road system any vehicle whose gross vehicle weight exceeds the limits specified by a notice posted pursuant to KRS 189.230(3).

Section 8. A copy of the AASHTO Manual for Maintenance Inspection of Bridges, 1983 edition and 1984 and 1985 Interim Revisions is hereby incorporated by reference as part of this administrative regulation. A copy of the AASHTO Manual for Maintenance Inspection of Bridges, 1983 edition and 1984 and 1985 Interim Revisions may be viewed at the Transportation Cabinet, Department of Highways, Division of Maintenance, Frankfort, Kentucky. Copies of the AASHTO Manual for Maintenance Inspection of Bridges, 1983 edition and 1984 and 1985 Interim Revisions may be obtained from the American Association of State Highway and Transportation Officials, 444 North Capitol Street, N.W., Suite 225, Washington, D.C. 20001.

Section 9. The effective date of this administrative regulation is April 1, 1987.

C. LESLIE DAWSON, Secretary/Commissioner

APPROVED BY AGENCY: December 12, 1986

FILED WITH LRC: December 15, 1986 at noon

PUBLIC HEARING SCHEDULED: A public comment hearing will be held on this proposed administrative regulation on January 22, 1987 at 1:30 p.m. local prevailing time in the first floor auditorium of the State Office Building located on the corner of High and Clinton Streets in Frankfort, Kentucky. Any person who intends to attend this hearing must, in writing,

by January 17, 1987, so notify: Sandra Pullen, Executive's Staff Advisor, Transportation Cabinet, State Office Building, Frankfort, Kentucky 40622.

## REGULATORY IMPACT ANALYSIS

Agency Contact Person: Sandra Pullen

(1) Type and number of entities affected: All coal mining companies, all coal trucking companies, all coal truck drivers, county governments - 67, city governments - undetermined number.

(a) Direct and indirect costs or savings to those affected:

1. First year: Coal mining companies - none; coal trucking companies - none; coal truck drivers - none; county governments - none; city governments - none.

2. Continuing costs or savings: Same as first year.

3. Additional factors increasing or decreasing costs (note any effects upon competition): Gross vehicle weights for those coal haul routes which must cross the bridges listed in the administrative regulation will be less than for those haul routes which do not cross any of the bridges listed.

(b) Reporting and paperwork requirements: None

(2) Effects on the promulgating administrative body: Reduced potential for bridge damage.

(a) Direct and indirect costs or savings:

1. First year: Increased costs for erection of bridge posting signs.

2. Continuing costs or savings: Increased costs for maintenance of bridge posting signs.

3. Additional factors increasing or decreasing costs: Increased frequency of bridge inspection.

(b) Reporting and paperwork requirements: Continuous maintenance and revision of this administrative regulation.

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: Federal regulations require that all analysis and rating of bridges be in accordance with the AASHTO Manual for Maintenance Inspection of Bridges, 1983 edition and 1984 and 1985 Interim Revisions. In performing a bridge analysis the

manual provides for allowable stresses in steel members to be in the range of 55% to 75% of the yield strength of the steel. However, repetitive loading in excess of 69% of the yield strength can result in fatigue cracking and concealed structural damage resulting in a section with a lower, but unknown, yield strength. When stresses are limited to 69% of yield strength unlimited repetitions of loads can be accommodated without damaging the bridge and compromising public safety.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None known.

(a) Necessity of proposed regulation if in conflict:

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions:

(6) Any additional information or comments:  
TIERING: Was tiering applied? Yes.

### **LABOR CABINET Occupational Safety and Health**

#### **803 KAR 2:250. Discrimination.**

RELATES TO: KRS Chapter 338

PURSUANT TO: KRS 337.295

NECESSITY AND FUNCTION: KRS 338.121 prohibits employers from discriminating against any employee for involvement in an occupational safety and health investigation, complaint or related activity. The statute further requires the Commissioner of the Department of Workplace Standards, Kentucky Labor Cabinet, to investigate complaints of discrimination, determine whether a violation has occurred and issue a citation to an offending employer. The Kentucky Occupational Safety and Health Review Commission is empowered by KRS 338.121 to order all appropriate relief including reinstatement of the employee to his former position with back pay. The function of this regulation is to set out the procedure to be followed by the commissioner upon receipt of a complaint alleging a violation of this statute.

Section 1. Definitions. Unless defined herein, all definitions will be as defined in 803 KAR 50:010 and KRS 338.015.

(1) "Secretary" means the Secretary of the Kentucky Labor Cabinet.

(2) "Commissioner" means the Commissioner of the Kentucky Department of Workplace Standards under the direction and supervision of the Secretary of the Labor Cabinet.

(3) "Affected employee" means any employee discharged or otherwise discriminated against by any person because such employee has filed a complaint or has participated or testified, or is about to participate or testify in any investigation with the Labor Cabinet or proceeding before the Review Commission.

(4) "Prohibited activity" means a wrongful discharge of an employee on the basis of his/her filing a complaint or participation in any investigation instituted by the Labor Cabinet or any proceeding before the Review Commission or any other discriminatory action such as but not limited to suspensions, written reprimands, demotions in positions taken against the employee for the above stated activities or for

exercising any right afforded under KRS Chapter 338.

Section 2. Complaints; Recipient of; Time for Filing; Form of Complaints. (1) Any employee may file a complaint of discrimination of protected activity with the commissioner or his designee. Such complaint may be made orally or in writing.

(2) Complaints shall be filed within 120 days of the occurrence of the alleged violation of protected activity.

(3) Complaints shall state name and address of affected employee, name and address of employer, and description of alleged violation.

(4) Notification shall be given to the employer of the receipt by the commissioner of a complaint within five (5) working days.

Section 3. Settlement. Settlement is encouraged at any stage of the proceedings where such settlement is consistent with the provisions and objectives of the Act. Primary consideration will be the reinstatement of employee to former position with back pay and assurance of the future protection of the rights of all employees under KRS Chapter 338.

Section 4. Withdrawal of Complaint. Any request by an employee to withdraw a complaint filed with the commissioner will be given substantial weight; however, the commissioner will make the final determination as to whether a complaint and subsequent investigation will be terminated.

Section 5. Arbitration or Other Agency Proceedings. (1) An employee who files a complaint under KRS 338.121(3) may also pursue remedies under grievance arbitration proceedings in collective bargaining agreements. In addition, the complainant may concurrently resort to other agencies for relief, such as the National Labor Relations Board. The commissioner's jurisdiction to entertain KRS 338.121(3) complaints, to investigate, and to determine whether discrimination has occurred, is independent of the jurisdiction of other agencies or bodies. The commissioner may investigate and issue citations against any party found in violation regardless of the pendency or determination of other proceedings.

(2) Where a complainant is pursuing remedies, other than those provided by KRS 338.121, postponement of the commissioner's determination and deferral to the results of such proceedings may be made.

Section 6. Investigation of Complaint; Issuance of Citation; Notice to Parties; Right of Review. (1) Upon receipt of a complaint under Section 2 of this regulation the commissioner shall cause an investigation to be instituted. Such investigation shall be completed and the commissioner's determination issued within a reasonable time, but not to exceed ninety (90) days, absent extenuating circumstances.

(2) If the commissioner finds a violation of KRS 338.121 he shall issue a citation and recommended penalty. The citation shall include a determination by the commissioner as to the merits of the alleged violation.

(3) Notice of the determination shall be given to all affected parties.

(4) In the event the commissioner determines there has been no discriminatory action, the

employee may petition the secretary for a review of the determination. Such petition shall be in writing and state reasons why review is requested. The secretary shall affirm the determination or remand it to the commissioner for further investigation.

Section 7. Employer Contest. Any citation and notice of proposed penalty shall state that it shall be deemed to be the final order of the Review Commission and not subject to review by any court or agency unless, within fifteen (15) working days from the date of receipt of such notice, the employer notifies the commissioner of the Department of Workplace Standards in writing that he intends to contest the citation and notification of proposed penalty before the Review Commission. Within seven (7) days of receipt of contest the commissioner will forward copies of the citation and proposed penalty and notice of contest to the Review Commission.

Section 8. Receipt by Review Commission of Citation and Notice of Contest. Proceedings under 803 KAR 50:010(1). Upon receipt by the commission of the citation and proposed penalty and employer's notice of contest, the commission shall institute proceedings in compliance with the applicable rules as adopted by the Review Commission in 803 KAR 50:010.

Section 9. Proposed Penalties. (1) Concurrent with the issuance of a citation, the commissioner shall notify the employer by certified mail of the proposed penalty under KRS 338.991.

(2) The commissioner shall determine the amount of any proposed penalty, giving due consideration to the appropriateness of the penalty with respect to the size of the business of the employer being charged, the gravity of the violation, the good faith of the employer and the history of previous violations.

(3) Appropriate penalties shall be proposed with respect to an alleged discriminatory act even though after being informed of such alleged violation by the commissioner, the employer immediately abates, or initiates steps to abate, such alleged violation.

JOHN CALHOUN WELLS, Secretary

APPROVED BY AGENCY: November 20, 1986

FILED WITH LRC: November 24, 1986 at 10 a.m.

PUBLIC HEARING SCHEDULED: A public hearing concerning this regulation has been scheduled for Monday, January 26, 1987, at 9 a.m., EST, to be held at the Kentucky Labor Cabinet, Bay No. 2

Conference Room, U.S. 127 Building, U.S. 127 South, Frankfort, Kentucky. Those interested in attending must provide within five days prior to the hearing written notice to: Mr. Steve Forbes, Federal/State Coordinator, Kentucky Labor Cabinet, Occupational Safety and Health Program, U.S. 127 Building, South, Frankfort, Kentucky 40601.

#### REGULATORY IMPACT ANALYSIS

Agency Contact Person: Steve Forbes

(1) Type and number of entities affected: Any employee aggrieved by illegal discrimination by an employer in regard to an occupational safety and health investigation or proceeding.

(a) Direct and indirect costs or savings to those affected:

1. First year: Savings to employees of potential or actual lost wages caused by discrimination by employer.

2. Continuing costs or savings: Same as above.

3. Additional factors increasing or decreasing costs (note any effects upon competition):

(b) Reporting and paperwork requirements: Labor Cabinet must process complaints. Kentucky OSH Review Commission adjudicate contested citations.

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings:

1. First year: Minimal cost of processing and investigating complaints. Litigation expenses for contested citations.

2. Continuing costs or savings: Same as (2)(a).

3. Additional factors increasing or decreasing costs:

(b) Reporting and paperwork requirements:

(3) Assessment of anticipated effect on state and local revenues: None

(4) Assessment of alternative methods; reasons why alternatives were rejected: N/A

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None

(a) Necessity of proposed regulation if in conflict: None

(b) If in conflict, was effort made to harmonize the proposed administrative regulation with conflicting provisions: N/A

(6) Any additional information or comments: None

TIERING: Was tiering applied? No. The proposed regulation is a voluntary service for employees and does not affect any particular group or class of employees or employers.

## ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE

### Minutes of the December 1-2, 1986 Meeting

The December meeting of the Administrative Regulation Review Subcommittee was held on Monday, December 1, 1986 at 2 p.m. and on Tuesday, December 2, 1986 10 a.m. in Room 110. Representative Bill Brinkley, Chairman, called the meeting to order, and the secretary called the roll. On motion of Senator McCuiston, seconded by Representative Meyer, the minutes of the November 10-11, 1986 meeting were approved.

Present were:

Members: Representative Bill Brinkley, Chairman; Senators Harold Haering, Pat McCuiston and Bill Quinlan; Representatives Jim Bruce and Joe Meyer.

Guests: Arthur Hatterick, Jr., Personnel Board; Greg Holmes, Ophthalmic Dispensers; Sam Brown, Donna Carlson, Judith Taylor, KY Chapter



of Physical Therapists; Nancy Brinly, Walter Kim Cleary, Martin Glazer, Richard McDougall, Deborah Bryant Tharp, State Board of Physical Therapy; Jeff Lawrence, Tom Young, Department of Fish & Wildlife Resources; William S. Coakley, Ralph Gouge, Jr., Larry Grasch, Martha L. Hall, Natural Resources & Environmental Protection Cabinet; Michael Bradley, Corrections Cabinet; Charles Briggs, Bill Debord, Jeff Jones, Sandra G. Pullen, Robert Simpson, Transportation Cabinet; Gary Bale, Anne Stanley Hoffman, David C. Jackson, Ann Elizabeth Smith, Department of Education; Charles E. McCoy, Labor Cabinet; Judith G. Walden, Department of Housing, Buildings and Construction; Roy Butler, Barbara Coleman, Floyd A. Day, Jr., Georgia Ferrell, Ked R. Fitzpatrick, Anne Hager, N. Clifton Howard, Clifford Jennings, Ida Lyons, Janie Miller, Marvin Miller, Lynn Owens, Sandra Shannon, Phillip R. Spangler, Ann Tarter, Opal Lee Taylor, R. Hughes Walker, Mark Yancey, Cabinet for Human Resources; Ted Bradshaw, KY Bankers; Bill Doll, KY Medical Association; John Underwood, KY Association of Health Care Facilities; Mary Parker, Dentist.

**LRC Staff:** Susan Wunderlich, Joe Hood, Gregory Karambellas, Donna Valencia, Chris Lilly and Carla Arnold.

The Administrative Regulation Review Subcommittee met on December 1 and 2, 1986, and submits the following report:

The Subcommittee referred the following regulations to appropriate Interim Joint Committees for further consideration:

**General Government Cabinet: Board of Ophthalmic Dispensers**

201 KAR 13:040 (Licensing; application, examination; temporary permit.) Representative Brinkley questioned the authority of the Board to levy a penalty fee for late payment of the annual renewal of licenses, or to require annual licensure, without explicit authorization in KRS Chapter 326. The Subcommittee approved a motion to refer this issue to the Interim Joint Committee on Business Organizations and Professions for legislative recommendations.

**Board of Physical Therapy**

201 KAR 22:010 (Objectives of physical therapy.) Mr. William Doll, representing the Kentucky Medical Association, and Mr. R.V. McDougall of the Board appeared before the Subcommittee. Members of the Subcommittee raised questions relating to the extent of the authority of physical therapists to treat patients without consultation with physicians. Section 2 of the regulation was amended to delete the words ", and as indicated, in consultation with the referring physician, podiatrist, dentist or chiropractor." The following sentence was added at the end of Section 2: "When basis for treatment is referral, the physical therapist may confer with the referring physician, podiatrist, dentist, or chiropractor." Members of the Subcommittee approved a motion that the issues raised at the meeting be referred to the Interim Joint Committees on Health and Welfare, and Business Organizations and Professions.

The Subcommittee determined that the following regulations, as amended, complied to

**KRS Chapter 13A:**

**Public Protection and Regulation Cabinet: Department of Housing, Buildings and Construction: Plumbing**

815 KAR 20:010 (Definitions.) The Subcommittee believed that this regulation did not conform to the statutes because the regulation defines "farmstead" as "ten (10) contiguous acres" and the statute defines "farmstead" as ten (10) acres". Upon request, the agency agreed to delete the word "contiguous" from the regulatory definition.

**Cabinet for Human Resources: Department for Health Services: Regional Mental Health-Mental Retardation Boards**

902 KAR 6:040 (Hospital district assignments.) The agency representative told the Subcommittee that Webster County had been inadvertently omitted from Section 1(2) when the regulation was originally submitted. The Subcommittee agreed to amend the regulation by adding Webster County to that section. Representative Meyer felt that this regulation discriminated against private hospitals, as the regulation only permits payments to state hospitals. Agency personnel stated that because of a shortage of funds and adequate state facilities, the state could not afford to pay private providers. On the Subcommittee vote on this regulation, Representative Meyer voted no.

**Department for Medicaid Services: Medicaid Services**

907 KAR 1:330 (Hospice services.) Senator Haering and Representative Meyer stated that the language of Section 2 would result in the inability of terminally ill patients to receive hospice care in a county other than their county of residence, if the county of residence did not have hospice care available. Agency personnel stated that a such a terminally ill patient would be permitted to move to a nursing home in a county that did have hospice care, and that that would satisfy the resident requirement. The Subcommittee and agency agreed to amend this regulation by replacing the words "county of residence" in Section 2 with "service area". On the Subcommittee vote on this regulation, Senator Haering voted no on the passage of this regulation. Both Senator Haering and Representative Meyer felt that the amendment still would present the same problem.

The Subcommittee determined that the following regulations complied with KRS Chapter 13A:

**Personnel Board: Personnel Rules**

101 KAR 1:325 (Initial probationary periods in excess of six months.)

**General Government Cabinet: Board of Physical Therapy**

201 KAR 22:031 (Therapist's licensing procedure.)

201 KAR 22:052 (Refusal, revocation, suspension or probation of license or certificate; administrative warning to licensee or certificent.)

**Tourism Cabinet: Department of Fish and Wildlife Resources: Game**

301 KAR 2:140 (Seasons for wild turkey.)  
301 KAR 2:220 (Hunting seasons for migratory birds.)

**Natural Resources and Environmental Protection Cabinet: Department for Environmental Protection: Division of Air Quality: General Administrative Procedures**

401 KAR 50:010 (Definitions and abbreviations.)  
**New Source Requirements; Non-Attainment Areas**  
401 KAR 51:017 (Prevention of significant deterioration of air quality.)

**Hazardous Pollutants**

401 KAR 57:011 (Asbestos standards.)  
401 KAR 57:021 (Mercury standards.)  
401 KAR 57:045 (Inorganic arsenic emissions from glass manufacturing plants.)

**New Source Standards**

401 KAR 59:066 (Primary emissions from new basic oxygen process furnaces.)  
401 KAR 59:068 (Secondary emissions from new basic oxygen process steelmaking facilities.)  
401 KAR 59:166 (Steel plants using new electric arc furnaces.)  
401 KAR 59:168 (Steel plants using new electric arc furnaces and argon-oxygen decarburization vessels.)  
401 KAR 59:295 (New onshore natural gas processing plants.)

**Existing Source Standards**

401 KAR 61:175 (Leaks from existing synthetic organic chemical and polymer manufacturing equipment.)

**Department for Surface Mining Reclamation and Enforcement: Bond and Insurance Requirements**

405 KAR 10:200 (Kentucky bond pool.)

**Corrections Cabinet: Office of the Secretary**

501 KAR 6:030 (Kentucky State Reformatory.)  
501 KAR 6:060 (Northpoint Training Center.)  
501 KAR 6:120 (Blackburn Correctional Complex.)

**Transportation Cabinet: Department of Highways: Traffic**

603 KAR 5:050 (Uniform traffic control devices.)  
603 KAR 5:071 (Bus dimension limits.)

**Education and Humanities Cabinet: Department of Education: Office of Superintendent: Office of Superintendent**

701 KAR 5:070 (Criteria for Commonwealth Institute for Teachers.)  
**Office of Local Services: General Administration**

702 KAR 1:115 (Annual in-service training of district board members.)

**School District Finance**

702 KAR 3:200 (Management Assistance Program.)

**Student Services**

704 KAR 7:070 (Guidelines for dropout prevention programs.)

**Labor Cabinet: Collective Bargaining and Arbitration**

803 KAR 3:050 (Arbitration.)

**Public Protection and Regulation Cabinet: Department of Housing, Buildings and Construction: Kentucky Building Code**

815 KAR 7:020 (Building code.)

**Plumbing**

815 KAR 20:030 (License application; qualifications for examination, examination requirements, expiration, renewal, revival or reinstatement of licenses.)

815 KAR 20:050 (Installation permits.)

815 KAR 20:130 (House sewers and storm water piping; methods of installation.)

**Cabinet for Human Resources: Department for Health Services: Local Boards of Health**

902 KAR 8:020 (Policies and procedures for local health department operations.)

**Hospitalization of Mentally Ill and Mentally Retarded**

902 KAR 12:080 (Policies and procedures for mental health/mental retardation facilities.)

**Disability Determination's Unit**

902 KAR 16:010 (Disability determination's program.)

**Department for Employment Services: Employment Services**

903 KAR 6:010 (Work incentive program.) The Subcommittee requested that the agency report back in one year to determine if the cuts made in this regulation were feasible.

**Department for Social Insurance: Public Assistance**

904 KAR 2:016 (Standards for need and amount; AFDC.)

904 KAR 2:020 (Child support.)

904 KAR 2:116 (Low income home energy assistance program.)

**Food Stamp Program**

904 KAR 3:020 (Eligibility requirements.)

**Department for Medicaid Services: Medicaid Services**

907 KAR 1:004 (Resource and income standard of medically needy.) Senator Haering voted no.

907 KAR 1:010 (Payments for physicians' services.) Senator Haering voted no.

907 KAR 1:049 (Payments for family planning services.) Representatives Brinkley and Meyer and Senator Haering questioned agency personnel over the increase in fees and asked for an explanation. Agency personnel stated that the fees have not been raised for the last ten years and were inadequate to begin with. On the Subcommittee vote on this regulation, Senator Haering voted no.

907 KAR 1:340 (Payments for hospice services.) Senator Haering voted no.

The Subcommittee deferred the following regulations at the request of the promulgating agency:

**Finance and Administration Cabinet: Board of Dentistry**

201 KAR 8:005 (Advertising of dental services.)

**General Government Cabinet: Board of Medical Licensure**

201 KAR 9:083 (Certification and supervision of physician assistants.)

**Athletic Commission**

201 KAR 27:015 (Prompt payment of fees, fines, and forfeitures required.)

201 KAR 27:044 (Appointment of officials.)

**Education and Humanities Cabinet: Department of Education: Office of Instruction: Instructional Services**

704 KAR 3:304 (Required program of studies.)

The Subcommittee had no objections to emergency regulations which had been filed.

The Subcommittee adjourned at 11:30 a.m. until January 12, 1987.

CUMULATIVE SUPPLEMENT

|                                      |     |
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| Subject Index to Volume 13.....      | G16 |

## LOCATOR INDEX -- EFFECTIVE DATES

NOTE: Emergency regulations expire 90 days from publication or upon replacement or repeal.

## VOLUME 12

| Regulation     | 12 Ky.R.<br>Page No. | Effective<br>Date | Regulation     | 12 Ky.R.<br>Page No. | Effective<br>Date |
|----------------|----------------------|-------------------|----------------|----------------------|-------------------|
| 704 KAR 3:325  |                      |                   | 704 KAR 20:330 | 1961                 | 8-12-86           |
| Amended        | 1864                 | 8-12-86           | 904 KAR 1:013  |                      |                   |
| 704 KAR 15:080 |                      |                   | Amended        | 1922                 | 8-12-86           |
| Amended        | 1874                 |                   | Recodified     |                      | 8-13-86           |
| Withdrawn      |                      | 8-27-86           |                |                      |                   |

## VOLUME 13

| Emergency<br>Regulation | 13 Ky.R.<br>Page No. | Effective<br>Date | Emergency<br>Regulation | 13 Ky.R.<br>Page No. | Effective<br>Date |
|-------------------------|----------------------|-------------------|-------------------------|----------------------|-------------------|
| 101 KAR 1:300E          | 120                  | 7-15-86           | 101 KAR 2:130E          | 156                  | 7-15-86           |
| Replaced                | 390                  | 9-4-86            | Replaced                | 432                  | 9-4-86            |
| 101 KAR 1:310E          | 120                  | 7-15-86           | 101 KAR 3:005E          | 157                  | 7-15-86           |
| Replaced                | 391                  | 9-4-86            | Replaced                | 433                  | 9-4-86            |
| 101 KAR 1:320E          | 121                  | 7-15-86           | 101 KAR 3:010E          | 157                  | 7-15-86           |
| Replaced                | 392                  | 9-4-86            | Replaced                | 434                  | 9-4-86            |
| 101 KAR 1:325E          | 122                  | 7-15-86           | 101 KAR 3:030E          | 161                  | 7-15-86           |
| Replaced                | 393                  | 9-4-86            | Replaced                | 438                  | 9-4-86            |
| 101 KAR 1:330E          | 123                  | 7-15-86           | 101 KAR 3:040E          | 161                  | 7-15-86           |
| Replaced                | 394                  | 10-2-86           | Replaced                | 438                  | 9-4-86            |
| 101 KAR 1:340E          | 125                  | 7-15-86           | 101 KAR 3:050E          | 162                  | 7-15-86           |
| Replaced                | 397                  | 9-4-86            | Replaced                | 439                  | 9-4-86            |
| 101 KAR 1:350E          | 127                  | 7-15-86           | 301 KAR 2:044E          | 482                  | 8-14-86           |
| Replaced                | 399                  | 9-4-86            | Replaced                | 519                  | 10-2-86           |
| 101 KAR 1:360E          | 129                  | 7-15-86           | 301 KAR 2:047E          | 484                  | 8-14-86           |
| Replaced                | 401                  | 9-4-86            | Replaced                | 521                  | 10-2-86           |
| 101 KAR 1:370E          | 132                  | 7-15-86           | 301 KAR 2:220E          | 849                  | 9-29-86           |
| Replaced                | 405                  | 9-4-86            | Replaced                | 908                  | 12-2-86           |
| 101 KAR 1:380E          | 133                  | 7-15-86           | 302 KAR 16:010E         | 164                  | 7-1-86            |
| Replaced                | 406                  | 9-4-86            | Replaced                | 240                  | 9-4-86            |
| 101 KAR 1:390E          | 134                  | 7-15-86           | 302 KAR 20:056E         | 1023                 | 11-13-86          |
| Replaced                | 407                  | 9-4-86            | 302 KAR 20:057E         | 1024                 | 11-13-86          |
| 101 KAR 2:005E          | 135                  | 7-15-86           | 302 KAR 20:065E         | 1025                 | 11-13-86          |
| Replaced                | 408                  | 9-4-86            | 302 KAR 31:010E         | 1219                 | 12-3-86           |
| 101 KAR 2:010E          | 136                  | 7-15-86           | 302 KAR 31:011E         | 1221                 | 12-3-86           |
| Replaced                | 409                  | 9-4-86            | 405 KAR 10:200E         | 614                  | 9-3-86            |
| 101 KAR 2:020E          | 136                  | 7-15-86           | Replaced                | 1076                 | 12-2-86           |
| Replaced                | 410                  | 9-4-86            | 501 KAR 6:020E          |                      |                   |
| 101 KAR 2:030E          | 137                  | 7-15-86           | Replaced                | 4                    | 5-16-86           |
| Replaced                | 411                  | 9-4-86            | Resubmitted             | 4                    | 5-16-86           |
| 101 KAR 2:040E          | 140                  | 7-15-86           | Replaced                |                      | 7-2-86            |
| Replaced                | 414                  | 9-4-86            | Resubmitted             | 1222                 | 11-17-86          |
| 101 KAR 2:050E          | 142                  | 7-15-86           | 501 KAR 6:030E          | 486                  | 7-21-86           |
| Replaced                | 416                  | 9-4-86            | Replaced                | 525                  | 10-2-86           |
| 101 KAR 2:060E          | 144                  | 7-15-86           | 501 KAR 6:040E          | 165                  | 6-16-86           |
| Replaced                | 418                  | 9-4-86            | Replaced                | 488                  | 7-21-86           |
| 101 KAR 2:070E          | 145                  | 7-15-86           | Resubmitted             | 488                  | 7-21-86           |
| Replaced                | 420                  | 9-4-86            | Replaced                | 283                  | 9-4-86            |
| 101 KAR 2:080E          | 146                  | 7-15-86           | 501 KAR 6:070E          | 166                  | 6-16-86           |
| Replaced                | 421                  | 9-4-86            | Replaced                | 58                   | 8-12-86           |
| 101 KAR 2:090E          | 148                  | 7-15-86           | 501 KAR 6:090E          | 617                  | 9-10-86           |
| Replaced                | 423                  | 9-4-86            | Replaced                | 744                  | 11-11-86          |
| 101 KAR 2:100E          | 149                  | 7-15-86           | Resubmitted             | 1223                 | 11-17-86          |
| Replaced                | 425                  | 9-4-86            | 501 KAR 6:110E          | 167                  | 6-16-86           |
| 101 KAR 2:110E          | 153                  | 7-15-86           | Replaced                | 101                  | 8-12-86           |
| Replaced                | 626                  | 9-4-86            | Resubmitted             | 1224                 | 11-17-86          |
| 101 KAR 2:120E          | 154                  | 7-15-86           | 502 KAR 15:020E         | 489                  | 7-25-86           |
| Replaced                | 430                  | 9-4-86            | Replaced                | 601                  | 10-2-86           |



# ADMINISTRATIVE REGISTER - G3

| Emergency Regulation | 13 Ky.R. Page No. | Effective Date | Emergency Regulation | 13 Ky.R. Page No. | Effective Date |
|----------------------|-------------------|----------------|----------------------|-------------------|----------------|
| 502 KAR 50:010E      | 490               | 8-14-86        | 905 KAR 3:030E       | 223               | 7-1-86         |
| Replaced             | 602               | 10-2-86        | Replaced             | 376               | 9-4-86         |
| 600 KAR 1:045E       | 490               | 8-14-86        | 905 KAR 8:110E       | 1056              | 10-29-86       |
| Replaced             | 894               | 11-11-86       | 905 KAR 8:120E       | 1056              | 10-29-86       |
| 601 KAR 9:074E       | 168               | 7-1-86         | 907 KAR 1:004E       | 856               | 10-6-86        |
| Replaced             | 289               | 9-4-86         | Replaced             | 987               | 12-2-86        |
| 603 KAR 5:190E       | 492               | 7-25-86        | 907 KAR 1:010E       | 861               | 10-6-86        |
| Replaced             | 602               | 11-11-86       | Replaced             | 992               | 12-2-86        |
| 603 KAR 5:200E       | 493               | 7-25-86        | 907 KAR 1:013E       | 623               | 8-27-86        |
| Replaced             | 603               | 11-11-86       | Expired              |                   | 10-24-86       |
| 702 KAR 1:010E       | 172               | 7-10-86        | Resubmitted          | 1057              | 10-29-86       |
| Replaced             | 635               | 10-2-86        | 907 KAR 1:031E       | 224               | 7-1-86         |
| 702 KAR 3:200E       | 618               | 9-8-86         | Replaced             | 380               | 9-4-86         |
| Replaced             | 1081              | 12-2-86        | 907 KAR 1:036E       | 224               | 7-3-86         |
| 702 KAR 7:065E       | 619               | 9-8-86         | Replaced             | 663               | 10-2-86        |
| Replaced             | 835               | 11-11-86       | 907 KAR 1:045E       | 231               | 7-1-86         |
| 702 KAR 7:070E       | 619               | 9-8-86         | Replaced             | 387               | 9-4-86         |
| Replaced             | 749               | 11-11-86       | 907 KAR 1:055E       | 232               | 7-1-86         |
| 702 KAR 7:080E       | 620               | 9-8-86         | Replaced             | 389               | 9-4-86         |
| Replaced             | 750               | 11-11-86       | 907 KAR 1:250E       | 625               | 8-15-86        |
| 704 KAR 7:070E       | 621               | 9-8-86         | Replaced             | 555               | 10-2-86        |
| Replaced             | 749               | 12-2-86        | Resubmitted          | 1226              | 11-25-86       |
| 704 KAR 15:080E      | 173               | 7-10-86        | 907 KAR 1:330E       | 862               | 10-6-86        |
| Replaced             | 639               | 10-2-86        | Replaced             | 1016              | 12-2-86        |
| 900 KAR 1:006E       | 5                 | 5-23-86        | 907 KAR 1:340E       | 863               | 10-6-86        |
| Replaced             | 110               | 8-12-86        | Replaced             | 1017              | 12-2-86        |
| 900 KAR 1:060E       | 174               | 7-15-86        |                      |                   |                |
| Replaced             | 465               | 9-4-86         |                      |                   |                |
| 902 KAR 4:050E       | 622               | 8-15-86        | Regulation           | 13 Ky.R. Page No. | Effective Date |
| Replaced             | 539               | 10-2-86        | 11 KAR 3:040         |                   |                |
| 902 KAR 10:110E      | 493               | 8-8-86         | Amended              | 18                | 8-12-86        |
| Replaced             | 540               | 10-2-86        | 11 KAR 5:010         |                   |                |
| 902 KAR 20:016E      | 175               | 7-14-86        | Amended              | 19                | 8-12-86        |
| Replaced             | 645               | 10-2-86        | Amended              | 1235              |                |
| 902 KAR 20:026E      | 185               | 7-7-86         | 11 KAR 5:030         |                   |                |
| Replaced             | 342               | 9-4-86         | Amended              | 20                | 8-12-86        |
| Resubmitted          | 1027              | 11-13-86       | Amended              | 1236              |                |
| 902 KAR 20:036E      | 194               | 7-7-86         | 11 KAR 5:031         | 92                | 8-12-86        |
| Replaced             | 351               | 9-4-86         | 11 KAR 5:032         |                   |                |
| 902 KAR 20:048E      | 199               | 7-7-86         | Repealed             | 92                | 8-12-86        |
| Replaced             | 356               | 9-4-86         | 11 KAR 5:035         |                   |                |
| Resubmitted          | 1036              | 11-13-86       | Repealed             | 92                | 8-12-86        |
| 902 KAR 20:051E      | 207               | 7-7-86         | 11 KAR 5:060         |                   |                |
| Replaced             | 365               | 9-4-86         | Repealed             | 92                | 8-12-86        |
| Resubmitted          | 1044              | 11-13-86       | 11 KAR 5:070         |                   |                |
| 902 KAR 20:220E      | 214               | 7-14-86        | Repealed             | 92                | 8-12-86        |
| Replaced             | 655               | 10-2-86        | 11 KAR 5:080         |                   |                |
| 903 KAR 5:270E       | 221               | 6-16-86        | Repealed             | 92                | 8-12-86        |
| Replaced             | 89                | 8-12-86        | 11 KAR 5:085         |                   |                |
| 904 KAR 2:016E       | 7                 | 5-16-86        | Repealed             | 92                | 8-12-86        |
| Replaced             |                   | 7-2-86         | 11 KAR 5:090         |                   |                |
| 904 KAR 2:116E       | 1052              | 10-16-86       | Repealed             | 92                | 8-12-86        |
| Replaced             | 980               | 12-2-86        | 11 KAR 5:100         |                   |                |
| 904 KAR 2:140E       | 494               | 8-8-86         | Repealed             | 92                | 8-12-86        |
| Replaced             | 549               | 10-2-86        | 11 KAR 6:010         |                   |                |
| 904 KAR 2:170E       | 495               | 8-8-86         | Amended              | 1237              |                |
| Replaced             | 550               | 10-2-86        | 11 KAR 7:010         |                   |                |
| 904 KAR 3:010E       | 496               | 7-22-86        | Amended              | 21                |                |
| Replaced             | 551               | 10-2-86        | Amended              | 499               | 8-12-86        |
| 904 KAR 3:020E       | 853               | 10-6-86        | 11 KAR 7:020         | 93                | 8-12-86        |
| Replaced             | 983               | 12-2-86        | 11 KAR 8:010         | 94                |                |
| 904 KAR 3:090E       | 498               | 8-8-86         | Amended              | 503               | 8-12-86        |
| Replaced             | 554               | 10-2-86        | 11 KAR 8:020         | 96                | 8-12-86        |
| 905 KAR 1:180E       | 11                | 5-16-86        | 11 KAR 9:010         | 98                | 8-12-86        |
| Replaced             |                   | 7-2-86         | 13 KAR 2:040         | 1310              |                |
| Resubmitted          |                   | 7-1-86         | 13 KAR 2:050         | 1314              |                |
| Resubmitted          | 222               | 7-15-86        | 14 KAR 1:010         | 557               | 10-2-86        |
| Replaced             | 662               | 10-2-86        | 31 KAR 3:010         | 559               | 10-2-86        |
| Resubmitted          | 1055              | 10-19-86       | 101 KAR 1:010        |                   |                |
|                      |                   |                | Repealed             | 120               | 7-15-86        |



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| 101 KAR 1:020 |                      |                   | 101 KAR 3:010  | 434                  | 9-4-86            |
| Repealed      | 120                  | 7-15-86           | 101 KAR 3:030  | 438                  | 9-4-86            |
| 101 KAR 1:030 |                      |                   | 101 KAR 3:040  | 438                  | 9-4-86            |
| Repealed      | 120                  | 7-15-86           | 101 KAR 3:050  | 439                  | 9-4-86            |
| 101 KAR 1:040 |                      |                   | 103 KAR 5:130  | 1173                 |                   |
| Repealed      | 135                  | 7-15-86           | 103 KAR 15:050 |                      |                   |
| 101 KAR 1:051 |                      |                   | Amended        | 26                   | 8-12-86           |
| Repealed      | 135                  | 7-15-86           | 103 KAR 16:070 |                      |                   |
| 101 KAR 1:060 |                      |                   | Amended        | 27                   | 8-12-86           |
| Repealed      | 120                  | 7-15-86           | 103 KAR 16:080 |                      |                   |
| 101 KAR 1:070 |                      |                   | Amended        | 30                   | 8-12-86           |
| Repealed      | 120                  | 7-15-86           | 103 KAR 16:090 |                      |                   |
| 101 KAR 1:080 |                      |                   | Amended        | 33                   | 8-12-86           |
| Repealed      | 120                  | 7-15-86           | 103 KAR 17:080 |                      |                   |
| 101 KAR 1:090 |                      |                   | Amended        | 35                   | 8-12-86           |
| Repealed      | 120                  | 7-15-86           | 103 KAR 26:050 |                      |                   |
| 101 KAR 1:100 |                      |                   | Amended        | 1084                 |                   |
| Repealed      | 120                  | 7-15-86           | 103 KAR 27:180 |                      |                   |
| 101 KAR 1:110 |                      |                   | Amended        | 1084                 |                   |
| Repealed      | 120                  | 7-15-86           | 103 KAR 30:020 |                      |                   |
| 101 KAR 1:120 |                      |                   | Amended        | 1085                 |                   |
| Repealed      | 120                  | 7-15-86           | 103 KAR 43:240 | 99                   | 8-12-86           |
| 101 KAR 1:130 |                      |                   | 105 KAR 1:010  |                      |                   |
| Repealed      | 120                  | 7-15-86           | Amended        | 36                   | 8-12-86           |
| 101 KAR 1:140 |                      |                   | 105 KAR 1:040  |                      |                   |
| Repealed      | 120                  | 7-15-86           | Amended        | 38                   | 8-12-86           |
| 101 KAR 1:145 |                      |                   | 105 KAR 1:080  |                      |                   |
| Repealed      | 135                  | 7-15-86           | Repealed       | 38                   | 8-12-86           |
| 101 KAR 1:150 |                      |                   | 105 KAR 1:090  |                      |                   |
| Repealed      | 135                  | 7-15-86           | Repealed       | 38                   | 8-12-86           |
| 101 KAR 1:160 |                      |                   | 105 KAR 1:100  |                      |                   |
| Repealed      | 120                  | 7-15-86           | Repealed       | 38                   | 8-12-86           |
| 101 KAR 1:170 |                      |                   | 106 KAR 1:050  |                      |                   |
| Repealed      | 120                  | 7-15-86           | Amended        | 233                  | 7-2-86            |
| 101 KAR 1:200 |                      |                   | 201 KAR 6:010  |                      |                   |
| Repealed      | 157                  | 7-15-86           | Amended        | 41                   | 8-12-86           |
| 101 KAR 1:205 |                      |                   | 201 KAR 8:005  | 994                  |                   |
| Repealed      | 157                  | 7-15-86           | 201 KAR 9:016  |                      |                   |
| 101 KAR 1:210 |                      |                   | Amended        | 1087                 |                   |
| Repealed      | 157                  | 7-15-86           | 201 KAR 9:031  |                      |                   |
| 101 KAR 1:220 |                      |                   | Amended        | 1088                 |                   |
| Repealed      | 157                  | 7-15-86           | 201 KAR 9:041  |                      |                   |
| 101 KAR 1:230 |                      |                   | Amended        | 1089                 |                   |
| Repealed      | 157                  | 7-15-86           | 201 KAR 9:081  |                      |                   |
| 101 KAR 1:300 | 390                  | 9-4-86            | Amended        | 670                  | 11-11-86          |
| 101 KAR 1:310 | 391                  | 9-4-86            | 201 KAR 9:083  | 805                  |                   |
| 101 KAR 1:320 | 392                  | 9-4-86            | Amended        | 1073                 |                   |
| 101 KAR 1:325 | 393                  | 9-4-86            | 201 KAR 9:084  | 808                  | 11-11-86          |
| Amended       | 899                  | 12-2-86           | 201 KAR 9:151  |                      |                   |
| 101 KAR 1:330 | 394                  | 10-2-86           | Amended        | 1090                 |                   |
| 101 KAR 1:340 | 397                  | 9-4-86            | 201 KAR 11:200 | 1315                 |                   |
| 101 KAR 1:350 | 399                  | 9-4-86            | 201 KAR 12:110 |                      |                   |
| 101 KAR 1:360 | 401                  | 9-4-86            | Amended        | 237                  | 9-4-86            |
| 101 KAR 1:370 | 405                  | 9-4-86            | 201 KAR 13:040 |                      |                   |
| 101 KAR 1:380 | 406                  | 9-4-86            | Amended        | 900                  | 12-2-86           |
| 101 KAR 1:390 | 407                  | 9-4-86            | 201 KAR 17:010 |                      |                   |
| 101 KAR 2:005 | 408                  | 9-4-86            | Amended        | 515                  | 10-2-86           |
| 101 KAR 2:010 | 409                  | 9-4-86            | 201 KAR 17:011 | 560                  | 10-2-86           |
| 101 KAR 2:020 | 410                  | 9-4-86            | 201 KAR 17:012 | 562                  | 10-2-86           |
| 101 KAR 2:030 | 411                  | 9-4-86            | 201 KAR 17:015 | 563                  | 10-2-86           |
| 101 KAR 2:040 | 414                  | 9-4-86            | 201 KAR 17:041 |                      |                   |
| 101 KAR 2:050 | 416                  | 9-4-86            | Amended        | 516                  | 10-2-86           |
| 101 KAR 2:060 | 418                  | 9-4-86            | 201 KAR 17:050 |                      |                   |
| 101 KAR 2:070 | 420                  | 9-4-86            | Repealed       | 564                  | 10-2-86           |
| 101 KAR 2:080 | 421                  | 9-4-86            | 201 KAR 17:060 |                      |                   |
| 101 KAR 2:090 | 423                  | 9-4-86            | Repealed       | 564                  | 10-2-86           |
| 101 KAR 2:100 | 425                  | 9-4-86            | 201 KAR 17:061 | 564                  | 10-2-86           |
| 101 KAR 2:110 | 428                  |                   | 201 KAR 17:090 | 1316                 |                   |
| Amended       | 626                  | 9-4-86            | 201 KAR 18:040 |                      |                   |
| 101 KAR 2:120 | 430                  | 9-4-86            | Amended        | 1091                 |                   |
| 101 KAR 2:130 | 432                  | 9-4-86            | 201 KAR 18:050 |                      |                   |
| 101 KAR 3:005 | 433                  | 9-4-86            | Amended        | 1091                 |                   |



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| 201 KAR 18:070 |                      |                   | 401 KAR 50:010 |                      |                   |
| Amended        | 1092                 |                   | Amended        | 920                  | 12-2-86           |
| 201 KAR 20:057 |                      |                   | 401 KAR 50:015 |                      |                   |
| Amended        | 239                  | 9-4-86            | Amended        | 267                  | 9-4-86            |
| 201 KAR 22:010 |                      |                   | Amended        | 1240                 |                   |
| Amended        | 901                  | 12-2-86           | 401 KAR 51:017 |                      |                   |
| 201 KAR 22:031 |                      |                   | Amended        | 924                  | 12-2-86           |
| Amended        | 902                  | 12-2-86           | 401 KAR 57:011 |                      |                   |
| 201 KAR 22:052 |                      |                   | Amended        | 934                  | 12-2-86           |
| Amended        | 904                  | 12-2-86           | 401 KAR 57:020 |                      |                   |
| 201 KAR 27:015 |                      |                   | Repealed       | 995                  | 12-2-86           |
| Amended        | 905                  |                   | 401 KAR 57:021 |                      |                   |
| Amended        | 1228                 |                   | Amended        | 995                  | 12-2-86           |
| 201 KAR 27:044 | 995                  |                   | 401 KAR 57:045 |                      |                   |
| 201 KAR 28:010 | 1175                 |                   | Amended        | 997                  | 12-2-86           |
| 201 KAR 28:020 | 1177                 |                   | 401 KAR 57:050 | 1327                 |                   |
| 201 KAR 28:030 | 1178                 |                   | 401 KAR 57:055 | 1329                 |                   |
| 201 KAR 28:040 | 1179                 |                   | 401 KAR 59:010 |                      |                   |
| 201 KAR 28:050 | 1180                 |                   | Amended        | 271                  | 9-4-86            |
| 201 KAR 28:060 | 1181                 |                   | 401 KAR 59:031 | 1330                 |                   |
| 201 KAR 28:070 | 1183                 |                   | 401 KAR 59:041 | 1332                 |                   |
| 201 KAR 28:080 | 1184                 |                   | 401 KAR 59:065 |                      |                   |
| 201 KAR 28:090 | 1185                 |                   | Repealed       | 999                  | 12-2-86           |
| 201 KAR 28:100 | 1186                 |                   | 401 KAR 59:066 | 999                  | 12-2-86           |
| 201 KAR 28:110 | 1187                 |                   | 401 KAR 59:068 | 1001                 | 12-2-86           |
| 201 KAR 28:120 | 1187                 |                   | 401 KAR 59:081 |                      |                   |
| 201 KAR 28:130 | 1189                 |                   | Repealed       | 441                  | 9-4-86            |
| 201 KAR 28:140 | 1189                 |                   | 401 KAR 59:082 | 441                  | 9-4-86            |
| 201 KAR 28:150 | 1191                 |                   | 401 KAR 59:165 |                      |                   |
| 201 KAR 28:160 | 1193                 |                   | Repealed       | 1002                 | 12-2-86           |
| 301 KAR 1:055  |                      |                   | 401 KAR 59:166 | 1002                 | 12-2-86           |
| Amended        | 1093                 |                   | 401 KAR 59:168 | 1004                 | 12-2-86           |
| 301 KAR 1:145  |                      |                   | 401 KAR 59:196 |                      |                   |
| Amended        | 518                  | 10-2-86           | Amended        | 273                  | 9-4-86            |
| 301 KAR 2:044  |                      |                   | 401 KAR 59:211 | 443                  | 9-4-86            |
| Amended        | 519                  | 10-2-86           | 401 KAR 59:242 | 444                  | 9-4-86            |
| 301 KAR 2:047  |                      |                   | 401 KAR 59:290 | 446                  | 9-4-86            |
| Amended        | 12                   | 6-10-86           | 401 KAR 59:295 | 1006                 | 12-2-86           |
| Amended        | 521                  | 10-2-86           | 401 KAR 61:020 |                      |                   |
| 301 KAR 2:140  |                      |                   | Amended        | 275                  | 9-4-86            |
| Amended        | 906                  | 12-2-86           | 401 KAR 61:140 |                      |                   |
| 301 KAR 2:220  |                      |                   | Amended        | 278                  | 9-4-86            |
| Amended        | 908                  | 12-2-86           | 401 KAR 61:175 | 1008                 | 12-2-86           |
| 301 KAR 3:021  |                      |                   | 401 KAR 63:021 | 564                  |                   |
| Amended        | 523                  | 10-2-86           | Amended        | 864                  |                   |
| 301 KAR 3:080  | 100                  | 8-12-86           | Amended        | 1059                 | 11-11-86          |
| 302 KAR 16:010 |                      |                   | 401 KAR 63:022 | 574                  |                   |
| Amended        | 240                  | 9-4-86            | Amended        | 870                  |                   |
| 302 KAR 20:056 | 1195                 |                   | Amended        | 1062                 | 11-11-86          |
| 302 KAR 20:057 | 1196                 |                   | 401 KAR 63:040 | 1198                 |                   |
| 302 KAR 20:065 |                      |                   | 405 KAR 10:200 | 809                  |                   |
| Amended        | 1094                 |                   | Amended        | 1076                 | 12-2-86           |
| 302 KAR 20:180 |                      |                   | 500 KAR 1:010  |                      |                   |
| Amended        | 1096                 |                   | Amended        | 48                   | 8-12-86           |
| 302 KAR 31:010 |                      |                   | 500 KAR 1:020  |                      |                   |
| Amended        | 1238                 |                   | Amended        | 50                   | 8-12-86           |
| 302 KAR 31:011 | 1317                 |                   | 500 KAR 2:010  | 448                  | 9-4-86            |
| 400 KAR 2:060  | 1318                 |                   | 500 KAR 2:020  | 449                  | 9-4-86            |
| 400 KAR 2:070  | 1319                 |                   | 500 KAR 3:010  | 452                  | 9-4-86            |
| 400 KAR 2:080  | 1321                 |                   | 500 KAR 3:020  | 453                  |                   |
| 400 KAR 2:090  | 1322                 |                   | Amended        | 627                  | 9-4-86            |
| 400 KAR 2:100  | 1326                 |                   | 501 KAR 3:010  |                      |                   |
| 401 KAR 5:055  |                      |                   | Amended        | 674                  | 11-11-86          |
| Amended        | 241                  | 9-4-86            | 501 KAR 3:020  |                      |                   |
| 401 KAR 5:065  |                      |                   | Amended        | 675                  | 11-11-86          |
| Amended        | 258                  | 9-4-86            | 501 KAR 3:030  |                      |                   |
| 401 KAR 5:090  |                      |                   | Amended        | 677                  | 11-11-86          |
| Amended        | 44                   |                   | 501 KAR 3:040  |                      |                   |
| Amended        | 505                  | 9-4-86            | Amended        | 677                  | 11-11-86          |
| 401 KAR 47:070 |                      |                   | 501 KAR 3:050  |                      |                   |
| Amended        | 913                  |                   | Amended        | 679                  | 11-11-86          |
| Amended        | 1228                 |                   |                |                      |                   |



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| 501 KAR 3:060 |                      |                   | 501 KAR 5:130  |                      |                   |
| Amended       | 684                  | 11-11-86          | Amended        | 736                  | 11-11-86          |
| 501 KAR 3:070 |                      |                   | 501 KAR 6:020  |                      |                   |
| Amended       | 686                  | 11-11-86          | Amended        | 52                   | 8-12-86           |
| 501 KAR 3:080 |                      |                   | Amended        | 1099                 |                   |
| Amended       | 687                  | 11-11-86          | Amended        | 1244                 |                   |
| 501 KAR 3:090 |                      |                   | 501 KAR 6:030  |                      |                   |
| Amended       | 688                  | 11-11-86          | Amended        | 53                   | 8-12-86           |
| 501 KAR 3:100 |                      |                   | Amended        | 281                  | 10-2-86           |
| Amended       | 689                  | 11-11-86          | Amended        | 525                  | 10-2-86           |
| 501 KAR 3:110 |                      |                   | Amended        | 737                  | 11-11-86          |
| Amended       | 690                  | 11-11-86          | Amended        | 935                  | 12-2-86           |
| 501 KAR 3:120 |                      |                   | Amended        | 1246                 |                   |
| Amended       | 691                  | 11-11-86          | 501 KAR 6:040  |                      |                   |
| 501 KAR 3:130 |                      |                   | Amended        | 55                   | 8-12-86           |
| Amended       | 692                  | 11-11-86          | Amended        | 283                  | 9-4-86            |
| 501 KAR 3:140 |                      |                   | Amended        | 527                  | 10-2-86           |
| Amended       | 694                  | 11-11-86          | Amended        | 739                  | 11-11-86          |
| 501 KAR 3:150 |                      |                   | Amended        | 1100                 |                   |
| Amended       | 696                  | 11-11-86          | Amended        | 1248                 |                   |
| 501 KAR 4:010 |                      |                   | 501 KAR 6:050  |                      |                   |
| Amended       | 699                  | 11-11-86          | Amended        | 56                   |                   |
| 501 KAR 4:020 |                      |                   | Withdrawn      |                      | 8-12-86           |
| Amended       | 700                  | 11-11-86          | Amended        | 741                  | 11-11-86          |
| 501 KAR 4:030 |                      |                   | 501 KAR 6:060  |                      |                   |
| Amended       | 702                  | 11-11-86          | Amended        | 284                  | 10-2-86           |
| 501 KAR 4:040 |                      |                   | Amended        | 528                  | 10-2-86           |
| Amended       | 703                  | 11-11-86          | Amended        | 742                  | 11-11-86          |
| 501 KAR 4:050 |                      |                   | Amended        | 937                  | 12-2-86           |
| Amended       | 705                  | 11-11-86          | Amended        | 1102                 |                   |
| 501 KAR 4:060 |                      |                   | Amended        | 1249                 |                   |
| Amended       | 709                  | 11-11-86          | 501 KAR 6:070  |                      |                   |
| 501 KAR 4:070 |                      |                   | Amended        | 58                   | 8-12-86           |
| Amended       | 710                  | 11-11-86          | Amended        | 286                  | 9-4-86            |
| 501 KAR 4:080 |                      |                   | 501 KAR 6:080  |                      |                   |
| Amended       | 711                  | 11-11-86          | Amended        | 59                   | 8-12-86           |
| 501 KAR 4:090 |                      |                   | Amended        | 287                  | 9-4-86            |
| Amended       | 712                  | 11-11-86          | Amended        | 1251                 |                   |
| 501 KAR 4:100 |                      |                   | 501 KAR 6:090  |                      |                   |
| Amended       | 714                  | 11-11-86          | Amended        | 530                  | 10-2-86           |
| 501 KAR 4:110 |                      |                   | Amended        | 744                  | 11-11-86          |
| Amended       | 715                  | 11-11-86          | Amended        | 1103                 |                   |
| 501 KAR 4:120 |                      |                   | 501 KAR 6:110  |                      |                   |
| Amended       | 715                  | 11-11-86          | Amended        | 101                  | 8-12-86           |
| 501 KAR 4:130 |                      |                   | Amended        | 531                  | 10-2-86           |
| Amended       | 717                  | 11-11-86          | Amended        | 1105                 |                   |
| 501 KAR 4:140 |                      |                   | 501 KAR 6:120  |                      |                   |
| Amended       | 718                  | 11-11-86          | Amended        | 814                  | 11-11-86          |
| 501 KAR 5:010 |                      |                   | Amended        | 939                  | 12-2-86           |
| Amended       | 719                  | 11-11-86          | Amended        | 1107                 |                   |
| 501 KAR 5:020 |                      |                   | 501 KAR 7:010  |                      |                   |
| Amended       | 721                  | 11-11-86          | 501 KAR 7:020  |                      |                   |
| 501 KAR 5:030 |                      |                   | 501 KAR 7:030  |                      |                   |
| Amended       | 722                  | 11-11-86          | 501 KAR 7:040  |                      |                   |
| 501 KAR 5:040 |                      |                   | 501 KAR 7:050  |                      |                   |
| Amended       | 723                  | 11-11-86          | 501 KAR 7:060  |                      |                   |
| 501 KAR 5:050 |                      |                   | 501 KAR 7:070  |                      |                   |
| Amended       | 725                  | 11-11-86          | 501 KAR 7:080  |                      |                   |
| 501 KAR 5:060 |                      |                   | 501 KAR 7:090  |                      |                   |
| Amended       | 728                  | 11-11-86          | 501 KAR 7:100  |                      |                   |
| 501 KAR 5:070 |                      |                   | 501 KAR 7:110  |                      |                   |
| Amended       | 730                  | 11-11-86          | 501 KAR 7:120  |                      |                   |
| 501 KAR 5:080 |                      |                   | 501 KAR 7:130  |                      |                   |
| Amended       | 731                  | 11-11-86          | 501 KAR 7:140  |                      |                   |
| 501 KAR 5:090 |                      |                   | 502 KAR 15:020 |                      |                   |
| Amended       | 732                  | 11-11-86          | 502 KAR 30:060 |                      |                   |
| 501 KAR 5:100 |                      |                   | Amended        | 288                  | 9-4-86            |
| Amended       | 733                  | 11-11-86          | 502 KAR 50:010 |                      |                   |
| 501 KAR 5:110 |                      |                   | 600 KAR 1:045  |                      |                   |
| Amended       | 734                  | 11-11-86          | Amended        | 533                  |                   |
| 501 KAR 5:120 |                      |                   | Amended        | 894                  | 11-11-86          |
| Amended       | 735                  | 11-11-86          | 600 KAR 1:080  |                      |                   |
|               |                      |                   | Amended        | 102                  |                   |
|               |                      |                   |                | 509                  | 9-4-86            |



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| 600 KAR 3:010  | 103                  | 8-12-86           | 704 KAR 3:005  |                      |                   |
| 601 KAR 1:005  |                      |                   | Amended        | 307                  |                   |
| Amended        | 535                  |                   | Amended        | 636                  | 10-2-86           |
| Amended        | 895                  |                   | 704 KAR 3:304  |                      |                   |
| Amended        | 1071                 | 11-11-86          | Amended        | 751                  |                   |
| 601 KAR 1:140  | 1334                 |                   | Withdrawn      |                      | 10-2-86           |
| 601 KAR 9:040  |                      |                   | Amended        | 942                  |                   |
| Amended        | 746                  | 11-11-86          | 704 KAR 7:070  | 836                  |                   |
| 601 KAR 9:055  |                      |                   | Amended        | 1082                 | 12-2-86           |
| Amended        | 748                  | 11-11-86          | 704 KAR 10:022 |                      |                   |
| 601 KAR 9:074  |                      |                   | Amended        | 1110                 |                   |
| Amended        | 289                  | 9-4-86            | 704 KAR 15:080 |                      |                   |
| 601 KAR 9:110  | 831                  | 11-11-86          | Amended        | 310                  |                   |
| 601 KAR 12:050 | 455                  | 9-4-86            | Amended        | 639                  |                   |
| 601 KAR 13:050 |                      |                   | Reprint        | 1212                 | 10-2-86           |
| Amended        | 537                  |                   | 704 KAR 20:229 |                      |                   |
| Amended        | 897                  | 11-11-86          | Amended        | 752                  | 11-11-86          |
| 601 KAR 35:020 |                      |                   | 704 KAR 20:230 |                      |                   |
| Amended        | 1252                 |                   | Amended        | 753                  | 11-11-86          |
| 602 KAR 50:060 |                      |                   | 704 KAR 20:235 |                      |                   |
| Amended        | 293                  | 9-4-86            | Amended        | 754                  | 11-11-86          |
| 602 KAR 50:090 |                      |                   | 704 KAR 20:245 |                      |                   |
| Amended        | 294                  | 9-4-86            | Amended        | 756                  | 11-11-86          |
| 603 KAR 3:040  |                      |                   | 704 KAR 20:255 |                      |                   |
| Repealed       | 509                  | 9-4-86            | Amended        | 758                  | 11-11-86          |
| 603 KAR 4:015  |                      |                   | 707 KAR 1:051  |                      |                   |
| Repealed       | 103                  | 8-12-86           | Amended        | 312                  | 9-4-86            |
| 603 KAR 5:050  |                      |                   | 707 KAR 1:120  | 838                  | 11-11-86          |
| Amended        | 940                  | 12-2-86           | 707 KAR 1:130  | 839                  | 11-11-86          |
| 603 KAR 5:071  | 1011                 | 12-2-86           | 709 KAR 1:030  |                      |                   |
| 603 KAR 5:110  |                      |                   | Amended        | 322                  | 9-4-86            |
| Amended        | 1254                 |                   | 725 KAR 1:050  | 604                  | 10-2-86           |
| 603 KAR 5:115  |                      |                   | 801 KAR 2:010  |                      |                   |
| Amended        | 1257                 |                   | Amended        | 323                  | 9-4-86            |
| 603 KAR 5:190  | 602                  | 11-11-86          | 803 KAR 2:015  |                      |                   |
| Amended        | 1258                 |                   | Amended        | 61                   | 8-12-86           |
| 603 KAR 5:200  | 603                  | 11-11-86          | 803 KAR 2:020  |                      |                   |
| Amended        | 1259                 |                   | Amended        | 78                   | 8-12-86           |
| 603 KAR 5:210  | 1336                 |                   | Amended        | 1262                 |                   |
| 603 KAR 5:220  | 1358                 |                   | 803 KAR 2:027  |                      |                   |
| 603 KAR 5:230  | 1359                 |                   | Amended        | 1267                 |                   |
| 605 KAR 1:110  |                      |                   | 803 KAR 2:030  |                      |                   |
| Repealed       | 509                  | 9-4-86            | Amended        | 1268                 |                   |
| 605 KAR 1:150  |                      |                   | 803 KAR 2:250  | 1398                 |                   |
| Amended        | 60                   | 8-12-86           | 803 KAR 3:050  | 1012                 | 12-2-86           |
| 700 KAR 1:010  |                      |                   | 804 KAR 2:007  |                      |                   |
| Amended        | 1260                 |                   | Amended        | 1111                 |                   |
| 701 KAR 5:070  | 832                  |                   | 804 KAR 4:290  | 1204                 |                   |
| Amended        | 1079                 | 12-2-86           | 806 KAR 1:010  | 458                  |                   |
| 702 KAR 1:005  |                      |                   | Amended        | 640                  | 10-2-86           |
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