Administrative Register of Kentucky

LEGISLATIVE RESEARCH COMMISSION
FRANKFORT, KENTUCKY

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SUNDAY, NOVEMBER 1, 1987

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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 tentatively scheduled on November 5 and 6, 1987. See tentative agenda on pages 683-684 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, Board or Agency		Bureau, Division, or Major Function		Specific Regulation

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ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE
TENTATIVE AGENDA, November 5, 1987
(Rm. 110, Capitol Annex @ 2 p.m.)
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Board of Hairdressers & Cosmetologists
201 KAR 12:170. Complaints and investigations.

Board of Registration for Professional Engineers & Land Surveyors
201 KAR 18:050. Branches of professional engineering.

Board of Nursing
201 KAR 20:070. Licensure by examination.
201 KAR 20:090. Temporary work permit.
201 KAR 20:095. Inactive nurse licensure status.
201 KAR 20:110. Licensure by endorsement.
201 KAR 20:115. Limited licensure.
201 KAR 20:161. Investigation and disposition of complaints.
201 KAR 20:162. Procedures for disciplinary hearings pursuant to KRS 314.091.
201 KAR 20:205. Standards for continuing education offerings.
201 KAR 20:210. Standards for a program of continuing education.
201 KAR 20:215. Contact hours.
201 KAR 20:220. Provider approval.
201 KAR 20:225. Reinstatement of license.
201 KAR 20:230. Renewal of licenses.
201 KAR 20:240. Fees for applications and for services.
201 KAR 20:270. Programs of nursing surveys.
201 KAR 20:290. Standards for prelicensure registered nurse and practical nurse extension programs.
201 KAR 20:310. Faculty for prelicensure registered nurse and practical nurse programs.
201 KAR 20:320. Standards for curriculum of prelicensure registered nurse programs.
201 KAR 20:330. Standards for curriculum of prelicensure practical nurse programs.
201 KAR 20:360. Evaluation of prelicensure registered nurse and practical nurse programs.
201 KAR 20:370. Applications for licensure and registration.
201 KAR 20:380. Standards for refresher course approval.

Board of Podiatry
201 KAR 25:011 & E. Approved schools; examination application, fees.
201 KAR 25:012 & E. Licensing examinations.

Kentucky Athletic Commission
201 KAR 27:018 & E. Referees and seconds to wear surgical gloves.
201 KAR 27:019 & E. Boxer repeatedly knocked out or otherwise defeated.

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Department of Fish and Wildlife Resources

Fish
301 KAR 1:190 & E. Special restrictions on the sale of musseling licenses.

Game
301 KAR 2:220 & E. Hunting seasons for migratory birds.

Wildlife
301 KAR 4:050 & E. Swan Lake Wildlife Management Area restrictions.

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Department of Agriculture

Kentucky Grain Insurance and Grain Dealers
302 KAR 34:050 & E. Grain Dealer Licensing of Federal Warehouses. (Not Amended After Hearing)(Deferred from October meeting)

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
Department for Environmental Protection
Division of Waste Management

Solid Waste Facilities
401 KAR 47:010 & E. General provisions for solid waste. (Not Amended After Hearing)
401 KAR 47:020 & E. Solid waste permit process. (Not Amended After Hearing)
401 KAR 47:040 & E. Sanitary landfills. (Amended After Hearing)

Solid Waste Planning
401 KAR 49:030 & E. Designation as a solid waste management area. (Amended After Hearing)
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CORRECTIONS CABINET

Office of the Secretary
501 KAR 6:030. Kentucky State Reformatory.

PUBLIC PROTECTION & REGULATION CABINET
State Racing Commission

Thoroughbred Racing Rules
810 KAR 1:011. Pari-mutuel wagering.
810 KAR 1:013. Entries, subscriptions and declarations.

ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE
TENTATIVE AGENDA, November 6, 1987
(Rm. 110, Capitol Annex @ 10 a.m.)

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Division for Air Quality

General Standards of Performance
401 KAR 63:042. Requirements for asbestos abatement entities.

JUSTICE CABINET
Department of State Police

Juvenile Detention Facilities
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Polygraph
502 KAR 20:020. Examiners.

Department of Criminal Justice Training

Law Enforcement Foundation Program Fund
503 KAR 5:090. Participation: requirements; application; withdrawal.

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Administration
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Department of Vehicle Regulation

Division of Motor Carriers
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Office of Local Services

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Office of Instruction

Teacher Certification
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704 KAR 20:280. Endorsement for teachers of gifted education.

Office of Vocational Rehabilitation

Administration
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Harness Racing Commission

Harness Racing Rules
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Standards of Safety
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Department for Social Insurance

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Food Stamp Program
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Department for Social Services

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Department for Medicaid Services

Medicaid Services
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907 KAR 1:027. Payments for dental services.

REGULATION REVIEW PROCEDURE

Filing and Publication

Administrative bodies shall file with the Regulations Compiler all proposed administrative regulations, public hearing information, tiering statement, regulatory impact analysis, fiscal note, and the federal mandate comparison. Those regulations received by the deadline required in KRS 13A.050 shall be published in the Administrative Register. Following publication in the Register, all regulations shall be referred by the LRC to the appropriate subcommittee for review.

Public Hearing

The administrative body shall schedule a public hearing on proposed administrative regulations to be held not less than twenty (20) nor more than thirty (30) days following publication. 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.

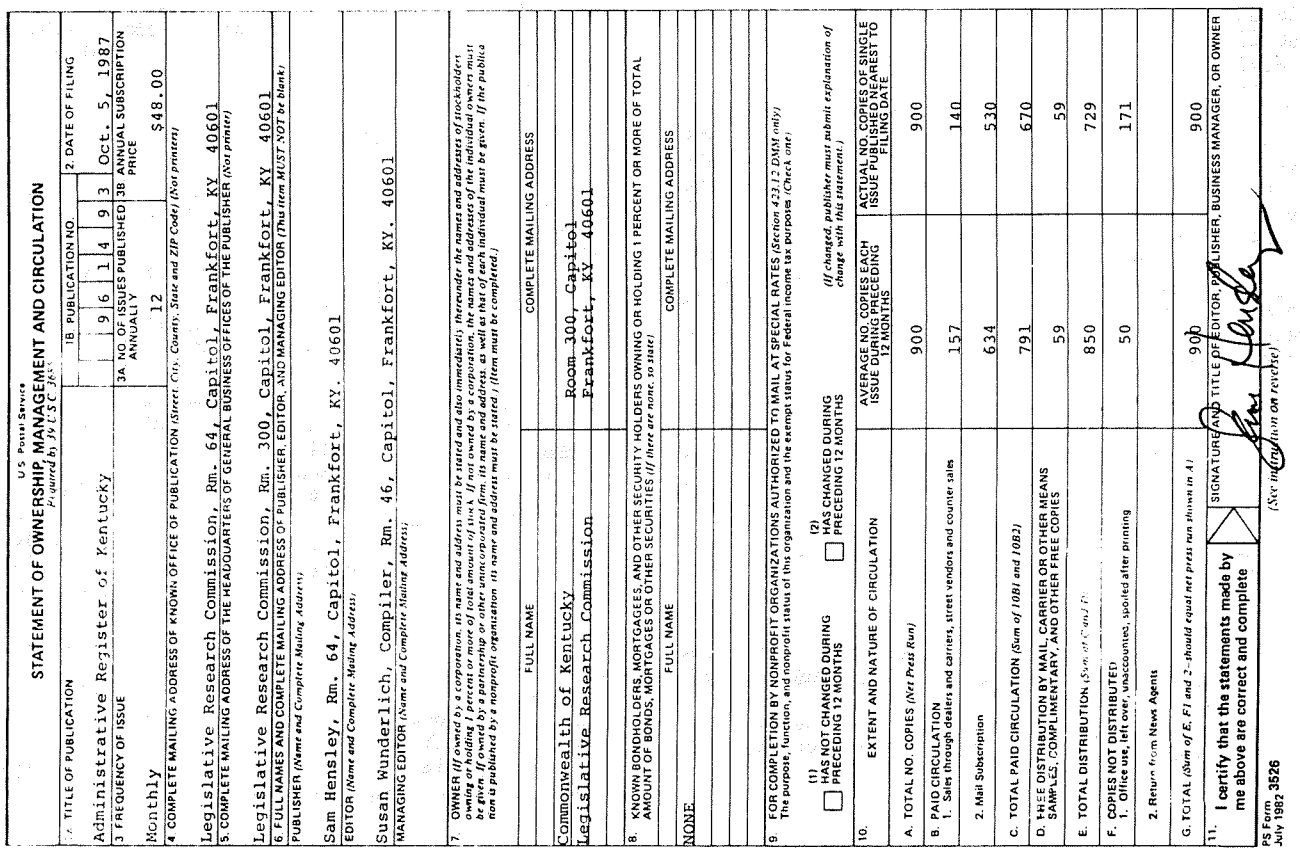
Any person interested in attending the scheduled hearing must submit written notification of such to the administrative body at least five (5) days before the scheduled hearing. If no written notice is received at least five (5) days before the hearing, the administrative body may cancel the hearing.

If the hearing is cancelled, the administrative body shall notify the Compiler and the Compiler of the cancellation. 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.

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.



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PS Form 3526 July 1982

EMERGENCY REGULATIONS NOW IN EFFECT

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

STATEMENT OF EMERGENCY

Migratory bird hunting season frameworks are established annually by the U.S. Fish and Wildlife Service. Under federal law, states which wish to establish migratory bird hunting seasons must do so within the federal frameworks. Development of the federal regulations involves consideration of harvest and population status data, coordination with state wildlife agencies, and public involvement. Consequently, federal migratory bird hunting regulations are promulgated less than six weeks before the opening dates of the hunting season. An ordinary administrative regulation will not suffice because insufficient time to accomplish the required state procedures during the short period between promulgation of federal hunting regulations and the opening of the hunting season will preclude timely effectiveness of the administrative regulation. The emergency regulation will be replaced by an ordinary administrative regulation.

MARTHA LAYNE COLLINS, Governor
DON R. McCORMICK, Commissioner

TOURISM CABINET
Department of Fish & Wildlife Resources

301 KAR 2:220E. Hunting seasons for migratory birds.

RELATES TO: KRS 150.010, 150.015, 150.025, 150.170, 150.175, 150.235, 150.240, 150.305, 150.330, 150.340, 150.360, 150.600, 150.603, 150.630
PURSUANT TO: KRS 13A.350, 150.025
EFFECTIVE: September 16, 1987
NECESSITY AND FUNCTION: This regulation pertains to the seasons and limits for the taking of specified migratory birds, to the associated permitting and harvest reporting requirements, and to restrictions in the use of blinds and pits. It is necessary for the continued protection and conservation of the migratory birds listed herein, and to insure a permanent and continued supply of the wildlife resource for the purpose of furnishing sport and recreation for present and future residents of the state. The framework of this regulation falls within the seasons and bag limits prescribed by the U.S. Fish and Wildlife Service. The function of this regulation is to provide for the prudent taking of migratory birds within reasonable limits based upon an adequate supply. This amendment is necessary to change season dates and hunting rules [, bag limits, and define terms].

Section 1. Seasons for Gun and Archery. (1) Sora rails, Virginia rails, common moorhens, and purple gallinules: November 16 through January 16.

(2) Ducks, coots and mergansers: November 26 [27] through November 29 [30] and December 12 [14] through January 16 [18].

(3) [(2)] Geese.

(a) Eastern Zone: November 8 [12] through January 16 [20], east of a boundary beginning at the Kentucky-Tennessee border at Fulton, Kentucky, extending north along the Purchase Parkway to I-24, East on I-24 to U.S. 641, north on U.S. 641 to U.S. 60, northeast on U.S. 60 to U.S. 41 and then north on U.S. 41 to the Kentucky-Indiana border.

(b) Western Zone. This zone consists of the area to the west of the boundary described in paragraph (a) of this subsection. For the purpose of controlling the goose harvest, the Western Zone is subdivided into the Ballard Reporting Area and associated counties and the Henderson-Union Reporting Area and associated counties. Seasons within the Western Zone are specified as follows:

1. Canada Goose Season; December 12 through January 30, unless harvest quotas are met as described below.

a. Ballard Reporting Area. [December 13 through January 31, or until such time as 9,500 Canada geese are harvested, whichever occurs first.] This reporting area lies [is defined as the area] within the following boundary: starting at the northwest city limits [of the town] of Wickliffe in Ballard County to the middle of the Mississippi River, and thence north along the Mississippi to the low water mark of the Ohio River along the Illinois shore to the Ballard-McCracken County line; thence along the county line south to state road 358; thence south along state road 358 to its junction with U.S. Highway 60 at LaCenter; thence following U.S. 60 southwest to the northeast city limits of Wickliffe. Should it be determined that the quota of 10,400 [9,500] Canada geese will be filled prior to January 30 [31], the goose hunting season will close in the Ballard Reporting Area. Notice will be given a minimum of twenty-four (24) hours in advance of the time and date of closing.

b. Counties associated with the Ballard Reporting Area. [December 13 through January 31, or seven (7) days after the closure of the Ballard Reporting Area, whichever occurs first.] The counties associated with the Ballard Reporting Area, [include] those portions of Ballard (excluding Ballard Reporting Area), McCracken, Graves, Carlisle, Hickman, Fulton and Marshall counties in the Western Zone, will remain open for seven (7) days after the closure of the Ballard Reporting Area or until January 30, whichever occurs first.

c. Henderson-Union Reporting Area. [December 13 through January 31, or until such time as 3,000 Canada geese are harvested, whichever occurs first.] This reporting area includes those portions of Henderson and Union Counties within the Western Zone. Should it be determined that the quota of 3,300 [3,000] Canada geese will be filled prior to January 30 [31], the goose hunting season will close in the Henderson-Union Reporting Area. Notice will be given a minimum of twenty-four (24) hours in advance of the time and date of closing.

d. Counties associated with the Henderson-Union Reporting Area. [December 13

through January 31, or seven (7) days after the closure of the Henderson-Union Reporting Area, whichever occurs first.] The counties associated with the Henderson-Union Reporting Area, [include] those portions of Lyon, Crittenden and Livingston counties in the Western Zone will remain open for seven (7) days after the closure of the Henderson-Union Reporting Area or until January 30, whichever occurs first.

2. Season for goose species other than Canada geese (snow and [(including] blue[)]] geese, white-fronted geese, and brant): November 26 [27] through January 17 [20], or whenever the Canada goose season closes, whichever occurs first.

[(3) Sora Rails, Virginia Rails, Common Moorhens, and Purple Gallinules: November 27 through January 20.]

Section 2. Limits for Gun and Archery. (1) Ducks and Mergansers. Point system bag and possession limits will be in effect. Point values for species and sexes are as follows:

100 points: mallard hen and black duck.

70 points: redhead, wood duck, and hooded merganser.

35 points: mallard drake, pintail and all species of ducks not listed in other categories.

20 points: all teal species, wigeon, gadwall, shoveler, scaup, and mergansers (except hooded merganser).

The season on canvasbacks is closed.

The daily bag limit is reached when the point value of the last bird taken, added to the sum of the point values of the other birds already taken during that day, reaches or exceeds 100 points. The possession limit is the maximum number of birds that legally could have been taken in two (2) days.

(2) Coots. Coots have a point value of zero, but the daily bag limit is fifteen (15) and the possession limit is thirty (30).

(3) Geese.

(a) The bag limit is five (5) with no more than two (2) Canada and two (2) white-fronted geese.

(b) The possession limit is ten (10), not to include more than four (4) Canada and four (4) white-fronted geese.

(4) Sora and Virginia Rails. The bag and possession limits are twenty-five (25) singly or in the aggregate.

(5) Common Moorhens and Purple Gallinules. The bag and possession limits are fifteen (15) and thirty (30), respectively, singly or in the aggregate of the two (2) species.

Section 3. Shooting Hours. One-half (1/2) hour before sunrise to sunset for all species listed in this regulation except as specified in Section 7 of this regulation, and from [that shooting hours in the Ballard Reporting Area will be] one-half (1/2) hour before sunrise to 2 p.m. for waterfowl (defined as ducks, geese, [coots] and mergansers) and coots during the Canada goose season in the Ballard Reporting Area.

Section 4. Shot Size Restrictions. No lead shot larger than BB or steel shot larger than F may be in possession while hunting the species listed in this regulation.

Section 5. Falconry Season. November 1 through January 16 [18]. All legal species listed in this regulation may be taken by falconry.

(1) Falconry limits. The bag and possession limits are three (3) and six (6), respectively, of any legal species listed in this regulation, singly or in the aggregate.

(2) Hunting hours for falconry. The hunting hours will conform with the shooting hours stated in Sections 3 and 7 of this regulation.

Section 6. Wildlife Management Area Blind and Pit Regulations. The following restrictions apply to all wildlife management areas except those excluded in Section 7 of this regulation.

(1) Permanent blinds or pits are not permitted. Decoys and temporary blinds must be removed at the end of each hunting day.

(2) No blind may be established less than 200 yards from any other blind or waterfowl refuge areas. For the purposes of this section, an anchored, stationary, or drifting boat from which waterfowl or coots are hunted is considered a blind.

(3) No more than four (4) persons shall occupy a single blind or pit at any one time.

(4) Designated recreation areas and access points are closed to [waterfowl] hunting of all species listed in this regulation.

Section 7. Exceptions for Specified Wildlife Management Areas and Counties. [Unless otherwise specified in this section or other regulations, stipulations of the] Other sections or [of this] regulations apply unless specified below.

(1) Ballard Wildlife Management Area, except the Miller Tract, located in Ballard County.

(a) Species and seasons.

1. The season for ducks, coots and mergansers is December 12 [18] through January 16 [18].

[2. The season for geese is December 18 through January 31, or until such time as the Ballard Reporting Area is closed, whichever occurs first.]

2. [3.] No hunting is permitted on Sundays.

3. [4.] No more than three (3) persons shall occupy a single blind or pit at the same time.

(b) General rules. There will be a ten (10) shell limit per hunter when hunting geese. [Shooting ducks is permitted in goose hunting areas.] Any hunter under the age of eighteen (18) years must be accompanied by an adult. Any person whose transportation to and from blinds and pits is furnished by the department must have his gun encased.

(c) Shooting hours: [The shooting hours are] one-half (1/2) hour before sunrise to 12 noon.

(2) Swan Lake Wildlife Management Area located in Ballard County. The Upper Blenderman Tract, located to the north of Holloway Landing Road and marked by signs, is open to hunting of all legal species listed in this regulation. [Peal Wildlife Management Area located in Ballard County. That portion of the Peal Wildlife Area as designated by signs is closed to the public from October 15 through March 15. No person, except agents of the department and the U.S. Fish and Wildlife Service, shall enter upon this portion of the Peal Wildlife Area during the closed period. Waterfowl hunting will be permitted in the area to the east of the gravel road running from the north boundary to the south boundary of Peal Wildlife Management Area. This open area includes Fish and Buck Lakes. Waterfowl hunting is also permitted on the Mitchell Tract.]

(3) Land Between the Lakes Wildlife Management

Area, located in Lyon and Trigg Counties.

(a) Closed areas. Smith Bay, Energy Lake, and Long Creek Pond as indicated by signs are closed to hunting. The eastern two-thirds (2/3) of Duncan Bay on Kentucky Lake is closed to all activity November 1 through March 15, as indicated by signs and buoys. [Duncan Bay is closed to all activity.] The Environmental Education Center is closed to [waterfowl] hunting of all species listed in this regulation.

(b) LBL permit. An annual LBL hunting permit is required for [waterfowl] hunting of all legal species listed in this regulation on all shoreline and inland areas. Shoreline areas are defined as all LBL areas along Kentucky and Barkley Lakes from the water's edge to twenty-five (25) yards above elevation 359'. Waterfowl and coot hunting from shoreline areas along Lake Barkley is allowed according to Lake Barkley Wildlife Management Area regulations. Inland areas are defined as all areas above shoreline areas. No [waterfowl] hunting of any species listed in this regulation is permitted on inland areas during quota gun deer hunt days. Permanent blinds and pits are not permitted on inland areas nor along the Kentucky Lake shoreline area. Decoys and temporary blinds must be removed at the end of each hunting day.

(4) Lake Barkley Wildlife Management Area located in Trigg, Lyon, and Livingston Counties.

(a) Closed areas. Refuge areas will be closed to all hunting, fishing, boating and molesting of all species listed in this regulation [waterfowl] during the dates designated in this subsection and on signs posted along the boundaries. Refuges and closing dates are as follows: November 1 through February 15 within an area including a row of islands on the west side of the main channel as marked by buoys and signs between river mile 51 (Hayes Landing Light) and river mile 57.3 (Crooked Creek Light), excluding Taylor and Jake Fork Bays as marked by buoys and signs. Within the refuge area, that area west of a line from the north point of the mouth of Fulton Bay to the south point of the mouth of Honker Bay will remain closed until March 15 as marked by buoys and signs. [Fulton Bay will remain closed until March 15 and Honker Bay until March 1, or later if marked by buoys and signs.] Boating is allowed but hunting is prohibited within 200 yards of the area surrounded by a levee and located between river mile 68.4 and river mile 70.4 during the period October 15 through March 15.

(b) Blinds and pits. Permanent blinds or pits, defined as those which are in place more than twenty-four (24) hours, may be used but must remain within ten (10) yards of the assigned numbered blind marker within the area described as follows: Beginning at the mouth of Donaldson Creek and proceeding south along the east side of the old Cumberland River channel as marked by buoys, to a point due west of the boat ramp at Linton, then east to the Linton boat ramp, then north along the east shore of Barkley Lake to the mouth of Donaldson Creek. All other blinds within this described area must be temporary.

(5) Sloughs Wildlife Management Area located in Henderson and Union Counties.

(a) Grassy Pond-Powell's Lake Unit. Waterfowl and coot hunting is permitted only from permanent blinds or pits registered by the department.

(b) Jenny Hole-Highland Creek Unit. Waterfowl and coot hunting will be allowed from permanent blind or pit sites registered by the department and at any other above ground site provided there is a minimum of 200 yards between hunters or hunting parties.

(c) Shooting hours. One-half (1/2) hour before sunrise to 2 p.m.

(d) When the Ohio River reaches a level that requires boat access to the units, hunting will be allowed from boats spaced 200 yards apart, without regard to the registered blinds or pits.

(e) Sauerheber Unit [of the Sloughs Wildlife Management Area located in Henderson County,] except the Crenshaw and Duncan Tracts will be closed to all hunting, fishing, boating and trespassing during the period indicated on posted signs. The privately owned inholding totaling 468 acres and known as the Wood Tract, located between mile marker 4 and 6 on state road 268 and bounded by the Ohio River on the north and Tram Road on the east and the Sauerheber Unit of the Sloughs WMA, is closed to all hunting, fishing, boating and trespassing between October 15 and March 15.

(6) Ohio River Waterfowl Refuge located in Livingston County will be closed to all hunting and molesting of all species listed in this regulation [waterfowl] from October 15 through March 15. This area includes the Kentucky portion of the Ohio River from Smithland Lock and Dam upstream to a power line crossing the river at approximately river mile 911.5 and including Stewart Island.

(7) Hunting of all species listed in this regulation is not permitted on the following areas:

(a) Ohio River in the vicinity of the Ballard Wildlife Management Area located in Ballard County. [. Waterfowl hunting is not permitted on the Ohio river] from a point fifty (50) yards upstream from Dam 53, downstream to a point fifty (50) yards below the downstream boundary of the Ballard Wildlife Management Area.

(b) [(8)] That portion of the Grayson Lake Wildlife Management Area located in Carter and Elliott Counties, which lies east of the Little Sandy River and on Bruin Creek portions of Grayson Lake [, is closed to all waterfowl hunting].

[(9) Bath, Rowan, Menifee and Morgan Counties, including Cave Run Lake, are closed to goose hunting. Breech and muzzle-loading shotguns may be used for duck hunting along the shoreline portion of Cave Run Lake bordering the Pioneer Weapons Wildlife Management Area.]

(c) [(10)] Beaver Creek Wildlife Management Area located in Pulaski and McCreary Counties [is closed to all waterfowl hunting].

(d) [(11)] Cane Creek Wildlife Management Area located in Laurel County [is closed to all waterfowl hunting].

(e) [(12)] Robinson Forest Wildlife Management Area located in Breathitt, Perry and Knott Counties [is closed to all waterfowl hunting].

(f) [(13)] Redbird Wildlife Management Area located in Leslie and Clay Counties [is closed to all waterfowl hunting].

(g) [(14)] Mill Creek Wildlife Management Area located in Jackson County [is closed to all waterfowl hunting].

(8) Bath, Rowan, Menifee and Morgan Counties, including Cave Run Lake, are closed to goose hunting. Breech and muzzle-loading shotguns may be used for duck hunting along the shore line portion of Cave Run Lake bordering the Pioneer

Weapons Wildlife Management Area.

(9) [(15)] Ohio County south of Rough River, Muhlenberg County east of state route 181, and Butler County west of state route 79 are closed to goose hunting.

(10) [(16)] Yellowbank Wildlife Management Area in Breckinridge County. A twenty-five (25) acre wetland designated by signs and painted boundary markers is closed to the public from October 15 through March 15.

(11) [(17)] Blind and pit restrictions for Barkley Lake, Barren Lake, Green River Lake, Nolin River Lake, Rough River Lake, Buckhorn Lake and Taylorsville Lake Wildlife Management Areas, and the Grassy Pond-Powell's Lake and Jenny Hole-Highland Creek units of the Sloughs Wildlife management Area.

(a) Permanent blinds or pits, defined as those which are in place more than twenty-four (24) hours, may be used but must be registered on a permit issued by the U.S. Army Corps of Engineers or the Department of Fish and Wildlife Resources. [Permittees will be selected by drawing. Applicants for blind or pit permits must present a current Kentucky hunting license to the registration clerk at the time of the drawing.] Applicants may designate one (1) other person as a partner for registration. No more than two (2) nontransferable permits may be issued for each permanent blind or pit. Only one (1) permit will be issued per hunter per area. Permittees who have not constructed a pit or blind at the designated location by November 20 will forfeit their permit. [Sites which become available by forfeiture may be assigned to another applicant according to the following procedure: twenty (20) additional names will be drawn at each area (or the number of remaining names if less than twenty (20) are present) and any forfeited blinds will be assigned to those people in the order they were drawn.]

(b) Blinds or pits not occupied by permittees by the opening of shooting hours of any day are available for use by other hunters on a first come-first served basis for the remainder of that day.

(c) Permittees shall not lock blinds or pits so as to prevent use by other hunters in the absence of the permittee.

(d) Permanent pits or blinds must be removed within thirty (30) days of the close of waterfowl season unless extension of that period is approved.

(e) Permittees will be selected by drawing at Barkley Lake, Barren Lake, Green River Lake, and Taylorsville Lake Wildlife Management Areas, and the Grassy Pond-Powell's Lake and Jenny Hole-Hyland Creek units of the Sloughs Wildlife Management Area. Applicants for blind or pit permits must present a current Kentucky hunting license to the registration clerk at the time of the drawing. Sites which become available by forfeiture may be assigned to another applicant according to the following procedure: five (5) additional names will be drawn at each area (or the number of remaining names if less than five (5) are present) and any forfeited blinds will be assigned to those people in the order they were drawn.

(12) [(18)] White City Wildlife Management Area located in Hopkins County.

[(a) Existing blinds or pits not occupied by hunters by the opening of shooting hours of any day are available for use by other hunters on a first come-first serve basis for the remainder of that day.]

[(b) Hunters shall not lock blinds or pits, or otherwise prevent use by others in their absence.]

[(c) Existing permanent pits or blinds may be used, but must be removed within thirty (30) days of the close of waterfowl season unless extension of that period is approved by the commissioner.]

[(d)] Waterfowl and coot shooting hours [on White City Wildlife Management Area] are from one-half (1/2) hour before sunrise to 2 p.m.

(13) Taylorsville Lake Wildlife Management Area, located in Anderson and Spencer Counties. That portion of east of Van Buren Boat Ramp as marked by buoys and signs is closed to all hunting, fishing, boating, and trespassing during the period from November 24 through March 1.

Section 8. Ballard and Henderson-Union Reporting Area Waterfowl Hunting Permit Requirements. It is unlawful for any person to hunt waterfowl within the Ballard or Henderson-Union Reporting Areas without first obtaining the appropriate waterfowl hunting permit or waterfowl harvest register forms as specified in subsections (1), (2) and (3) of this section.

(1) Commercial waterfowl hunting areas.

(a) A commercial waterfowl hunting area is any area of land or water, used in whole or in part for the taking of migratory waterfowl, where a monetary charge is made.

(b) A commercial waterfowl hunting permit issued by the department must be obtained by any person operating a commercial waterfowl hunting area. An annual fee will be charged for each commercial waterfowl hunting permit. These permits will expire at the end of waterfowl hunting season as stated on the permit. [Persons operating more than one (1) commercial waterfowl hunting area must obtain a permit for each individual area.]

(c) Persons operating more than one (1) commercial waterfowl hunting area must obtain a permit for each individual area. A land holding divided by a public road may be operated as a commercial waterfowl hunting area under one (1) permit. Whenever a farm unit is divided by land owned by others, a separate permit is required for each tract of land operated as a commercial waterfowl hunting area.

(2) Noncommercial waterfowl hunting areas.

(a) A noncommercial waterfowl hunting area is any area used in whole or in part for the taking of migratory waterfowl where no monetary charge is made.

(b) Any person controlling the waterfowl hunting rights and privileges on a noncommercial waterfowl hunting area must obtain a free migratory goose hunting area permit which will expire at the end of waterfowl hunting season as stated on the permit.

(c) The holder of a free migratory goose hunting area permit may be the landowner, his tenant or any person to whom these individuals have assigned exclusive control of goose hunting rights or privileges, in writing, on forms provided by the department.

(d) The permittee shall display the permit openly on the property for which it was issued and provide the permit for inspection by agents of the department and the U.S. Fish and Wildlife Service.

(3) Ohio and Mississippi River waterfowl hunters. Persons hunting geese on the Ohio or Mississippi Rivers or their overflow areas within the Ballard and Henderson-Union Reporting Areas must carry on their person a waterfowl harvest register form provided by the department. When hunting in a party, it is permissible that only one (1) hunter of the party possess the goose harvest reporting form provided the names of all members of the party are written on the form.

(4) Obtaining permits and harvest reporting forms.

(a) Persons desiring commercial waterfowl hunting permits, migratory goose hunting area permits, or a season supply of waterfowl harvest register forms for the Ballard Reporting Area may apply by writing to the Ballard County Wildlife Management Area, Route 1, LaCenter, Kentucky 42056, and [.]

[(b) Persons desiring commercial waterfowl hunting permits, migratory goose hunting area permits, or a season supply of goose harvest reporting forms] for the Henderson-Union Reporting Area may apply by writing to the Sloughs Wildlife Management Area, RR 2, Box 183A, Corydon, Kentucky 42406.

(b) [(c)] Waterfowl harvest register forms for either reporting area will also be available from conservation officers in each area and from the Department of Fish and Wildlife Resources, Arnold L. Mitchell Building, No. 1 Game Farm Road, Frankfort, Kentucky 40601.

Section 9. Ballard and Henderson-Union Reporting Area Recordkeeping and Reporting Requirements. (1) Commercial waterfowl hunting permit holders.

(a) The permittee shall maintain and keep an accurate and complete daily hunter register and waterfowl harvest record in duplicate on the hunting area on forms provided by the department.

(b) The permittee shall, during the waterfowl season, close the register at the end of shooting hours each Sunday and Wednesday and mail or take the original of the completed daily register and waterfowl harvest record form each subsequent Monday and Thursday to the address indicated on the form. The permittee must hold duplicate copies of these completed forms at the place of registration and make these and current register and harvest records available for inspection by agents of the department and the U.S. Fish and Wildlife Service.

(c) A permittee is responsible for any violation of permit requirements or violations of other regulations committed on the premises under permit unless he immediately reports such violations to a conservation officer.

(2) Migratory goose hunting area permit holders.

(a) At all times during the waterfowl season, the permittee shall make available on the premises under permit the daily hunter registration forms as provided by the department.

(b) The permittee shall require all waterfowl hunters to enter their names and the date on the register and report form prior to each time they hunt on any permit area and to record, prior to leaving the permitted premises, the numbers and kinds of geese taken.

(c) The permittee shall, during the waterfowl season, close the register at the end of shooting hours each Sunday and Wednesday and mail or take the original of the completed daily register and waterfowl harvest record form each subsequent Monday and Thursday to the address indicated on the form. The permittee must hold duplicate copies of the forms for a period of two (2) months after the end of the waterfowl season and make these and current register and harvest records available for inspection by agents of the department and the U.S. Fish and Wildlife Service.

(3) Hunter requirements.

(a) Persons hunting waterfowl on commercial or noncommercial waterfowl hunting areas in the Ballard or Henderson-Union Reporting Areas must:

1. Prior to hunting, enter their name, address, and the date of the hunt on the daily register form made available by the waterfowl hunting area operator.

2. Before leaving the premises, enter on the waterfowl harvest register form the numbers and kinds of geese taken.

(b) Persons hunting geese on the Ohio or Mississippi Rivers or their overflow areas within the Ballard and Henderson-Union Reporting Areas must:

1. Prior to hunting, enter on the waterfowl harvest register form their name and address, or the names and addresses of all hunting party members if only one (1) hunter is carrying the form for the party, and the date.

2. At the end of each day's hunting, enter on the waterfowl harvest register form the number and kinds of geese taken.

3. No later than Monday and Thursday of each week, mail or take the completed original of the waterfowl harvest register to the address indicated on the form.

Section 10. General Rules Concerning Waterfowl Hunting in the Ballard Reporting Area. (1) It is unlawful to hunt waterfowl or coots except from a blind or a pit, unless waterfowl or coot hunting is conducted in flooded, standing timber. For the purposes of this section, a blind or pit is defined as any form of concealing enclosure from which one may shoot game or observe wildlife including an anchored, stationary, or drifting boat from which waterfowl or coots are hunted.

(2) It is unlawful to establish or use any blind or pit for the hunting of waterfowl or coots within 100 yards of any other blind or pit.

(3) It is unlawful to establish or locate any blind or pit within fifty (50) yards of any property line.

(4) No more than five (5) persons may occupy a single blind or pit at the same time.

(5) A hunter may possess only one (1) shotgun while occupying a blind or pit.

Section 11. [Kentucky] Waterfowl Stamp Requirements. Individuals hunting waterfowl must possess appropriate state and federal waterfowl stamps as stipulated in KRS 150.330 and 150.603. [(1) Persons sixteen (16) through sixty-four (64) years of age hunting wild ducks or geese shall possess, in addition to the appropriate hunting license, a Kentucky waterfowl stamp unless exempted under the provisions of KRS 150.170(3), (6), or (7).]

[(2) To be valid for hunting, said stamp shall be signed across the face by the bearer and fixed adhesively to the back of the bearer's hunting license. This stamp shall not be transferable.]

DON R. McCORMICK, Commissioner
CHARLES E. PALMER, Chairman
G. WENDELL COMBS, Secretary
APPROVED BY AGENCY: September 14, 1987
FILED WITH LRC: September 16, 1987 at 11 a.m.

STATEMENT OF EMERGENCY

Shoot to retrieve field trials are becoming increasingly popular in Kentucky. Both residents and nonresidents contribute significantly to local and regional economies while participating in the events and while keeping and selling individual dogs and bloodlines. The fall trial season is upon us and, in order not to discourage participation by nonresidents and to encourage participation by residents, we propose to make this regulatory change immediately.

MARTHA LAYNE COLLINS, Governor
DON R. McCORMICK, Commissioner

TOURISM CABINET
Department of Fish and Wildlife Resources

301 KAR 2:230E. Shoot to retrieve field trial permits and procedures.

RELATES TO: KRS 150.025, 150.170, 150.175, 150.235, 150.237, 150.305, 150.330, 150.360
PURSUANT TO: KRS Chapter 13A
EFFECTIVE: September 25, 1987
NECESSITY AND FUNCTION: This regulation is necessary to control hunting seasons and conditions governing shoot to retrieve field trials on private and government-owned lands and the game bird species allowed. The function of this regulation is to provide additional hunting and dog training opportunities and to control the introduction of exotic game birds that may be detrimental to native species or the department's experimental game bird releases. It also insures that native game birds are harvested only during the regular small game hunting season.

Section 1. Definitions. [(1)] "Shoot to retrieve field trials" are those in which domestically or pen raised game birds are killed or taken by hunters or shooters participating in the event.

[(2) "Participants" are those individuals present at the event and who assume or play an active role in the event or who are present and have a vested interest in the outcome of the event.]

Section 2. Hunting Seasons and Game Birds Allowed. Domestically reared and banded quails, August 15 through May 15 inclusive, and year round for domestically reared and banded chukar, pheasant and mallard duck on private and government-owned lands under a shoot to retrieve field trial permit issued by the department. The use of other domestically reared game birds may be authorized by the department upon written request.

Section 3. Bag and Possession Limits. There are no bag and possession limits.

Section 4. Banding Requirements. All domestically reared game birds listed in Section 2 of this regulation must be leg banded prior to release, except mallards which must have a right hind toe clipped. Mallards must be tagged prior to transport. Bands or tags may be obtained at cost from the department at the time of application for the permit.

Section 5. Field Trial Permits, Applications and Fees. (1) At least fourteen (14) days in advance, application for a shoot to retrieve field trial must be made through the conservation officer in whose county the trial is to be held or through the regional supervisor. Written permission of the private landowner or appropriate government authority must be obtained and submitted with the application. The permit will be issued through the department office in Frankfort. Participants in the shoot to retrieve field trial, whether residents or nonresidents, shall not be required to possess any other license to participate in the event for which the permit was issued. The permit shall expire four (4) days after the date on which the event began.

(2) See 301 KAR 3:021 for the fee amount which must be submitted with the permit application.

(3) A permit is not required to conduct shoot to retrieve field trials on licensed shooting preserves during the appropriate season as specified in other regulation(s). All participants, however, must be licensed according to the provisions of other regulations.

[Section 6. Participant License Requirements, Applications, Fees and Effective Dates. (1) Residents and nonresidents participating in shoot to retrieve field trials as authorized by permit from the department must possess a shoot to retrieve field trial license, which shall be available to either residents or nonresidents and valid only for use in shoot to retrieve field trials, or a valid Kentucky resident or nonresident hunting license.]

[(2) See 301 KAR 3:021 for the fee amount which must be submitted with the license application.]

[(3) Shoot to retrieve field trial licenses shall be available by writing: Wildlife Division, #1 Game Farm Road, Frankfort, Kentucky 40601 at least fourteen (14) days in advance.]

[(4) Shoot to retrieve field trial licenses shall be good for one (1) year from the date of issue.]

[(5) A participant license is not required for participation in a shoot to retrieve field trial that is conducted on a licensed shooting preserve, however, all participants must be licensed according to the provisions of other appropriate regulations.]

Section 6. [7.] Transporting and Possession of Game Birds. Birds harvested under this regulation must remain banded until prepared for cooking.

Section 7. [8.] Rescheduling and Cancellations. A scheduled shoot to retrieve field trial date or place may be changed by notifying the conservation officer, regional supervisor or appropriate government authority on or prior to the original opening date. If the place is changed, written permission of the private landowner or appropriate government authority must be submitted to the conservation officer or regional supervisor. Fees for

cancelled field trials will not be refunded.

Section 8. [9.] Bird Replacement and Out-of-Bounds Birds. (1) Unbanded quail harvested outside of the regular small game hunting season dates must be replaced at the end of the trial by releasing an equal number of live quail.

(2) Field trial game birds may be hunted only on the land described in the permit.

DON R. McCORMICK, Commissioner
G. WENDELL COMBS, Secretary
CHARLES E. PALMER, JR., Chairman
APPROVED BY AGENCY: September 23, 1987
FILED WITH LRC: September 25, 1987 at 10 a.m.

STATEMENT OF EMERGENCY

Shoot to retrieve field trials are becoming increasingly popular in Kentucky. Both residents and nonresidents contribute significantly to local and regional economies while participating in the events and while keeping and selling individual dogs and bloodlines. The fall trial season is upon us and, in order not to discourage participation by nonresidents and to encourage participation by residents, we propose to make this regulatory change immediately.

MARTHA LAYNE COLLINS, Governor
DON R. McCORMICK, Commissioner

TOURISM CABINET
Department of Fish and Wildlife Resources

301 KAR 3:021E. Hunting and fishing license fees.

RELATES TO: KRS 150.025, 150.175, 150.225, 150.237, 150.240, 150.280, 150.290, 150.525, 150.660
PURSUANT TO: KRS 13A.350, 150.025
EFFECTIVE: September 25, 1987
NECESSITY AND FUNCTION: The commissioner, with the concurrence of the Fish and Wildlife Resources Commission, finds it necessary to establish the hunting and fishing license fees schedule in this regulation to generate the necessary funds to finance programs to protect, manage, and conserve the fish and wildlife resources of the state so a permanent and continued supply will be maintained for the benefit of present and future generations.

Section 1. License fees for hunting and fishing are as follows:
The following sport fishing license fees will be effective January 1, 1988:
(1) Sport fishing licenses:
Statewide fishing license (resident): $8.50
Statewide fishing license (nonresident): $20.00 [$16.00]
Joint statewide fishing license (resident): $15.30
Ohio River fishing license (resident Ohio, Indiana and Illinois only): $8.50
3 [10]-day fishing license (nonresident only): $7.50 [$10.00]
15-day fishing license (nonresident only): $12.50
Trout stamp (resident or nonresident): $3.50
(2) Commercial fishing licenses:
Commercial fishing license (resident) plus ten (10) commercial gear tags: $72.00
Commercial fishing license (nonresident) plus ten (10) nonresident commercial gear tags: $500.00
Ohio River commercial fishing license (resident Ohio, Indiana and Illinois only) plus ten (10) Ohio River commercial gear tags: $72.00
(3) Commercial fishing gear tags (not to be sold singly):
Commercial fishing gear tag (resident) blocks of 10 tags: $6.50
Commercial fishing gear tag (nonresident) blocks of 10 tags: $58.00
Ohio River commercial fishing gear tag (resident Ohio, Indiana and Illinois only) block of ten (10) tags: $21.50
(4) Special experimental commercial fishing permit: $500.00
(5) Live fish and bait dealers licenses:
Live fish and bait dealers license (resident) Separate license required for each place of business: $25.50
Live fish and bait dealers license (nonresident): $42.50
The following mussel license fees will be effective January 1, 1988:
(6) Mussel licenses:
Musseling license (resident): $100.00 [$25.50]
Musseling license (nonresident): $500.00 [$300.00]
Mussel buyer's license (resident): $100.00
Mussel buyer's license (nonresident): $300.00
(7) Hunting licenses:
Statewide hunting license (resident): $8.50
Statewide hunting license (nonresident): $75.00
Statewide hunting license, small game only (5-day nonresident): $20.00
Statewide junior hunting license (resident only): $4.00
Statewide waterfowl stamp: $5.25
(8) Hunting and fishing license (combination resident): $15.00
(9) Trapping licenses:
Trapping license (statewide resident): $11.50
Trapping license (resident landowner/tenant): $6.00
Trapping license (nonresident): $115.00
Trap tags, each (resident or nonresident): $.20
(10) Big game licenses:
Big game permit, deer (resident or nonresident): $11.50
Big game permit, turkey (resident or nonresident): $6.50
(11) Taxidermist license: $11.50
(12) Commercial guide licenses:
Commercial guide license (resident): $14.50
Commercial guide license (nonresident): $42.50
(13) Fur dealer's licenses:
Fur processor's license (resident): $150.00
Fur buyer's license (resident): $30.00
Fur buyer's license (nonresident): $230.00
(14) Special nonresident hunting preserve license valid only for preserve issued (not required if hunter has valid hunting license): $8.50
(15) Kentucky regulated shooting preserve permit: $35.00
(16) Commercial fox hound training enclosure permit: $250.00
(17) Pet and propagation permit for game and fish:
Pet and propagation permit for game and fish, noncommercial: $6.00
Pet and propagation permit for game and fish,

commercial: $30.00
(18) Scientific fish and wildlife collecting permit:
Scientific fish and wildlife collecting permit, educational: $3.00
Scientific fish and wildlife collecting permit, scientific: $115.00
(19) Food permits:
Food permit for selling bobwhite quail from propagation farms only: $150.00
Retail food permit for propagated quail: $2.50
(20) Commercial waterfowl shooting permit (operator's license): $40.00
(21) Falconry permit (birds of prey): $12.00
(22) Pay lake license (minimum $50 for first two (2) acres or less; $10 per additional acre or part thereof, up to maximum of $100
(23) Shoot to retrieve field trial permit (per trial): $50.00 [$5.00]
(24) Bird dog training device: $2.50
[(25) Shoot to retrieve field trial participant license: $7.00]

Section 2. The kind of license or tags authorized by this regulation shall not be changed, altered, or defaced in any manner, except the trout stamp and waterfowl stamp, which must carry the licensee's signature in ink across the face of stamp and be attached to the back of the proper fishing or hunting license. All licenses, permits, tags, and stamps are nontransferable.

DON R. McCORMICK, Commissioner
G. WENDELL COMBS, Secretary
CHARLES E. PALMER, JR., Chairman
APPROVED BY AGENCY: September 24, 1987
FILED WITH LRC: September 25, 1987 at 10 a.m.

STATEMENT OF EMERGENCY

The Swan Lake Wildlife Management Area has only recently become the property of the Commonwealth, having previously been in private ownership. The time required by the promulgation process for an ordinary administrative regulation would delay the ability of the department to open a portion of this previously closed area to hunting of migratory birds. Intense public interest in utilizing the area and the need to regulate its use can best be satisfied in a timely manner by the immediate effectiveness of an emergency regulation. The emergency regulation will be replaced by an ordinary administrative regulation.

MARTHA LAYNE COLLINS, Governor
DON R. McCORMICK, Commissioner

TOURISM CABINET
Department of Fish and Wildlife Resources

301 KAR 4:050E. Swan Lake Wildlife Management Area restrictions.

RELATES TO: KRS 150.010, 150.015, 150.025, 150.300, 150.600, 219.370
PURSUANT TO: KRS 13A.350, 150.025
EFFECTIVE: September 16, 1987
NECESSITY AND FUNCTION: This regulation is necessary to prescribe appropriate use restrictions for the Swan Lake Wildlife Management Area. Its function is to minimize [prevent] disturbance of wintering migratory waterfowl and to provide for the protection and maintenance of the property and its associated wildlife. The amendment is necessary to allow migratory bird hunting on a portion of this area.

Section 1. Access. The Swan Lake Wildlife Management Area, except such portions as are designated wildlife observation areas or opened in other regulations, is closed to all public access, including by boat during periods of high water, from October 15 through March 15. Only authorized Department or U.S. Fish and Wildlife Service employees on official business shall enter the premises during this period.

Section 2. Hunting Restrictions. (1) Wild turkey. Turkey hunting is prohibited.
(2) Frogs. Firearms may not be used for hunting frogs.
(3) Waterfowl hunting is prohibited on the body of water known as Swan Lake.

Section 3. Dog Training. Dog training is prohibited.

Section 4. Camping Restrictions. (1) Location. Camping is restricted to designated areas.
(2) Length of time. No one shall camp on this management area for more than fourteen (14) consecutive days.
(3) Pets. All pets in the camping area must be leashed.
(4) Only primitive camping is permitted. Recreational vehicle camping is prohibited.

DON R. McCORMICK, Commissioner
CHARLES E. PALMER, Chairman
G. WENDELL COMBS, Secretary
APPROVED BY AGENCY: September 14, 1987
FILED WITH LRC: September 16, 1987 at 11 a.m.

STATEMENT OF EMERGENCY

The amendment of 302 KAR 20:040 requires health certificates to accompany all livestock and animals which come into Kentucky. The use of the health certificates will allow the Department of Agriculture to reduce the communicable disease brought into the state and aid in the effort to eradicate major disease such as brucellosis. The amended regulation is needed to be in place at once and an ordinary regulation will take too long to promulgate. Therefore, an emergency exists and an emergency regulation is needed. This regulation will be followed by an ordinary regulation.

MARTHA LAYNE COLLINS, Governor
DAVID E. BOSWELL, Commissioner

DEPARTMENT OF AGRICULTURE

302 KAR 20:040E. Entry into Kentucky.

RELATES TO: KRS Chapter 257
PURSUANT TO: KRS 257.030
EFFECTIVE: October 8, 1987
NECESSITY AND FUNCTION: To specify health requirements for admission of all livestock and animals into Kentucky.

Section 1. General Provisions. (1) All animals, except as noted, shall be accompanied by an approved health certificate. Health

certificates means a legible record covering the requirements of the state of destination accomplished on an official form of a standard size from the state of origin or an equivalent form of the Animal and Plant Health Inspection Service, Veterinary Services, United States Department of Agriculture, that is prepared and issued by a licensed, accredited veterinarian. An approved health certificate means an official health certificate approved by the the chief livestock sanitary official of the state of origin.

(2) If animals are from tuberculosis accredited or brucellosis certified herds, health certificates shall show accreditation and certification number with date of last herd test for tuberculosis and brucellosis.

(3) Cattle entering Kentucky shall be vaccinated, tested, or branded [against brucellosis] as required in 302 KAR 20:055.

(4) Cattle may enter approved state-federal livestock markets in Kentucky without permits. Upon entry to the market these cattle shall comply with the specific provisions of this regulation for subsequent movement to a premise in Kentucky or shall comply with other state of destination requirements.

Section 2. Cattle. (1) Brucellosis.

(a) Negative results from an approved state-federal laboratory.

(b) Official vaccinate. A female bovine animal vaccinated with an approved reduced dosage Brucella vaccine while four (4) through ten (10) months of age permanently identified as a vaccinate. Date of birth and date of vaccination shall be recorded on the health certificate.

(c) Import requirements for cattle originating in Class "C" states and areas: [Modified certified state. Thirty (30) day tube or card test of individual. Cattle six (6) months of age or older for dairy and breeding purposes, except official vaccinates of the beef breeds under twenty-four (24) months of age and dairy breeds under twenty (20) months of age may be imported into the Commonwealth of Kentucky provided they have passed a negative brucellosis tube or card test within thirty (30) days of date of entry, or originate directly and immediately from a certified herd provided the animals to be imported have qualified as negative members of the certified herd on the last annual certification test.]

1. Sexually intact heifers for feeding and/or grazing.

a. Prior entry permit required.

b. Heifers must be less than twelve (12) months of age.

(i) No long tailed heifers.

(ii) Must not weigh more than 500 pounds.

c. Heifers must be branded with the letter "F" on the right or left side of the tail head, or hip. If on the tail head, the brand must be placed between the fourth and seventh coccygeal vertebrae. The brand size must be a minimum of two (2) inches by three (3) inches in size.

d. The heifers must be individually identified on an official certificate of veterinary examination or "health certificate." The "F" brand alone will not suffice as the means of identification.

e. All "F" branded heifers will be quarantined on arrival on Kentucky premises approved by the state veterinarian for feeding purposes only. The "F" branded heifers may then move only to slaughter when accompanied by proper movement permits.

2. Sexually intact cattle for breeding and/or dairy purposes must comply with one (1) of the following:

a. Originate from a brucellosis certified free herd and be accompanied by an official certificate of veterinary examination or "health certificate" showing the date of the last herd test.

b. Originate from a nonbrucellosis quarantined herd that had a complete negative brucellosis herd test of all eligible cattle within the past twelve (12) months. The individual cattle being shipped must have had a negative brucellosis test within thirty (30) days of shipment.

c. A prior permit is also required and should be recorded on the certificate of veterinary examination or the "health certificate."

3. All sexually intact cattle for breeding and dairy purposes will be quarantined on arrival and retested for brucellosis sixty (60) to 120 days after arrival in Kentucky.

4. Prior permits may be obtained by calling 502/564-3956, 57, 58, 59 on weekdays from 8 a.m. to 4:30 p.m. and 502/564-3956, recording evenings and weekends.

(d) Import requirements for cattle originating in Class "B" states and areas. [Bison six (6) months of age or older except official vaccinated twenty-four (24) months and under shall be negative to tube or card test within thirty (30) days of date of entry.]

1. Sexually intact heifers for feeding and/or grazing purposes.

a. Prior entry permit required.

b. Heifers must be less than twelve (12) months of age.

(i) No long tailed heifers.

(ii) Must not weigh more than 500 pounds.

c. Heifers must be branded with the letter "F" on the right or left side of the tail or hip. If on the tail head, the brand must be placed between the fourth and seventh coccygeal vertebrae. The brand size must be a minimum of two (2) inches by three (3) inches.

d. The heifers must be individually identified on an official certificate of veterinary examination or "health certificate." The "F" brand alone will not suffice as the means of identification.

e. All "F" branded heifers will be quarantined on arrival in Kentucky on premises approved by the state veterinarian for feeding purposes only. The "F" branded heifers may then move only to slaughter when accompanied by proper movement permits.

2. Sexually intact cattle for breeding and/or dairy purposes must comply with one (1) of the following:

a. Originate from a brucellosis certified free herd and be accompanied by an official certificate of veterinary examination or "health certificate" showing the date of the last herd test.

b. Originate from a nonbrucellosis quarantined herd that had a complete negative brucellosis herd test of all eligible cattle within the past twelve (12) months. The individual cattle being shipped must have had a negative brucellosis test within thirty (30) days of shipment.

c. A prior permit is also required and must be recorded on the certificate of veterinary examination or "health certificate."

3. All sexually intact cattle, except

vaccinates from brucellosis certified free herds, will be quarantined on arrival and retested for brucellosis sixty (60) to 120 days after arriving in Kentucky.

4. Prior permits may be obtained by calling 502/564-3956, 57, 58, 59 on weekdays from 8 a.m. to 4:30 p.m. and 502/564-3956, recording evenings and weekends.

(e) Import requirements for cattle originating in Class "A" states or areas. [State not modified certified: Permit shall be obtained prior to movement for all cattle for breeding and dairy purposes. These cattle must comply with federal regulations.]

1. Sexually intact heifers for feeding and/or grazing purposes.

a. Prior entry permit required.

b. Heifers must be less than eighteen (18) months of age.

c. Heifers must be branded with the letter "F" on the right or left side of the tail head or hip. If on the tail head, the brand must be placed between the fourth and seventh coccygeal vertebrae. The brand size must be a minimum of two (2) inches by three (3) inches.

d. The heifers must be individually identified on an official certificate of veterinary examination or "health certificate." The "F" brand alone will not suffice as the means of identification.

e. The "F" branded heifers may enter only premises approved by the state veterinarian for feeding purposes. The "F" branded heifers may then move only to slaughter when accompanied by proper movement permits.

2. Sexually intact cattle for breeding and/or dairy purposes must comply with one (1) of the following:

a. Originate from a brucellosis certified free herd and be accompanied by an official certificate of veterinary examination or "health certificate" showing the date of the last herd test.

b. All cattle except the above must have a negative brucellosis test within thirty (30) days of shipment.

c. A prior permit is also required and must be recorded on the certificate of veterinary examination or "health certificate."

3. All sexually intact cattle, except vaccinates from brucellosis certified free herds, will be quarantined on arrival and retested for brucellosis sixty (60) to 120 days after arriving in Kentucky.

4. Prior permits may be obtained by calling 502/564-3956, 57, 58, 59 on weekdays from 8 a.m. to 4:30 p.m. and 502/564-3956, recording evenings and weekends.

(f) Import requirements for cattle originating in Class "Free" states or areas, same as for class "A" states.

(g) Import requirements for intact males. Bulls of all ages must meet the import requirements of intact female cattle of their respective states, in accord with the above state classification requirements as listed for "C," "B," "A," or "Free."

(h) Intact female cattle under four (4) months of age.

1. No female cattle (intact) under 120 days of age, can enter the Commonwealth of Kentucky from states or areas classed as "C" or "B," except calves nursing cows which enter Kentucky from certified free herds. Such calves must then comply (under quarantine from "C" states) with the vaccination requirement in the Kentucky regulation, 302 KAR 20:055 at four (4) months of age.

2. Female cattle (intact) under 120 days of age, from states or areas classed as "A" or "Free" may enter the Commonwealth of Kentucky, upon entry, they will be quarantined to the farm of destination and later comply with the vaccination or branding requirement as defined in 302 KAR 20:055. Release of the quarantine will be effected with documentation of satisfactory compliance with this aforementioned regulation.

(i) Spayed heifers. Female cattle, having been ovariectomized, and properly identified with an "open spade" brand, may move without restriction into Kentucky, as do steers, when accompanied by the required certificate of veterinary examination or "health certificate."

(j) Bison. Bison shall have the same requirements as do bovines.

(2) Tuberculosis.

(a) Cattle six (6) months of age or older for dairy and breeding purposes shall be negative to an official tuberculin test within sixty (60) days of date of entry, or originate directly and immediately from:

1. Accredited herd, or

2. Eradicated free state.

(b) Cattle classified as suspects or cattle originating from a quarantined herd shall not be imported.

(c) Reciprocal agreements with adjoining states may be effective in lieu of specific requirements.

(d) Bison six (6) months of age or older negative within sixty (60) days of entry.

(3) Other disease requirements.

(a) Scabies. No cattle affected with or exposed to scabies or from an area quarantined because of scabies shall be imported, shipped, driven or otherwise moved into Kentucky except in accordance with regulations of the Animal and Plant Health Inspection Service, Veterinary Services, United States Department of Agriculture, and only then after first securing written permit from the chief livestock sanitary official or his authorized representative.

(b) Ticks. No cattle infested with ticks (Margarophus Annulatus) or exposed to tick infestation shall be shipped, trailed, driven or otherwise moved into Kentucky for any purpose.

(c) No cattle from a state-federal tick quarantined area shall be shipped, trailed, driven or otherwise moved into Kentucky except in accordance with regulations of the Animal and Plant Health Inspection Service, Veterinary Services, United States Department of Agriculture, and only then after first securing written permit from the chief livestock sanitary official or his authorized representative.

(d) Cattle infected with warts, ringworm or any infectious or communicable disease are not eligible for entry.

(4) Other movements.

(a) Feeder cattle. Feeder cattle are defined as nonpregnant heifers of the beef breeds under eighteen (18) months of age, spayed heifers, and steers of all breeds. Feeder cattle from "TB Free" states or areas only are exempt from testing requirements. [Feeder cattle as defined (nonpregnant heifers, steers and bulls under two (2) years of age) may be imported without brucellosis and tuberculosis tests from herds or areas not under quarantine if accompanied by

approved health certificate or written permit or both for movement to a feed lot with valid feeding permit or to a state-federal approved stockyard or public stockyard for reconsignment to a valid feed lost where they shall be maintained separately and apart from all dairy and breeding cattle. Feeder cattle from nonmodified certified areas are not eligible for entry except from qualified herds.]

(b) Slaughter cattle. Cattle consigned for immediate slaughter may be imported without official test for brucellosis or tuberculosis provided such cattle are consigned for immediate slaughter to a recognized slaughtering center under state, federal or municipal inspection or to an approved state-federal stockyard or federal stockyard for reconsignment directly to a recognized slaughtering center. Any animal or animals diverted enroute will be in violation of this regulation.

[(c) Calves six (6) months of age and under. No restriction if accompanied by an approved health certificate provided such imports are in compliance to general provisions as specified. Exception: Calves from nonmodified certified area must originate from a herd known not to be infected with brucellosis.]

(5) Exhibition.

(a) Brucellosis.

1. Breeding cattle six (6) months of age and older, except official vaccinates under eighteen (18) months of age, shall be negative to an official serological test for brucellosis within thirty (30) days of entry or originate directly and immediately from a certified free herd. [Breeding cattle six (6) months of age or older, except official female brucellosis vaccinates of the beef breeds under twenty-four (24) months of age and dairy breeds under twenty (20) months of age, shall be negative to an official tube or card test for brucellosis within thirty (30) days of entry or originate directly and immediately from a certified herd, provided cattle for exhibition have qualified as negative members of certified herd on last annual certification test.]

2. Steers and heifers for carcass classes shall be positively identified but shall not be required to be brucellosis tested if accompanied by an approved health certificate.

(b) Tuberculosis.

1. Cattle six (6) months of age or older shall be negative to an official tuberculin test within sixty (60) days of entry or originate directly and immediately from an accredited herd or a tuberculosis eradicated free state.

2. Reciprocal agreements with adjoining states may be effective in lieu of specific requirements.

3. Steers and heifers for carcass classes shall be positively identified but shall not be required to be tuberculosis tested if accompanied by approved health certificate.

Section 3. Horses. (1) All horses entering Kentucky, except unweaned foals, and other equidae, for any purpose other than for immediate slaughter shall be accompanied by an official health certificate of state of origin issued by a state, federal or licensed accredited veterinarian and such certificate shall include:

(a) Veterinarian's statement that examination was made within the past thirty (30) days and revealed the animal to be free from symptoms of any infectious disease or exposure thereto; and

(b) Have attached thereto a copy of certificate of report from a laboratory approved by the USDA showing the animal(s) to be negative to AGID test for equine infectious anemia within the past six (6) months.

(2) All horses past six (6) months of age and other equidae offered for public sale shall be negative to AGID test within past six (6) months. Only horses offered for sale for slaughter only shall be exempt from this requirement.

(3) All horses and other equidae offered for entry into fairgrounds, livestock showgrounds, public boarding stables and for trail rides or racing shall be negative to test for AGID within twelve (12) months and shall be accompanied by certificate of report from a laboratory approved by the USDA.

(4) All reactors to AGID test for equine infectious anemia shall be officially, permanently identified using numbers and letter 61A with a brand on left neck region.

(5) All reactors not slaughtered or euthanized shall be isolated and quarantined. This isolation shall include stabling in a stall that is screened to preclude entry and exit of mosquitoes, stable flies and horse flies during those seasons of the year when such insects are prevalent. These animals will also be kept at least 200 yards from all other horses.

(6) The movement of any quarantined reactor shall be done only on permission of representative of the Department of Agriculture.

(7) All horses in a herd in which a reactor is found shall be quarantined pending a negative test of all horses.

Section 4. Swine. (1) General requirements.

(a) A permit shall be obtained prior to movement for all swine entering for breeding and feeding purposes.

(b) All swine must have a permanent means of identification.

(c) If animals are from validated and qualified herds, the certificate of veterinary examination shall show validation and qualification number with date of last herd test for brucellosis and pseudorabies.

(2) [(1)] Specific diseases.

(a) Garbage fed swine. Swine fed raw garbage shall not be imported for any purpose. Swine fed properly cooked garbage are eligible for import directly to a state or federal inspected slaughtering establishment only.

(b) Brucellosis. All swine for breeding purposes six (6) months of age or older shall be negative to an official test for brucellosis within thirty (30) days of date of entry or [of] originate directly and immediately from a validated herd [provided animals to be imported were tested on last validation herd test]. No agglutination in dilution of 1-50 shall be accepted unless the individual or individuals to be imported are negative to an official card test. On entry, animals must be quarantined for no less than thirty (30) days and must show a negative post movement brucellosis test within thirty (30) to sixty (60) days of entry.

(c) Hog cholera.

1. No treatment required or allowed.

2. Permit. A permit is required from the state veterinarian's office before entry on breeding and feeding swine in the event of an emergency disease outbreak.

3. All feeding and breeding swine to be held in isolation and under quarantine for a minimum of thirty (30) days.

4. All swine for feeding and breeding purposes must be identified by ear tag or ear notch to the farm of origin.

(d) Pseudorabies. All swine imported for [feeding and] breeding purposes six (6) months of age or older shall be negative to an official (approved) blood [the serum neutralization] test within thirty (30) days of date of entry or originate directly and immediately from a qualified herd, and originate from a farm free of pseudorabies for the past six (6) months as evidenced on the certificate of veterinary examination. On entry, animals must be quarantined for no less than thirty (30) days and must show a negative post movement pseudorabies test within thirty (30) to sixty (60) days of entry. [health certificate.]

(e) Feeder pigs. All feeder pigs must comply with 302 KAR 20:210, Pseudorabies surveillance.

(3) [(2)] Other movements.

(a) Registered feedlots. Not applicable.

(b) Salesyards and markets. No vaccination or treatment if consigned to recognized slaughtering center or to public stockyard or approved stockyard for reconsignment to recognized slaughtering center within ten (10) days of date of entry.

(c) Farm premises. Identity to the farm of origin must be maintained on all breeding and feeding swine imported from farm premises to an approved stockyard or farm of destination.

(d) Exhibition. Certificate of veterinary examination within [Approved health certificate in last] thirty (30) days of entry. See subsection (2)[(1)](b), (c), and (d) of this section.

Section 5. Sheep. (1) Specific diseases.

(a) Scrapie. No sheep or lambs shall be imported that originated from or are known to be exposed to flocks under surveillance for scrapie.

(b) Scabies. All sheep or lambs for breeding or feeding purposes imported from a farm, ranch or like premises shall be accompanied by an approved health certificate indicating such sheep and lambs originated directly and immediately from an official scabies eradicated free area.

(c) Sore mouth. Any sheep or lambs showing lesions of contagious exythma shall not be imported.

(2) Other movements.

(a) Apparently healthy sheep and lambs may be imported into Kentucky for immediate slaughter when consigned directly to a recognized slaughtering center approved by the chief livestock sanitary official of Kentucky or to a public stockyard, a state-federal approved stockyard, concentration point or public stockyard when reconsigned from that point direct to immediate slaughter.

(b) Exhibitions and shows. All sheep and lambs for exhibition shall be in compliance to requirements noted above as specified for sheep and in addition shall be identified individually by ear tattoo or ear tag. Such identification shall be entered on an approved health certificate.

Section 6. Goats. (1) Specific diseases.

(a) Scabies. All goats must originate from a scab-free area.

(b) Scrapie. No goats from a herd under surveillance for scrapie or those that are known to have been exposed to or that are progency shall be imported.

(2) Exhibition and sale.

(a) Brucellosis. Animals six (6) months of age or older shall have negative tube or card test in last thirty (30) days or originate directly and immediately from a certified herd.

(b) Tuberculosis. Animals six (6) months of age or older shall have negative tuberculin test in last sixty (60) days or originate directly and immediately from accredited herd.

Section 7. Poultry. (1) Specific diseases.

(a) Pullorum. Negative agglutination test within thirty (30) days of date of entry.

(b) Chicks and hatching eggs shall originate from a flock under the National Poultry and/or National Turkey Improvement Plan.

(2) Entry and/or exhibition. Approved health certificate stating compliance with above requirements and in addition thereto all poultry shall be inspected prior to exhibition for evidence of any infectious, contagious or communicable disease of poultry. Any evidence of any communicable, infectious or contagious disease shall be justification for the elimination of said poultry from exhibition and/or sale at no expense to the Commonwealth of Kentucky.

Section 8. Psittacine Birds. As regulated by Title 9, Part 82 Code of Federal Regulations, filed herein by reference.

Section 9. Dogs and Cats. (1) All dogs over four (4) months of age for sale or exhibition shall be accompanied by a health certificate signed by a licensed, accredited veterinarian stating that they are free from all infectious diseases, did not originate within an area under quarantine for rabies or from an area where rabies is known to exist and has not been exposed to rabies. All dogs over four (4) months of age shall be vaccinated against rabies not less than fourteen (14) days nor more than twelve (12) months prior to date of consignment if killed virus vaccine is used. Any vaccine approved for three (3) year immunity by the "Compendium of Animal Rabies Vaccines" prepared by the Association of State Public Health Veterinarians, (Inc.); qualifies dog if it is one (1) year of age when vaccinated: provided, show or performing dogs to be within the state temporarily for a period of ten (10) days shall not be required to furnish an approved health certificate.

(2) All cats shall be in compliance to above requirements for dogs provided the animals are vaccinated for rabies if four (4) months of age or older not less than fourteen (14) days nor more than twelve (12) months prior to date of consignment with a vaccine approved by the state veterinarian and the Bureau for Health Services, Kentucky Cabinet for Human Resources.

Section 10. Fur Bearing Animals, Domesticated Wild Animals and Zoo Animals. Wild and semiwild animals under domestication or in custody may be imported into the state if accompanied by a permit and health certificate and provided that a report of the number of animals is made to the chief livestock sanitary official of Kentucky within ten (10) days and that immediate

opportunity for examination is afforded a representative of the Division of Livestock Sanitation, Kentucky Department of Agriculture, to determine the health status of such animal or animals and the imports are presented for the administration of all laboratory procedures and tests deemed necessary by the chief livestock sanitary official of Kentucky. Transportation permit required on wild, game animals, birds and fish. Permit to be obtained from Department of Fish and Wildlife Resources, Arnold L. Mitchell Building, No. 1 Game Farm Road, Frankfort, Kentucky 40601 (telephone 502-564-3400).

DAVID E. BOSWELL, Commissioner
APPROVED BY AGENCY: September 29, 1987
FILED WITH LRC: October 8, 1987 at 3 p.m.

STATEMENT OF EMERGENCY

The proposed regulation, 302 KAR 20:055, sets forth the requirements for vaccination of calves for brucellosis and sets forth the requirements for testing of and/or branding eligible heifers not vaccinated. Brucellosis presents a very serious threat to the cattle industry of Kentucky. Kentucky strongly desires to be brucellosis free by 1990. The United States Department of Agriculture strongly supports this effort. The proposed regulation is needed to go into effect as soon as possible. An ordinary regulation would be too long in promulgating. Therefore, an emergency exists and an emergency regulation is needed. This regulation will be followed by an ordinary regulation.

MARTHA LAYNE COLLINS, Governor
DAVID E. BOSWELL, Commissioner

DEPARTMENT OF AGRICULTURE

302 KAR 20:055E. Brucellosis vaccination, testing and branding requirements.

RELATES TO: KRS Chapter 257, 257.020, 257.030, 257.040, 257.060, 257.070, 257.115
PURSUANT TO: KRS 257.020, 257.030
EFFECTIVE: October 8, 1987
NECESSITY AND FUNCTION: To specify the requirements for vaccination against the disease brucellosis, and to define the requirements for testing and/or branding for eligible heifers not vaccinated. [brucellosis of eligible calves in Kentucky.]

Section 1. General Provisions. (1) All eligible animals as defined in Section 2 of this regulation shall be handled according to the procedural requirements outlined in Section 3 of this regulation. [All eligible female animals shall be vaccinated with an approved Brucella vaccine following the vaccination protocol set forth by the State Veterinarian's Office.]

(2) All eligible female animals which comply by vaccination with this regulation shall be vaccinated with an approved Brucella vaccine, following the vaccination protocol set forth by the state veterinarian's office.

(3) [(2)] Note that Section 3[(1)] of this regulation requires that all eligible animals that are vaccinated as defined in Section 2 of this regulation must be vaccinated between four (4) and ten (10) months of age.

Section 2. Eligible Animals. (1) Female bovine animals born after July 1, 1985 and four (4) months of age or older, which enter the Commonwealth of Kentucky for feeding or breeding purposes. Animals going to one (1) [a] state or federally approved livestock market, or to an approved livestock assembly facility or directly to slaughter or spayed animals that have been branded with "open [a] spade" brand or animals for exhibition purposes only are exempt. Eligible female animals entering the state shall move to only one (1) market or approved livestock assembly facility for the purposes of complying with this regulation and the Kentucky entry regulation, 302 KAR 20:040, when said animals are to remain in Kentucky. If the eligible female animals are to move out of state the animals shall comply with the specific entry requirements of their ultimate state of destination.

(2) Female bovine animals, born after July 1, 1985 and four (4) months of age or older, purchased at a Kentucky livestock market, [. These animals] must be vaccinated, "F" branded on the hip or tail head or tested at the market with a quarantine for retest at sixty (60) to 120 days afterward, to move [return] to a farm in Kentucky. Females, born after July 1, 1985, younger than four (4) months of age, may, if in compliance with Kentucky entry regulation above, move to a farm in Kentucky under quarantine pending compliance with this regulation at four (4) months of age.

(3) Female bovine animals, born after July 1, 1985 and four (4) months of age or older, which are presented for change of ownership by private treaty must comply with one of the listed vaccination, testing, or branding procedural requirements as outlined in Section 3 of this regulation. The farm of origin, with the individual animal identification ear tag number must appear on the forms (vaccination, branding, or testing) utilized to effect compliance with the state of destination requirements. The above shall be completed prior to the animals being moved from the seller's premise and no animals shall be moved without permanent ear tag identification. The above requirements are the seller's responsibility. Eligible females under four (4) months of age may move to the purchaser's premise in Kentucky and comply under quarantine at four (4) months of age. Eligible female animals changing ownership to be moved out of state must meet the entry requirements of the state of destination and must be accompanied by a certificate of veterinary examination or "health certificate" verifying compliance. This shall be the purchaser's responsibility.

Section 3. Procedural Requirements. [Procedures.] (1) Eligible animals which are vaccinated must be officially vaccinated between four (4) and ten (10) months of age and identified by a vaccination tattoo in the ear and an official vaccination ear tag, or, in the case of registered cattle, by an identification tattoo.

(a) A vaccination tattoo in the ear shall legibly identify the quarter of the year, shield and the calendar year of vaccination.

(b) An official vaccination ear tag shall identify the animal according to the state of origin, official vaccinate status and individual identification number.

(2) Eligible animals must be vaccinated, "F"

branded, or tested [and identified] by a licensed, accredited veterinarian or an authorized agent [representative] of the board (i.e., includes "S" branding) [Department of Agriculture].

(3) Official documentations of the above listed procedures will be promptly conveyed to the office of the state veterinarian on appropriate forms provided by same. [Vaccinations shall be reported when administered to the appropriate state agency on official "Brucellosis Calfhood Vaccination Record" as provided.]

(4) Animals on Kentucky farms or changing ownership on a Kentucky farm can be vaccinated with funds appropriated by the Commonwealth of Kentucky if available. The cost of vaccination at a livestock market is the responsibility of the purchaser [or seller].

(5) No person shall tamper with the vaccination tattoo or official vaccination ear tag, and no person shall retattoo any animal unless approval is first obtained from the Division of Livestock Sanitation. No person shall tamper with an official brand, ear tag or other individual animal identification device.

(6) All female bovines, born after July 1, 1985, must be back tagged, identified as to farm and state of origin and age, when entering a Kentucky livestock market. Appropriate documents and forms will be supplied by the department. This will be the responsibility of the livestock market. [All animals exported from Kentucky shall meet the requirements of the state of destination.]

(7) All female bovines, born after July 1, 1985, purchased at a livestock market, must meet the entry requirements of the state of destination. This will be the responsibility of the purchaser. The options for heifers to remain in Kentucky are:

(a) Heifers four (4) to ten (10) months of age, may be vaccinated or "F" branded on hip or tail head;

(b) Heifers eleven (11) to eighteen (18) months of age, may be tested, "F" branded or "S" branded;

(8) All female bovines in addition to complying with subsection (7)(a) and (b) of this section must be ear tagged and recorded as to individual identification, including back tag number, age and ear tag number, prior to release from the market. This will be the purchaser's responsibility.

(9) Heifers, fattened, intended for slaughter only, and consigned directly to a slaughter facility may move directly to slaughter following back tagging, with farm and state of origin documentation, to avoid the requirement to test at the market and/or be ear tagged.

(10) All cattle, including heifers, may not be removed from Kentucky markets unless accompanied by an official release form signed by the market veterinarian or an agent of the board. All cattle must meet the state of destination's requirements and all cattle moving out of state must be accompanied by a certificate of veterinary examination.

(11) Eligible female bovines eighteen (18) months of age or older. To effect compliance with this regulation when entering Kentucky, being purchased at a Kentucky livestock market, or being offered for sale, these cattle must:

(a) Be properly tested for brucellosis both vaccinates and nonvaccinates; or

(b) Be "S" branded for slaughter only; such animals may move to states which approve "S" branded cattle movements to specific quarantined feedlots; or

(c) Be in compliance with subsection (9) of this section.

Note: testing of eligible females eighteen (18) months of age and older complies with Kentucky's first point testing law and payment is made through funds appropriated by state-federal cooperative agreements.

(12) Eighteen (18) month age determination. This age is apparent upon the emergence of the first pair of permanent incisor teeth (i.e., the nippers).

(13) Movement of "F" branded heifers. Such heifers may move to approved farms in Kentucky only and may not be used for breeding purposes. Specific farms will be approved by the state veterinarian for feeding purposes, and those premises will be routinely checked by division field personnel.

(14) Movement of "S" branded cattle. Such cattle must move directly to recognized slaughter facilities, or to designated quarantined feedlots in states approving such movement.

(15) "F" branded cattle which become pregnant. It shall be considered a violation of this regulation to breed or to otherwise cause any "F" branded female to become pregnant or to keep any "F" branded female which is pregnant.

(16) Spayed heifers: may move freely in Kentucky, as do steers when in compliance with appropriate movement certification. Such heifers are identified with an "open spade" brand.

(17) Location of brands: "F" on the face or hip, "S" on the hip, "open spade" on the hip.

(18) Minimum size of the "F" brand: two (2) inches by three (3) inches.

(19) Movement of Kentucky origin, nonvaccinates back to another farm in Kentucky after purchase at a livestock market or following private purchase. These animals will be moved under quarantine to the Kentucky premise for a second brucellosis test. Quarantines will be released upon the results of the sixty (60) to 120 day negative serology results and shall be paid for by the purchaser. It is strongly recommended that recipients of Kentucky origin vaccinates also not commingle these animals with their established herds until a second negative test is accomplished sixty (60) to 120 days after purchase.

(20) All animals exported from Kentucky shall meet the requirements of the state of destination.

(21) The procedures of vaccination, testing, branding and individual animal identification shall be accomplished by a licensed, accredited veterinarian and at Kentucky livestock markets by the official market veterinarian approved by the Department of Agriculture.

(22) Approved livestock assembly facility. As listed in Section 2 of this regulation, these facilities will be approved by the Department of Agriculture and be designated only for cattle assemblage. Vaccination and/or branding requirements must be met upon entry to these facilities, and records of state and farm or origins must be kept by the operators. Animals remaining in Kentucky after entering an approved livestock assembly facility must meet Kentucky's entry requirements in accord with the state of origin, 302 KAR 20:040. Kentucky origin

nonvaccinates remaining in Kentucky must be tested for brucellosis by the designated veterinarian (owner expense) and remain at the facility until the results are known negative. Such animals may enter a Kentucky premise under quarantine, pending a sixty (60) to 120 day release upon demonstration of negative results of the second negative brucellosis test.

DAVID E. BOSWELL, Commissioner
APPROVED BY AGENCY: September 29, 1987
FILED WITH LRC: October 8, 1987 at 3 p.m.

STATEMENT OF EMERGENCY

The amendment of 302 KAR 20:065 sets forth the requirements necessary for sanitary and health conditions in order to sell and exhibit livestock in Kentucky. The amended regulation will insure a higher degree of disease control for communicable diseases and infections among Kentucky livestock and will aid in the efforts of the Department of Agriculture to eradicate major communicable diseases such as brucellosis. The amended regulation is needed to be in place at once and an ordinary regulation will take too long to promulgate. Therefore, an emergency exists and an emergency regulation is needed. This regulation will be followed by an ordinary regulation.

MARTHA LAYNE COLLINS, Governor
DAVID E. BOSWELL, Commissioner

DEPARTMENT OF AGRICULTURE

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

RELATES TO: KRS Chapter 257
PURSUANT TO: KRS 257.030
EFFECTIVE: October 8, 1987
NECESSITY AND FUNCTION: To specify general sanitary and health requirements in relation to the sale and exhibition of Kentucky livestock in Kentucky.

Section 1. Cattle. (1) General requirements.
(a) All animals, except as noted, shall be accompanied by an approved health certificate. Health certificates shall be void 150 days after issuance for exhibition and thirty (30) days after issuance for sale.
(b) If animals are from accredited or certified herds, health certificate shall show accreditation and certification number with date of last herd test for tuberculosis and brucellosis.
(c) Blood tests for brucellosis must be conducted in a state-federal laboratory and be negative according to recommended procedures of the Uniform Methods and Rules published by APHIS, VS, USDA.
(d) Cattle presented for change of ownership must comply with 302 KAR 20:055, Brucellosis vaccination, testing and branding requirements. [Cattle changing ownership shall be vaccinated against brucellosis as required in 302 KAR 20:055.]
(2) Brucellosis.
(a) Sale. All breeding cattle [moving from one (1) premise to another premise on the change of ownership] must be tested [negative to the brucellosis test] within thirty (30) days prior to change of ownership. This will be the sellers' responsibility and the cattle may not be moved until the test results are found to be negative [movement].
(b) Exhibition. Animals six (6) months of age or older [over] shall be negative to an official test for brucellosis within 150 days of date of exhibition, unless exempt by one (1) of the following:
1. Originate directly from a certified herd.
2. Official vaccinates under eighteen (18) [twenty (20)] months of age for all breeds [the dairy breeds and twenty-four (24) months of age for the beef breeds].
3. Steers. Must be accompanied by approved health certificate showing individual identification. No brucellosis test required.
(3) Tuberculosis.
(a) Sale. Animals six (6) months of age or older shall be negative to an official tuberculin test within sixty (60) days of date of sale, unless exempt by one (1) of the following:
1. Originate directly from an accredited herd.
2. Originate directly from a herd in which all animals six (6) months of age or older are negative to an official tuberculin test within last twelve (12) months of date of sale.
(b) Exhibition. No test required.

Section 2. Performance Bull Testing Program. (1) All animals shall be accompanied by approved health certificates.
(2) Brucellosis. Animals entered in this program shall, if six (6) months of age or older, be negative to an official brucellosis test within thirty (30) days of date of entry or originate directly and immediately from a certified herd.
(3) Tuberculosis. All animals six (6) months of age or older shall be negative to an official tuberculin test within sixty (60) days or originate directly and immediately from an accredited herd.

Section 3. Horses. (1) All horses entering Kentucky, except unweaned foals, and other equidae, for any purpose other than for immediate slaughter shall be accompanied by an official certificate of veterinary examination of state of origin issued by a state, federal or licensed accredited veterinarian and such certificate shall include:
(a) Veterinarian's statement that examination was made within the past thirty (30) days and revealed the animal to be free of symptoms of any infectious disease or exposure thereto; and
(b) Shall include any tests that have been conducted as well as all vaccinations including vaccination date and type of vaccine used; and
(c) Have attached thereto a copy of certificate of report from a laboratory approved by the USDA showing the animal(s) to be negative to AGID test for equine infectious anemia within the past six (6) months, if offered for sale.
(2) All horses being offered for sale in Kentucky shall be accompanied by a health certificate or official certificate of veterinary examination of the state of origin issued by a state, federal or licensed accredited veterinarian. This certificate shall remain as a record at the sale and will be presented to the new owner. Such certificate shall include all information required pursuant to subsection (1) of this regulation. All horses

past six (6) months of age and other equidae offered for public sale shall be negative to AGID test within the past six (6) months. Only horses offered for sale for slaughter shall be exempt from this requirement.

(3) All horses and other equidae offered for entry into fairgrounds, livestock show grounds, public boarding stables, and for trail rides or racing shall be negative to tests for AGID within twelve (12) months and shall be accompanied by certificate of report from a laboratory approved by the USDA.

(4) All reactors to AGID test for equine infections anemia shall be officially, permanently identified using numbers and letter 61A with a brand on the left neck region.

(5) All reactors not slaughtered or euthanized shall be isolated and quarantined. This isolation shall include stabling in a stall that is screened to preclude entry and exit of mosquitoes, stable flies and horse flies during those seasons of the year when such insects are prevalent. These animals will also be kept at least 200 yards from all other horses.

(6) The movement of any quarantined reactor shall be done only on permission of representative of the Department of Agriculture.

(7) All horses in a herd in which a reactor is found shall be quarantined pending a negative test on all horses.

Section 4. Swine. (1) General requirements.

(a) All swine for exhibition and sale must be accompanied by a certificate of veterinary examination [an approved health certificate] which shall be void 150 days after issuance for exhibition and thirty (30) days after issuance of sale.

(b) All swine must have a permanent means of identification.

(c) If animals originate from validated and qualified herds, the certificate of veterinary examination shall show validation and qualification number with date of last herd test for brucellosis and pseudorabies.

(2) Brucellosis.

(a) Sale. All swine, except barrows, six (6) months of age or older shall have a negative thirty (30) day test in accordance with the Uniform Methods and Rules published by APHIS, VS, USDA, or originate directly and immediately from a validated herd. [Validation number and date of last herd test must be shown on the approved health certificate.]

(b) Exhibition. All swine, except barrows, six (6) months of age or older shall have a negative 150 day test in accordance with the Uniform Methods and Rules published by APHIS, VS, USDA, or originate directly and immediately from a validated herd. [Validation number and date of last herd test must be shown on the approved health certificate.]

[(3) Identification. All swine must have a permanent means of identification.]

(3) [(4)] Pseudorabies.

(a) Sale. All swine, six (6) months of age or older, shall [must] be negative to an official (approved) blood [the serum neutralization] test within thirty (30) days or originate directly and immediately from a qualified [pseudorabies negative] herd.

(b) Exhibition. All swine, six (6) months of age or older, shall [must] be negative to an official (approved) blood [the serum neutralization] test within 150 days of consignment for exhibition or originate directly and immediately from a qualified [pseudorabies negative] herd.

(c) Feeder pigs. All feeder pigs must comply with 302 KAR 20:210, Pseudorabies surveillance.

Section 5. Sheep. (1) Scrapie. No sheep or lambs shall be consigned that originated from or are known to be exposed to flocks under surveillance for scrapie.

(2) Scabies. All sheep or lambs for breeding and feeding purposes consigned from a farm, ranch or like premises shall be accompanied by an approved health certificate indicating such sheep and lambs originated directly and immediately from an official scabies-eradicated-free area.

(3) Sore mouth. Any sheep or lambs showing lesions of contagious exythma shall not be consigned.

(4) Sale. All sheep and lambs consigned shall be identified individually by ear tattoo or ear tag and entered on an approved health certificate which is good for thirty (30) days after issuance.

(5) Exhibition. All sheep and lambs consigned shall be identified individually by ear tattoo or ear tag and entered on an approved health certificate which is good for 150 days after issuance.

Section 6. Goats. (1) Scabies. All goats must originate from a scab-free area.

(2) Scrapie. No goats from a herd under surveillance for scrapie that are known to have been exposed to or that are progeny shall be considered.

(3) Brucellosis.

(a) Sale. Animals six (6) months of age or older shall have a negative thirty (30) day test in accordance with the Uniform Methods and Rules published by APHIS, VS, USDA, as applies to the bovine test or originate directly from a certified herd and be accompanied by an approved health certificate which shall be void thirty (30) days after issuance.

(b) Exhibition. Goats six (6) months of age or older shall be negative to an official blood test for brucellosis within 150 days of exhibition or originate directly from a certified herd and be accompanied by an approved health certificate which shall be void 150 days after issuance.

(4) Tuberculosis.

(a) Sale. Animals six (6) months of age or older shall have negative tuberculin test in last sixty (60) days or originate directly and immediately from an accredited herd.

(b) Exhibition. No test required.

Section 7. Poultry. Negative pullorum agglutination test within thirty (30) days for sale and/or exhibition. Test record must accompany poultry.

Section 8. Dogs and Cats. (1) All dogs over four (4) months of age for sale or exhibition shall be accompanied by a health certificate signed by a licensed, accredited veterinarian stating that they are free from all infectious diseases, did not originate within an area under quarantine for rabies, or from an area where rabies is known to exist and has not been exposed to rabies. All dogs over four (4) months of age shall be vaccinated against rabies not

less than fourteen (14) days nor more than twelve (12) months prior to date of consignment if killed virus vaccine is used. Any vaccine approved for a three (3) year immunity by the "Compendium of Animal Rabies Vaccines" prepared by the Association of State Public Health Veterinarians, (Inc.), qualifies a dog if it is one (1) year of age when vaccinated; provided, show or performing dogs to be within the state temporarily for a period of ten (10) days shall not be required to furnish an approved health certificate.

(2) All cats shall be in compliance to above requirements for dogs provided the animals are vaccinated for rabies if four (4) months of age or older not less than fourteen (14) days nor more than twelve (12) months prior to date of consignment with a vaccine approved by the state veterinarian and the Department for Health Services, Kentucky Cabinet for Human Resources.

DAVID E. BOSWELL, Commissioner
APPROVED BY AGENCY: September 29, 1987
FILED WITH LRC: October 8, 1987 at 3 p.m.

STATEMENT OF EMERGENCY

The amendment of 302 KAR 20:070 sets forth the requirements for stockyards to operate under regarding sanitation requirements and procedures, including the duties of the stockyard veterinarians. The implementation of the sanitary requirements will decrease the spread of communicable and infectuous diseases among livestock at the stockyards and aid in the eradication of major communicable diseases such as brucellosis. This amended regulation is needed immediately and an ordinary regulation will take too long to promulgate. Therefore, an emergency exists and an emergency regulation is needed. This regulation will be followed by an ordinary regulation.

MARTHA LAYNE COLLINS, Governor
DAVID E. BOSWELL, Commissioner

DEPARTMENT OF AGRICULTURE

302 KAR 20:070E. Stockyards.

RELATES TO: KRS Chapter 257
PURSUANT TO: KRS 257.030
EFFECTIVE: October 8, 1987
NECESSITY AND FUNCTION: To designate sanitary requirements, and operational procedures in all stockyards relative to disease control.

Section 1. Operating Sale Requirements. (1) The owner or manager operating a stockyard shall arrange for an accredited, licensed veterinarian approved by the Department of Agriculture to be present in said sales point to carry out the provisions of this regulation.

(a) A licensed, accredited veterinarian seeking approval by the board to be designated official market veterinarian shall make application and state that he (she) will comply with this and all associated regulations relative to the responsibilities of the position.

(b) The official market veterinarian shall be responsible to replace himself with another approved (by the board) veterinarian in the event he finds it necessary to be absent from the market.

(c) The official market veterinarian shall not resign his (her) duties without written notice to the sale company and the state veterinarian's office at least ten (10) days prior to resignation.

(d) The failure or neglect to properly perform any of the responsibilities and duties of the official market veterinarian shall be cause for disapproval and immediate removal from the market.

(2) The person operating a stockyard shall provide separate pens or a yarded division for isolating animals classed as reactors to brucellosis or any communicable disease. Said pens are to be permanently identified as "bangs" pens and the word "quarantine" is to be spelled out on the gates to such pens. The pens shall be constructed so as to facilitate easy cleaning and disinfecting after each use. The pens must have concrete floors and complete walls (no fences or gates to permit contact with adjacent animals). Any watering troughs or feed bunks in the quarantine pens shall be located so that no other livestock in the market can access them at any time. All reactor animals shall be yarded in the quarantine pens and shall be sold last. Such animals shall be identified as reactors on the invoices of both the buyer and the seller. The "bangs" pens may not be used at any time for any other than for known brucellosis reactors, or brucellosis suspects going directly to a recognized slaughter establishment.

(3) The owner operating a stockyard shall provide adequate space, utilities, hot water and assistance for the accredited, licensed veterinarian to officially carry out the provisions of this regulation. All licensed Kentucky livestock markets shall provide the following requirements for the market's testing laboratory:

(a) Constructed and equipped so as to be maintained at room temperature (seventy (70) to seventy-eight (78) degrees) in both summer and winter (i.e., heaters and air conditioners).

(b) Provide a sink with hot and cold running water.

(c) Be equipped with a refrigerator in good working condition.

(d) Be constructed so that the market veterinarian shall have sufficient space and privacy to conduct the required tests and fill out the associated records and forms.

(e) Be constructed so that it can be kept clean easily and locked at all times when not in use.

(f) Contain a work counter and sufficient shelf space, cabinets with locks, and storage space to keep forms, ear tags, etc., as required by the official market veterinarian in carrying out his (her) duties.

(g) The laboratory shall be supplied with adequate artificial light. The electrical wiring must be adequate to carry at a minimum a centrifuge, electrical refrigerator, cooling facility and have at least two (2) additional electrical outlets.

(h) The laboratory must be located so as to be convenient for the veterinarian and the public while conducting his (her) duties as the official market veterinarian.

(4) The owner or operator shall furnish and maintain one (1) or more cattle chutes suitable for restraining animals for inspection of any infectious, contagious or parasitic condition, testing, tagging, branding and other procedures

routinely required in providing livestock sanitary services and identification for movement at stockyards.

(5) The owner or operator shall maintain records of the seller and purchaser of all livestock for one (1) year. These records to be made available to Department of Agriculture representatives for inspection upon request during regular business hours.

(6) The owner or operator shall provide adequate facilities and service at a reasonable cost, if not available at or near the yards, for cleaning and disinfecting cars, trucks or other vehicles which have transported to the stockyards animals known to be infected with or exposed to a contagious, infectious, communicable or parasitic disease with a disinfectant approved by the chief livestock sanitary official.

Section 2. General Requirements. (1) All stockyards shall be maintained in a workable and sanitary condition. Stockyards shall be inspected as required by a representative of the board.

(2) After an occurrence of any infectious, contagious, parasitic or communicable disease of livestock in a stockyard, exposed facilities capable of transmitting disease shall be cleaned and disinfected with approved disinfectants in a manner approved by the chief livestock sanitary official.

(3) Livestock found to be infected and showing clinical or diagnostic symptoms of an infectious, contagious, parasitic or communicable disease shall upon recommendation of stockyard veterinarian or authorized representative of the chief livestock sanitary official be quarantined in an isolated portion of the yards for treatment, additional diagnostic laboratory procedures, disposition to slaughter or other disposition pursuant to accepted methods of disease prevention and control.

(4) All livestock originating from a quarantined herd or premises shall be sold under permit for immediate slaughter.

(5) The card test shall be the official test for brucellosis at stockyards. All animals showing positive reaction must be identified and sold for immediate slaughter, unless quarantined by the state veterinarian or agent of the board for further testing [only]. Indemnity will be paid for reactors disclosed by stockyard test as long as state-federal funds are available.

(6) Upon disclosure of a reactor(s) by the stockyard veterinarian, all cattle in the consignment from the same herd are exposed cattle and must be returned to the farm of origin under quarantine for retesting or sold for slaughter with proper identification. Assembled cattle are considered to be a herd.

(7) Exposed animals and reactor animals will be identified as described in Title 9, CFR, 78.7 and 78.8, herein filed by reference.

(8) Cattle entering the market shall be vaccinated, tested or branded as required in 302 KAR 20:055. [Cattle purchased at a Kentucky livestock market shall be vaccinated against brucellosis as required in 302 KAR 20:055.]

(9) It shall be unlawful and a misdemeanor for any person to buy or offer to buy livestock on the premises owned and used by a person or corporation operating a licensed livestock market before such livestock has been regularly consigned for sale thereat.

Section 3. Veterinary Compensation. The official market veterinarian shall receive for any services rendered a fee that has been agreed upon by the stockyards operator and the veterinarian. Such fees for branding, ear tagging, and calfhood vaccination shall be deducted from the buyer's check, contingent upon the conditions agreed upon prior to sale by the parties involved. Such fees for testing of heifers under eighteen (18) months of age shall be deducted from the seller's check, contingent upon conditions agreed upon prior to the sale by parties involved. Such fees shall not include funds for those services reimbursed pursuant to state-federal cooperative programs. [Accredited veterinarians shall receive for any services rendered a fee that has been agreed on by the stockyard operators and the accredited veterinarians. Such fees shall be deducted from the seller's or buyer's check, depending upon conditions of sale and shall be paid to the accredited veterinarian, except for those services reimbursed pursuant to a state-federal cooperative program.]

Section 4. Veterinary Duties. The stockyard veterinarian shall in cooperation with representative(s) of the department. The market veterinarian must arrive at the market in sufficient time to do all the required testing and inspection prior to the beginning of the sale. [:]

(1) Examine, validate and issue certificates pertinent to the movement of livestock to be sold.

(2) Conduct required test of livestock.

(3) Visually inspect all livestock for clinical signs of contagious, infectious diseases. [Inspect all livestock for clinical evidence of infectious, contagious, or parasitic diseases.]

(4) Obtain blood samples. Aid and assist in conducting of associated laboratory tests. Submit such specimens to state-federal laboratory for confirmation. Such specimens shall be posted by mail or delivered directly to state-federal laboratory [within twenty-four (24) hours].

(5) Compile and present such reports as are routinely required to the chief livestock sanitary official.

(6) Report the presence of any animal showing symptoms suggestive of a "reportable" disease or any other disease that the market veterinarian feels poses the threat of spread of a communicable livestock disease which may warrant the actions of the state veterinarian. [communicable disease condition to chief livestock sanitary official.]

(7) Copies of all forms must be forwarded to the office of the state veterinarian by the official market veterinarian immediately after the sale. All official forms, certificates, or documents and official stamps, shall be kept in the exclusive possession of the market veterinarian and shall be dated and signed by him only at the time they are filled out and issued. Under no circumstances shall any official document be presigned or prestamped by the market veterinarian. The use of any official stamp by persons other than the approved market veterinarian or state livestock inspector or official, or federal employee is expressly

prohibited. The approved market veterinarian shall be solely responsible for the unauthorized use or improper issuance of any official document or the use of any official stamp.

(8) The market veterinarian must remain at the market a reasonable length of time to allow buyers to get their livestock approved for release.

(9) The market veterinarian must use separate bleeding needles and syringes for each animal bled. He must follow accepted standards for sterility to prevent the transmission of infectious agents to livestock being tested.

(10) The market veterinarian or the sale company shall not be responsible for the results of any tests that are performed properly or any reactor animals found in the market. All reactor animals shall revert back to the consignor.

(11) No livestock shall be allowed to leave the market until an approval for release is secured from the market veterinarian or an agent of the board. The market shall be responsible to see that no cattle or swine are removed without first being released by the market veterinarian or agent of the board. Release forms: all cattle and swine, regardless of age, weight, sex or breed, must be approved for release by the market veterinarian, or an agent of the board and are not to be released unless they meet the importation and transportation requirements of the state of destination, including the state of Kentucky.

(12) All livestock shipped from the state of Kentucky, regardless of the purpose of movement, must be accompanied by an official Kentucky certificate of veterinary examination or "health certificate." This includes slaughter, feeding, breeding, and dairy animals and horses. The certificate must reflect that the animals being shipped meet the state of destination importation requirements as they pertain to permits, test requirements, etc.

Section 5. Cattle Requirements. (1) Tuberculosis.

(a) Imports. Cattle six (6) months of age or older for dairy and breeding purposes shall be negative to an official tuberculin test within thirty (30) days of date of entry or originate directly and immediately from an accredited herd or eradicated free state.

(b) Cattle classified as suspects or those originating from a quarantined herd shall not be imported.

(c) Reciprocal agreements with adjoining states may be effective in lieu of specific requirements.

(d) Kentucky cattle: no tuberculosis requirements if to a Kentucky destination.

(2) Brucellosis.

(a) All cattle six (6) months of age or older offered for sale at the stockyard for breeding and diary purposes, except for the following, shall be negative to an official brucellosis test within the last eight (8) days of sale:

1. Official vaccinates identified by an official vaccination tattoo and ear tag which are under eighteen (18) [twenty-four (24)] months of age. Appearance of permanent "nipper" incisors which are under eighteen (18) months of age (i.e., test required of those cattle with "two (2) teeth"). [and under if a beef animal and twenty (20) months of age and under if a dairy animal, provided heavy springers and females postpartum shall be negative regardless of age at time of sale.]

2. Heavy springers and cows postpartum shall be required to test, regardless of age. [Cattle from a certified herd.]

3. Cattle from brucellosis certified free herds may be exempt from testing requirement if in accord with 302 KAR 20:040, Entry into Kentucky. [All test-eligible cattle arriving directly from a modified certified state that are moved to a farm in the Commonwealth shall be retested within forty-five (45) to 120 days and shall be placed under quarantine with no commingling pending negative results on all involved animals on retest.]

(b) Back tagged cattle.

1. All mature cattle eighteen (18) months or older, as indicated by the presence of the first pair of permanent incisor teeth, except steers and spayed heifers, consigned to any stockyard, [or purchased direct by any slaughtering establishment,] shall be back tagged in a routine manner prescribed by the department. Heifers, fattened, intended for slaughter only, and consigned directly to a slaughter facility may move directly to slaughter, following back tagging, with farm and state of origin documentation, to avoid the requirement to test at the market and/or be ear tagged.

2. All back tagged cattle shall be negative to a brucellosis test within eight (8) days of sale.

3. Back tags placed on slaughter cattle shall not be removed at any time or by any person only under specific instructions from the chief livestock sanitary official.

4. Back tagged cattle shall proceed directly to a recognized slaughtering center with no diversion whatever enroute except to another approved stockyard for reconsignment to slaughter.

5. Materials for the back tagging program shall be furnished by the department and/or Animal and Plant Health Inspection Service, Veterinary Services, United States Department of Agriculture.

(c) All breeding, dairy and back tagged cattle requiring testing shall be tested at the first point of assembly or concentration.

(d) All cattle for feeding purposes and grazing shall comply with 302 KAR 20:055, Brucellosis vaccination, testing and branding requirements. [Cattle of beef breeds between the ages of six (6) and eighteen (18) months sold for feeding and grazing shall be exempt from brucellosis test unless they are heavy springers or female postpartum.]

Section 6. Swine Requirements. (1) As prescribed in 302 KAR 20:080.

(2) Effective January 1, 1971, all serum requirements for swine moving into or through the State of Kentucky were rescinded.

(3) Breeding swine.

(a) All breeding swine six (6) months of age or older shall be negative to [both] an official (approved) blood test for brucellosis and [the serum neutralization test for] pseudorabies [at time of sale. Swine shall be deemed negative at the time of sale to an official test if accompanied by proof of a negative test result] within thirty (30) days prior to date of sale and be accompanied by proof of negative test results, or originate directly and immediately from a validated and qualified herd. [Swine originating from a validated brucellosis free herd shall be exempt from a stockyard test for

brucellosis.]

(b) Breeding swine not tested for and found negative to brucellosis and pseudorabies prior to arrival at stockyards must be consigned directly to slaughter.

(c) Testing of breeding swine at stockyards is prohibited.

(4) Feeder pigs. All feeder pigs must comply with 302 KAR 20:210, Pseudorabies surveillance.

(5) [(4)] Livestock markets buying stations, and concentration points handling all classes of swine.

(a) All swine, including slaughter swine, to be inspected by an accredited veterinarian prior to leaving market.

(b) Swine moving interstate from markets to be in compliance with Title 9, Part 76, CFR, herein filed by reference, including health certification by the accredited veterinarian authorized by the state to furnish such services.

(c) Slaughter swine leaving premises to be consigned only for immediate slaughter to a recognized slaughtering establishment approved for this purpose in accordance with federal and state regulations.

(d) Markets to maintain well-constructed pens and swine-handling facilities that are clean and in good repair.

(e) Markets to provide pens surfaced with impervious material for holding and handling feeder pigs and breeding swine.

(f) Markets to provide satisfactory, well-lighted facilities for inspection and proper restraint.

(g) Clean and disinfect holding and handling pens, alleys and other facilities used in selling swine after use by each lot of swine under procedures specified by state and federal agencies to guard against spread of disease.

(h) Maintain records of margin and destination for all swine entering market and grant federal and state inspectors access to such records. Identification as to farm where farrowed shall be maintained for all feeder pigs and breeding stock and all slaughter swine which may be diverted for purposes other than slaughter. Records shall be maintained for one (1) year.

(i) Feeding and breeding swine must be placed in pens separate and apart from slaughter swine. All swine designated for slaughter must be delivered directly to an approved slaughter establishment with no diversion enroute.

(j) Permit no cull pigs to enter market unless provisions are made to pen such pigs separate and apart from all other swine so contact with healthy swine does not occur. Facilities used by these swine will not be used by other swine until cleaning and disinfecting have been accomplished. Further, cull swine to be permanently identified by an ear tag in the right ear, quarantined to the purchaser, and released from said quarantine by consignment to slaughter only. A cull pig is defined as one which does not pass veterinary inspection for health.

(k) Permit no garbage fed swine to enter market unless provisions are made to handle and pen such swine separate and apart from all other swine to avoid contact with other marketable swine.

(l) Permit no swine to be moved into or from the market unless a state or federal inspector releases such swine.

(m) Require all buyers of swine to determine the purpose of their movement. If for slaughter and there is any reason to believe the swine might be diverted (underweight swine, thin sows, etc.) the inspector may require that such swine be identified by ear tag and consigned to slaughter on a special permit. Further, any swine with which these swine mingle shall cause the entire lot to be ineligible for movement except to slaughter.

(n) Permit no feeder pigs or breeding swine to remain in the market more than seventy-two (72) hours.

(o) No feeding or breeding swine are to be allowed in any market for resale within thirty (30) days from prior sale date.

(6) [(5)] Livestock markets, buying stations and concentration points handling slaughter swine only.

(a) Swine moving interstate to be in compliance with Title 9, Part 76, CFR, herein filed by reference, and applicable state regulations.

(b) Accept swine only for slaughter and to permit no swine to leave market except for slaughter only.

(c) Markets to maintain well-constructed pens and swine-handling facilities that are clean and in good repair.

(d) Maintain records of origin and destination for all swine entering market and grant federal and state inspectors access to such records. Records shall be maintained one (1) year.

(e) Isolate all swine suspected of being affected with or exposed to infectious disease, promptly notify the state or federal agency, and hold such swine in isolation pending instructions on disposition.

(f) Clean and disinfect holding and handling pens, alleys, and other facilities used in selling swine under procedures specified by state and federal agencies to guard against spread of disease.

Section 7. Sheep and Goat Requirements. (1) As prescribed in 302 KAR 20:040.

(2) Before the beginning of a sale all sheep and goats to be sold for breeding purposes that are free from evidence of infectious, contagious or parasitic disease shall be separated from all other sheep and goats in a part of the yard provided for this purpose.

(3) All sheep and goats that as individuals or any part of an assembled group show evidence of any infectious, contagious, communicable or parasitic disease must be sold for immediate slaughter or otherwise disposed of under permit issued by the chief livestock sanitary official.

(4) Goats for dairy or breeding purposes if free from evidences of any infectious, contagious, or parasitic disease shall originate directly and immediately from a brucellosis certified free herd or if six (6) months of age or over be negative to an official brucellosis test within thirty (30) days of date of sale.

DAVID E. BOSWELL, Commissioner
APPROVED BY AGENCY: September 29, 1987
FILED WITH LRC: October 8, 1987 at 3 p.m.

STATEMENT OF EMERGENCY

The proposed regulation, 302 KAR 20:210, authorizes the control of movement of feeder pigs within market channels (both intrastate and interstate) for the purpose of preventing the

spread of pseudorabies. Pseudorabies poses a serious threat to the swine industry of Kentucky. It is very important to act in a preventive manner to control the disease. The prevention of the spread of the disease is encouraged by the United States Department of Agriculture. The proposed regulation is vital to the swine industry of Kentucky and needs to be implemented immediately without the delay of promulgating an ordinary regulation. Therefore, an emergency exists and an emergency regulation is needed. This regulation will be followed by an ordinary regulation.

MARTHA LAYNE COLLINS, Governor
DAVID E. BOSWELL, Commissioner

DEPARTMENT OF AGRICULTURE

302 KAR 20:210E. Pseudorabies surveillance.

RELATES TO: KRS Chapter 257
PURSUANT TO: KRS 257.030
EFFECTIVE: October 8, 1987
NECESSITY AND FUNCTION: The prevention of the spread of pseudorabies, via the movement (both intrastate and interstate) of feeder pigs within market channels. Breeding swine in Kentucky on farms which produce and sell feeder pigs will be required to be tested as will breeding swine on farms of origin which produce feeder pigs imported into Kentucky.

Section 1. Definitions. As used in this regulation and unless the context clearly requires otherwise:
(1) Breeding swine shall mean "male and female porcines which are sexually intact (i.e., not altered), six (6) months of age and older."
(2) Feeder pigs (feeding swine) shall mean "porcines of the male (altered) or female sex between weaning and three (3) to four (4) months of age approximately which are produced for the purpose of being fed for slaughter."
(3) Complete herd testing shall mean "a test of all breeding swine within a herd six (6) months of age or older for brucellosis and pseudorabies."
(4) Pseudorabies monitored herd shall mean "a herd in which percentage testing (representative sampling) has been accomplished on the total number of breeding sows in the total herd," and in accord with the following formula:
(a) In herds of ten (10) sows or less - all sows must be tested;
(b) In herds of eleven (11) to thirty-five (35) sows - ten (10) sows are required to be tested;
(c) In herds of thirty-six (36) sows or more - thirty (30) percent or thirty (30) sows must be tested, whichever is less.
(5) Validated brucellosis free herd shall mean "a herd of swine that has qualified for and has been issued a validated brucellosis free herd certificate signed by the State Animal Health Official and the Area Veterinarian in Charge (AVIC). The validated brucellosis free herd status is valid for twelve (12) months, unless evidence of brucellosis is found in the herd."
(6) Qualified pseudorabies negative herd shall mean qualified pseudorabies negative herd status is attained by subjecting all swine over six (6) months of age to an official pseudorabies serological test and obtaining a negative result on all animals. All additional requirements are listed in 9 CFR (Code of Federal Regulations) Chapter 1 (1-1-87 Edition) page 224.

Section 2. Testing Requirements for Breeding Swine in Herds which Produce Feeder Pigs. Effective January 1, 1988, all feeder pigs sold in Kentucky must originate from herds in which testing of the breeding swine has been done for pseudorabies and negative serological results can be demonstrated according to one of the following testing schedules:
(1) Complete herd testing as defined in Section 1(3) of this regulation;
(2) Pseudorabies monitoring testing as defined in Section 1(4) of this regulation.

Section 3. Exemptions. Specific exemptions from the requirements of Section 2 of this regulation shall be:
(1) Feeder pigs which originate from a qualified pseudorabies negative herd. When moving, the feeder pigs must be accompanied by a pseudorabies surveillance card as outlined in Section 4 of this regulation.
(2) Feeder pigs may be individually tested (and identified) for pseudorabies and found serologically negative within thirty (30) days prior to sale or entry.

Section 4. Procedures. The following procedures shall be used to effect compliance with this regulation:
(1) A pseudorabies surveillance card (PS card) will be issued by the state veterinarian to owners of swine herds who market feeder pigs when negative serologies are demonstrated from blood samples obtained by licensed, accredited veterinarians from specific percentages of their breeding swine. The minimum percentage allowed for receiving a PS card will be the monitoring formula (see Section 1(4) of this regulation). Complete herd testing (Section 1(3) of this regulation) will be initiated simultaneously with this regulation for statewide swine validated brucellosis free status. The blood samples taken in this federally funded program will also be utilized for pseudorabies serology to qualify herd owners for issuance of their pseudorabies surveillance cards.
(2) The specific steps to be taken to accomplish the issuance of the pseudorabies surveillance card and the manner in which the PS cards shall be used in marketing feeder pigs are as follows:
(a) The herd owner will contact his veterinarian and request testing of his breeding swine. The owner shall direct the veterinarian as to the number of his breeding swine desired to be tested as follows:
1. When the herd owner selects pseudorabies monitoring testing (Section 1(4) of this regulation), payment for the veterinarian's farm call and the charges for obtaining the blood samples are the owner's responsibility.
2. When the herd owner selects complete herd testing (all breeding swine) (Section 1(3) of this regulation), federal fee basis funds and state funds will, upon availability, pay the veterinarian for the farm call and the sample collections from the animals.
(b) The veterinarian will then submit the samples and the necessary documentation on submission forms supplied by the state veterinarian and signed by the veterinarian and the herd owner. The number of animals bled and

the total number of breeding swine (boars and sows) on the premise will be clearly stated on the sample submission forms as well as the individual animal identification numbers of all swine bled. The samples will be sent (serum only) to a state diagnostic laboratory for brucellosis and pseudorabies testing.

(c) The test results will be mailed to the state veterinarian's office by the diagnostic laboratory.

(d) Simultaneous with the mailing of the serum samples to the diagnostic laboratory, the veterinarian and the herd owner shall complete the pseudorabies surveillance card request form (these will be issued to participating practicing veterinarians on request) and mail same, with both signatures, to the state veterinarian's office.

(e) The pseudorabies surveillance cards will be issued directly from the state veterinarian's office to the herd owner when all requirements have been met.

(f) The PS cards will be used by herd owners to market feeder pigs within Kentucky and to move feeder pigs into other states requiring surveillance testing or monitoring for pseudorabies. At livestock markets in Kentucky, individual groups of feeder pigs will be identified by metal ear tags when herd owners (sellers) present their PS cards.

(g) The PS cards will expire one (1) year from the date the swine are bled.

Section 5. Other Movements. (1) Licensed livestock dealers may purchase feeder pigs for resale provided that original pseudorabies surveillance and individual feeder pig identification can be maintained. At no time shall pigs purchased in accordance with this section be kept on premises with pigs from herds without pseudorabies surveillance.

(2) Feeder pigs purchased pursuant to this section shall be marketed no sooner than thirty (30) days after the original purchase, as prescribed in 302 KAR 20:070. Dealers shall present invoices with the original pseudorabies surveillance card numbers when presenting their feeder pigs to markets.

DAVID E. BOSWELL, Commissioner
APPROVED BY AGENCY: September 29, 1987
FILED WITH LRC: October 8, 1987 at 3 p.m.

STATEMENT OF EMERGENCY

KRS 224.866(3) requires that hazardous waste sites or facilities must provide evidence of financial responsibility for the purpose of corrective action and for satisfying claims arising out of injury to persons or property resulting from the release of hazardous waste. On July 11, 1986, the U.S. EPA promulgated regulatory revisions to allow the use of the corporate guarantee as a financial responsibility mechanism. Because 4 companies propose to use the corporate guarantee for liability coverage and may be unable to obtain other coverage, it is essential that this regulation become effective immediately. The proposed amendments also change the liability coverage requirements to ensure that the regulations are consistent with the requirements in KRS 224.866 that were promulgated by the 1986 General Assembly. Ten companies are affected by this change. An ordinary regulation identical to this emergency regulation has been submitted and will replace this emergency regulation upon passage.

MARTHA LAYNE COLLINS, Governor
MARY HELEN MILLER, Secretary

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
Department for Environmental Protection
Division of Waste Management

401 KAR 34:120E. Liability requirements.

RELATES TO: KRS 224.033, 224.071, 224.830 through 224.877, 224.994
PURSUANT TO: KRS 13A.210, 224.017, 224.862, 224.866, 224.867
EFFECTIVE: October 15, 1987
NECESSITY AND FUNCTION: KRS 224.866 requires that persons engaging in the storage, treatment, and disposal of hazardous waste obtain a permit. KRS 224.866 requires the cabinet to establish standards for these permits, to require adequate financial responsibility, and to establish minimum standards for closure for all facilities and the postclosure monitoring and maintenance of hazardous waste disposal facilities. This chapter establishes minimum standards for new hazardous waste sites or facilities. This regulation establishes the liability requirements.

Section 1. Coverage for Sudden Accidental Occurrences. An owner or operator of a hazardous waste treatment, storage, or disposal facility, or a group of such facilities, must demonstrate financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator must have and maintain liability coverage for sudden or accidental occurrences in the amount of at least $1,000,000 per occurrence with an annual aggregate of at least $2,000,000, exclusive of legal defense costs. [A hazardous waste disposal site or facility shall maintain additional excess liability coverage in the amount of at least $10,000,000.] This liability coverage may be demonstrated in one (1) of three (3) ways, as specified in subsections (1), (2) and (3) of this section:

(1) An owner or operator may demonstrate the required liability coverage by having liability insurance as specified in this section.

(a) Each insurance policy must be amended by attachment of the Hazardous Waste Facility Liability Endorsement or evidenced by a Certificate of Liability Insurance. The liability endorsement must be executed on a form provided by the cabinet containing wording identical to the wording specified in 401 KAR 34:172. The Certificate of Liability Insurance must be on a form provided by the cabinet containing wording identical to the wording specified in 401 KAR 34:176. The owner or operator must submit an originally signed duplicate of the endorsement or the certificate of insurance to the director. If requested by the director, the owner or operator must provide an originally signed duplicate of the insurance policy. An owner or operator of a new facility must submit the originally signed duplicate of

the Hazardous Waste Facility Liability Endorsement or the Certificate of Liability Insurance to the director at least sixty (60) days before the date on which hazardous waste is first received for treatment, storage or disposal. The insurance must be effective before this initial receipt of hazardous waste.

(b) Each primary insurance policy must be issued by an insurer which, at a minimum, is licensed to transact the business of primary insurance in Kentucky except as KRS 304.11-030 provides otherwise. Each excess insurance policy must be issued by an insurer which, at a minimum, is licensed to provide insurance as an excess or surplus lines insurer in one (1) state.

(2) An owner or operator may meet the requirements of this regulation by passing a financial test or using the corporate guarantee for liability [self-insurance] coverage as specified in Section 7 [6] of this regulation.

(3) An owner or operator may demonstrate the required liability coverage through use of [both] the financial test, [and] insurance, the corporate guarantee, a combination of the financial test and insurance, or a combination of the corporate guarantee and insurance. [as these mechanisms are specified in this regulation.] The amounts of coverage demonstrated must total at least the minimum amounts required by this section.

Section 2. Coverage for Nonsudden Accidental Occurrences. An owner or operator of a surface impoundment, landfill, or land treatment facility which is used to manage hazardous waste, or a group of such facilities, must demonstrate financial responsibility for bodily injury and property damage to third parties caused by nonsudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator must have and maintain additional liability coverage for nonsudden accidental occurrences in the amount of at least $3,000,000 [5,000,000] per occurrence with an annual aggregate of at least $6,000,000 [10,000,000], exclusive of legal defense costs. This liability coverage may be demonstrated in one (1) of three (3) ways, as specified in subsections (1), (2), and (3) of this section:

(1) An owner or operator may demonstrate the required liability coverage by having liability insurance as specified in this section.

(a) Each insurance policy must be amended by attachment of the Hazardous Waste Facility Liability Endorsement or evidenced by a Certificate of Liability Insurance. The liability endorsement must be on a form provided by the cabinet containing wording identical to the wording specified in 401 KAR 34:172. The certificate of liability insurance must be on a form provided by the cabinet containing wording identical to the wording specified in 401 KAR 34:176. The owner or operator must submit an originally signed duplicate of the endorsement or the certificate of insurance to the director. If requested by the director, the owner or operator must provide an originally signed duplicate of the insurance policy. An owner or operator of a new facility must submit the originally signed duplicate of the Hazardous Waste Facility Liability Endorsement or the Certificate of Liability Insurance to the director at least sixty (60) days before the date on which hazardous waste is first received for treatment, storage or disposal. The insurance must be effective before this initial receipt of hazardous waste.

(b) Each primary insurance policy must be issued by an insurer which, at a minimum, is licensed to transact the business of primary insurance in Kentucky except as KRS 304.11-030 provides otherwise. Each excess insurance policy must be issued by an insurer which, at a minimum, is licensed to provide insurance as an excess or surplus lines insurer in one (1) state.

(2) An owner or operator may meet the requirements of this regulation by passing a financial test or using the corporate guarantee for liability [self-insurance] coverage as specified in Sections 6 and 7 of this regulation.

(3) An owner or operator may demonstrate the required liability coverage through use of [both] the financial test, [and] insurance, the corporate guarantee, a combination of the financial test and insurance, or a combination of the corporate guarantee and insurance. [as these mechanisms are specified in this regulation.] The amounts of coverage demonstrated must total at least the minimum amounts required by this section.

(4) For existing facilities, the required liability coverage for nonsudden accidental occurrences must be demonstrated by the dates listed below. The total sales or revenues of the owner or operator in all lines of business, in the fiscal year preceding the effective date of these regulations, will determine which of the dates apply. If the owner and operator of a facility are two (2) different parties, or if there is more than one (1) owner or operator, the sales or revenues of the owner or operator with the largest sales or revenues will determine the date by which the coverage must be demonstrated. The dates are as follows:

(a) For an owner or operator with sales or revenues totaling $10,000,000 or more, February 24, 1983.

(b) For an owner or operator with sales or revenues greater than $5,000,000 but less than $10,000,000, February 24, 1984.

(c) All other owners or operators, February 24, 1985.

Section 3. Adjustments by the Director. If the director determines that the levels of financial responsibility required by Sections 1 and 2 of this regulation are not consistent with the degree and duration of risks associated with treatment, storage, or disposal at any facility or group of facilities, the director may increase the level of financial responsibility required under Sections 1 and 2 of this regulation as may be necessary to protect human health and the environment. This adjusted level will be based on the director's assessment of the degree and duration of risks associated with the ownership or operation of each facility or group of such facilities. If the director determines that there is a significant risk to human health and the environment from nonsudden accidental occurrences from the operations of a facility that is not a surface impoundment, landfill, or land treatment facility, the director may require that the owner or operator of the facility comply with Section 2 of this regulation. An owner or operator must furnish to the director, within a reasonable time, any information which the director requests to determine whether cause exists for such

adjustments of the level or type of coverage. Any adjustment of the level of required coverage for a facility that has a permit shall be treated as a permit modification under Section 2(1)(e) of 401 KAR 38:040 and Section 2 of 401 KAR 38:050.

Section 4. Request for a Variance. If an owner or operator can demonstrate to the satisfaction of the director that the increased level of financial responsibility required by Section 3 of this regulation is not consistent with the degree and duration of risks associated with the treatment, storage, or disposal at each facility or group of facilities, the owner or operator may obtain a variance from the director. The director shall not grant any requests for a variance which seek to decrease the level of financial responsibility below the minimums required by KRS 224.866(3)(c). If granted, the variance shall take the form of an adjusted level of required liability coverage, such level to be based on the director's assessment of the degree and duration of risks associated with the ownership or operation of each facility or group of facilities. The director may require an owner or operator who requests a variance to provide such technical and engineering information as is deemed necessary by the director to determine a level of financial responsibility other than that required by Sections 1 and 2 of this regulation. Any request for a variance for a permitted facility shall be treated as a request for a permit modification under Section 2(1)(e) of 401 KAR 38:040 and Section 2 of 401 KAR 38:050.

Section 5. Period of Coverage. Within sixty (60) days after receiving certifications from the owner or operator and an independent registered professional engineer that final closure has been completed in accordance with the approved closure plan, the director will notify the owner or operator in writing that he is no longer required by this regulation to maintain liability coverage for that facility, unless the director has reason to believe that closure has not been in accordance with the approved closure plan. [An owner or operator must continuously provide liability coverage for a facility as required by this regulation until certification of termination pursuant to the requirements of KRS 224.866.]

Section 6. Liability Self-Insurance. (1) An owner or operator may satisfy the requirements of this regulation by demonstrating that he passes a financial test as specified in this section. To pass this test the owner or operator must demonstrate that the level of self-insurance does not exceed ten (10) percent of equity and must meet the criteria of either paragraph (a) or (b) of this subsection:

(a) The owner or operator must have:

1. Net working capital and tangible net worth each at least six (6) times the amount of liability coverage to be demonstrated by this test; and

2. Tangible net worth of at least $10 million; and

3. Assets in the United States amounting to either, at least, ninety (90) percent of his total assets or at least six (6) times the sum of the appropriate liability coverage to be demonstrated by this test.

(b) The owner or operator must have:

1. A current rating for his most recent bond issuance of AAA, AA, A or BBB as issued by Standard and Poor's or Aaa, Aa, A, or Baa as issued by Moody's; and

2. Tangible net worth of at least $10 million; and

3. Tangible net worth at least six (6) times the amount of the liability coverage to be demonstrated by this test; and

4. Assets located in the United States amounting to either, at least, ninety (90) percent of his total assets or at least six (6) times the amount of the liability coverage to be demonstrated by this test.

(2) The phrase "amount of liability coverage" as used in subsection (1) of this section refers to the annual aggregate amounts for which coverage is required under Sections 1 and 2 of this regulation.

(3) To demonstrate that he meets this test, the owner or operator must submit the following three (3) items to the director:

(a) A letter signed by the owner's or operator's chief financial officer and executed on a form provided by the cabinet which is worded as specified in 401 KAR 34:162;

(b) A copy of the independent certified public accountant's report on examination of the owner's or operator's financial statements for the latest completed fiscal year; and

(c) A special report from the owner's or operator's independent certified public accountant to the owner or operator stating that:

1. He has compared the data which the letter from the chief financial officer specifies as having been derived from the independently audited, year-end financial statements for the latest fiscal year with the amounts in such financial statements; and

2. In connection with that procedure, no matters came to his attention which caused him to believe that the specified data should be adjusted.

(4) An owner or operator of a new facility must submit the items specified in subsection (3) of this section to the director at least sixty (60) days before the date on which hazardous waste is first received for treatment, storage or disposal.

(5) After the initial submission of items specified in subsection (3) of this section, the owner or operator must send updated information to the director within ninety (90) days after the close of each succeeding fiscal year. This information must consist of all three (3) items specified in subsection (3) of this section.

(6) If the owner or operator no longer meets the requirements of subsection (1) of this section, he must obtain insurance for the entire amount of required liability coverage as specified in this regulation. Evidence of insurance must be submitted to the director within ninety (90) days after the end of the fiscal year for which the year-end financial data show that the owner or operator no longer meets the test requirements.

(7) The director may, based on a reasonable belief that the owner or operator may no longer meet the requirements of subsection (1) of this section, require reports of financial condition at any time from the owner or operator in addition to those specified in subsection (3) of this section. If the director finds, on the basis of such reports or other information, that

the owner or operator no longer meets the requirements of subsection (1) of this section, the owner or operator must provide liability insurance as specified in this regulation within thirty (30) days after notification of such a finding.

(8) The director may disallow use of this test on the basis of qualifications in the opinion expressed by the independent certified public accountant in his report on examination of the owner's or operator's financial statements (see subsection (3)(c) of this section). An adverse opinion or a disclaimer of opinion will be cause for disallowance. The director will evaluate other qualifications on an individual basis. The owner or operator must provide liability insurance for the entire amount of liability coverage as specified in this regulation within thirty (30) days after notification of the disallowance.

Section 7. Corporate Guarantee for Liability Coverage. (1) Subject to subsection (2) of this section, an owner or operator may meet the requirements of this regulation by obtaining a written guarantee, hereinafter referred to as "corporate guarantee." The guarantor shall be the parent corporation of the owner or operator. The guarantee shall meet the requirements for owners or operators in Section 6(1) through (8) of this regulation. The wording of the corporate guarantee shall be identical to the wording specified in Section 1(2) of 401 KAR 34:165. A certified copy of the corporate guarantee shall accompany the items sent to the director as specified in Section 6(3) of this regulation. The terms of the corporate guarantee shall provide that:

(a) If the owner or operator fails to satisfy a judgment based on a determination of liability for bodily injury or property damage to third parties caused by sudden or nonsudden accidental occurrences (or both as the case may be), arising from the operation of facilities covered by this corporate guarantee, or fails to pay an amount agreed to in settlement of claims arising from or alleged to arise from such injury or damage, the guarantor shall do so up to the limits of coverage.

(b) The corporate guarantee shall remain in force unless the guarantor sends notice of cancellation by certified mail to the owner or operator and to the director. This guarantee may not be terminated unless and until the director approves alternate liability coverage complying with this regulation or 401 KAR 35:120.

(2) A corporate guarantee may be used to satisfy the requirements of this regulation only if the Attorney General or insurance commissioner of the state in which the guarantor is incorporated and the office of general counsel in the Kentucky Natural Resources and Environmental Protection Cabinet and the insurance commissioner of the Commonwealth of Kentucky have submitted a written statement to the cabinet that a corporate guarantee executed as described in this regulation and Section 1(2) of 401 KAR 34:165 is a legally valid and enforceable obligation in the Commonwealth of Kentucky.

MARY HELEN MILLER, Secretary
APPROVED BY AGENCY: October 8, 1987
FILED WITH LRC: October 15, 1987 at 10 a.m.

STATEMENT OF EMERGENCY

KRS 224.866(3) requires that hazardous waste sites or facilities must provide evidence of financial responsibility for the purpose of corrective action and for satisfying claims arising out of injury to persons or property resulting from the release of hazardous waste. On July 11, 1986, the U.S. EPA promulgated regulatory revisions to allow the use of the corporate guarantee as a financial responsibility mechanism. Because 4 companies propose to use the corporate guarantee for liability coverage and may be unable to obtain other coverage, it is essential that this regulation become effective immediately. The proposed amendments also change the liability coverage requirements to ensure that the regulations are consistent with the requirements in KRS 224.866 that were promulgated by the 1986 General Assembly. Ten companies are affected by this change. An ordinary regulation identical to this emergency regulation has been submitted and will replace this emergency regulation upon passage.

MARTHA LAYNE COLLINS, Governor
MARY HELEN MILLER, Secretary

NATURAL RESOURCES AND
ENVIRONMENTAL PROTECTION CABINET
Department for Environmental Protection
Division of Waste Management

401 KAR 34:144E. Wording of the instrument for a surety bond guaranteeing payment into a trust fund.

RELATES TO: KRS 224.033, 224.071, 224.830 through 224.877, 224.994
PURSUANT TO: KRS 13A.210, 224.017, 224.033, 224.862, 224.866, 224.867
EFFECTIVE: October 15, 1987
NECESSITY AND FUNCTION: KRS 224.866 requires that persons engaging in the storage, treatment, and disposal of hazardous waste obtain a permit. KRS 224.866 requires the Cabinet to establish standards for these permits, to require adequate financial responsibility, and to establish minimum standards for closure for all facilities and the postclosure monitoring and maintenance of hazardous waste disposal facilities. This chapter establishes minimum standards for new hazardous waste sites or facilities. This regulation establishes the wording of the instrument for a surety bond guaranteeing payment into a trust fund.

Section 1. Financial Guarantee Bond Instrument. A surety bond guaranteeing payment into a trust fund, as specified in Section 4 of 401 KAR 34:090 or Section 4 of 401 KAR 34:100 or Section 4 of 401 KAR 35:090 or Section 4 of 401 KAR 35:100 must be executed on a form provided by the cabinet which is worded as follows, except that instructions in parentheses are to be replaced with the relevant information and the parentheses deleted:

Financial Guarantee Bond
Date bond executed: (insert date executed)
Effective date: (insert effective date)
Principal: (insert legal name and business address of owner or operator)
Type of organization: (insert "individual,"

"joint venture," "partnership," or "corporation")
Commonwealth/State of incorporation:_____
Surety(ies): (Name(s) and business address(es))

EPA Identification Number, name, address, and closure and/or postclosure amount(s) for each facility guaranteed by this bond (indicate closure and postclosure amounts separately): (insert EPA identification number, name, address, and closure and/or postclosure amount(s) for each facility guaranteed by this bond and indicate the closure and postclosure amounts separately.)
Total penal sum of bond: (insert total penal sum of bond)
Surety's Bond Number: (insert bond number)

Know all persons by these presents, That we, the Principal and Surety(ies) hereto are firmly bound to the Natural Resources and Environmental Protection Cabinet (hereinafter called Cabinet) in the above penal sum for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns jointly and severally; provided that, where the Surety(ies) are corporations acting as cosureties, we, the Sureties, bind ourselves in such sum "jointly and severally" only for the purpose of allowing a joint action or actions against any or all of us, and for all other purposes each Surety binds itself, jointly and severally with the Principal, for the payment of such sum only as is [it] set forth opposite the name of such Surety, but if no limit of liability is indicated, the limit of liability shall be the full amount of the penal sum.

Whereas, said Principal is required under Kentucky Revised Statutes Chapter 224; to have a permit or permits, or interim status, in order to own or operate each hazardous waste site or facility(ies) identified above, and

Whereas, said Principal is required to provide financial assurance for closure, or closure and postclosure care, as a condition of the permit or interim status, and

Whereas, said Principal shall establish a standby trust fund as is required when a surety bond is used to provide such financial assurance;

Now, Therefore, the conditions of the obligation are such that if the Principal shall faithfully, before the beginning of final closure of each facility identified above, fund the standby trust fund in the amount(s) identified above for the facility,

Or, if the Principal shall fund the standby trust fund in such amount(s) within fifteen (15) days after a final [an] order to begin closure is issued by the Secretary of the Cabinet or by a circuit court or other court of competent jurisdiction.

Or, if the Principal shall provide alternate financial assurance, as specified in 401 KAR 34:080 through 401 KAR 34:176 or 401 KAR 35:080 through 35:130, as applicable, and obtain the Director's written approval of such assurance, within ninety (90) days after the date notice of cancellation is received by both the Principal and the Director of the Division of Waste Management in the Kentucky Natural Resources and Environmental Protection Cabinet, hereinafter the Director of the Division, from the Surety(ies), then this obligation shall be null and void, otherwise it is to remain in full force and effect.

The Surety(ies) shall become liable on this bond obligation only when the Principal has failed to fulfill the conditions described above. Upon notification by the Director of the Division that the Principal has failed to perform as guaranteed by this bond, the Surety(ies) shall place funds in the amount guaranteed for the facility(ies) into the standby trust fund as directed by the Director of the Division.

The liability of the Surety(ies) shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall amount in the aggregate to the penal sum of the bond, but in no event shall the obligation of the Surety(ies) hereunder exceed the amount of said penal sum.

The Surety(ies) may cancel the bond by sending written notice of cancellation by certified mail to the Principal and to the Director of the Division, provided, however, that cancellation shall not occur during the 120 days beginning on the date of receipt of the notice of cancellation by both the Principal and Director of the Division, as evidenced by the return receipts.

The Principal may terminate this bond by sending written notice to the Surety(ies), provided, however, that no such notice shall become effective until the Surety(ies) receive(s) written authorization for termination of the bond by the Director of the Division. (The following paragraph is an optional rider that may be included but is not required.)

Principal and Surety(ies) hereby agree to adjust the penal sum of the bond yearly so that it guarantees a new closure and/or postclosure amount, provided that the penal sum does not increase by more than twenty (20) percent in any one (1) year, and no decrease in the penal sum takes place without the written permission of the Director of the Division.

In Witness Whereof, the Principal and Surety(ies) have executed this Financial Guarantee Bond and have affixed their seals on the date set forth above.

The persons whose signatures appear below hereby certify that they are authorized to execute this surety bond on behalf of the Principal and Surety(ies) and that the wording of this surety bond is identical to the wording specified in 401 KAR 34:144 as such regulation was constituted on the date this bond was executed.

Principal
(Signature(s)):
Name(s) and title(s) (typed):
(Corporate seal):

Corporate Surety(ies)
(Name and address):
Commonwealth/State of incorporation:
Liability limit: $
(Signature(s)):
Name(s) and title(s) (typed):
(Corporate seal):

(For every cosurety, provide signature(s), corporate seal, and other information in the same manner as for Surety above.)
Bond premium: $

MARY HELEN MILLER, Secretary
APPROVED BY AGENCY: October 8, 1987
FILED WITH LRC: October 15, 1987 at 10 a.m.

STATEMENT OF EMERGENCY

KRS 224.866(3) requires that hazardous waste sites or facilities must provide evidence of financial responsibility for the purpose of corrective action and for satisfying claims arising out of injury to persons or property resulting from the release of hazardous waste. On July 11, 1986, the U.S. EPA promulgated regulatory revisions to allow the use of the corporate guarantee as a financial responsibility mechanism. Because 4 companies propose to use the corporate guarantee for liability coverage and may be unable to obtain other coverage, it is essential that this regulation become effective immediately. The proposed amendments also change the liability coverage requirements to ensure that the regulations are consistent with the requirements in KRS 224.866 that were promulgated by the 1986 General Assembly. Ten companies are affected by this change. An ordinary regulation identical to this emergency regulation has been submitted and will replace this emergency regulation upon passage.

MARTHA LAYNE COLLINS, Governor
MARY HELEN MILLER, Secretary

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
Department for Environmental Protection
Division of Waste Management

401 KAR 34:159E. Wording of the instrument for financial test on closure or postclosure care.

RELATES TO: KRS 224.033, 224.071, 224.830 through 224.877, 224.994
PURSUANT TO: KRS 13A.210, 224.017, 224.862, 224.866, 224.867
EFFECTIVE: October 15, 1987
NECESSITY AND FUNCTION: KRS 224.866 requires that persons engaging in the storage, treatment, and disposal of hazardous waste obtain a permit. KRS 224.866 requires the Cabinet to establish standards for these permits, to require adequate financial responsibility, and to establish minimum standards for closure for all facilities and the postclosure monitoring and maintenance of hazardous waste disposal facilities. This chapter establishes minimum standards for new hazardous waste sites or facilities. This regulation establishes the wording of the instrument for a letter from the chief financial officer to demonstrate assurance of closure or postclosure care.

Section 1. Financial Test for Closure or Postclosure Care Instrument. A letter from the chief financial officer, as specified in Section 8 of 401 KAR 34:090 or Section 8 of 401 KAR 34:100 or Section 7 of 401 KAR 35:090 or Section 7 of 401 KAR 35:100, must be executed on a form provided by the cabinet which is worded as follows, except that the instructions in parentheses are to be replaced with the relevant information and the parentheses deleted:

Letter from Chief Financial Officer
(To Demonstrate Assurance
of Closure or Postclosure Care)

Director
Division of Waste Management
Department for Environmental Protection
Natural Resources and Environmental Protection
Cabinet
Frankfort, Kentucky 40601

Dear Director:

I am the chief financial officer of (name and address of firm). This letter is in support of this firm's use of the financial test to demonstrate financial assurance, as specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130. [:_____]

(Fill out the following five (5) [four (4)] paragraphs and schedules regarding facilities and associated cost estimates. If your firm has no facilities that belong in a particular paragraph, write "None" on the appropriate schedule. For each facility, include its EPA Identification Number, name, address and current closure and/or postclosure cost estimates. Identify each cost estimate as to whether it is for closure or postclosure care.)

1. This firm is the owner or operator of the following facilities in Kentucky for which financial assurance for closure or postclosure care is demonstrated through the financial test specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130. The current closure and/or postclosure cost estimates covered by this test are shown for each facility in Schedule 1 which is attached.

2. This firm guarantees, through the corporate guarantee specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130, the closure or postclosure care of the following facilities owned or operated by subsidiaries of this firm. The current cost estimates for the closure or postclosure care so guaranteed are shown for each facility in Schedule 2 which is attached.

3. In states other than Kentucky, this firm, as owner or operator or guarantor, is demonstrating financial assurance for the closure or postclosure care of the following facilities through the use of a test equivalent or substantially equivalent to the financial test specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130. The current closure and/or postclosure cost estimates covered by such a test are shown for each facility in Schedule 3 which is attached.

4. This firm is the owner or operator of the following hazardous waste sites or facilities for which financial assurance for closure or, if a disposal facility, postclosure care, is not demonstrated either to EPA, Kentucky or any state through the financial test or any other financial assurance mechanism specified in 401 KAR 34:080 through 401 KAR 34:176 or 401 KAR 35:080 through 401 KAR 35:130, or equivalent or substantially equivalent state or EPA mechanisms. The current closure and/or postclosure cost estimates not covered by such financial assurance are shown for each facility in Schedule 4 which is attached.

5. This firm is the owner or operator of the following UIC facilities for which financial assurance for plugging and abandonment is required under 40 CFR Part 144. The current closure cost estimates as required by 40 CFR 144.62 and 401 KAR 35:270 are shown for each

facility in Schedule 5 which is attached.

This firm (insert "is required" or "is not required") to file a form 10K with the Securities and Exchange Commission (SEC) for the latest fiscal year.

The fiscal year of this firm ends on (month, day). The figures for the following items marked with an asterisk are derived from this firm's independently audited, year-end financial statements for the latest completed fiscal year, ended (date).

(Fill in Alternative I if the criteria of Section 8(1)(a) of 401 KAR 34:090 or Section 8(1)(a) of 401 KAR 34:100 or Section 7(1)(a) of 401 KAR 35:090 or Section 7(1)(a) of 401 KAR 35:100 are used. Fill in Alternative II if the criteria of Section 8(1)(b) of 401 KAR 34:090 or Section 8(1)(b) of 401 KAR 34:100 or Section 7(1)(b) of 401 KAR 35:090 or Section 7(1)(b) of 401 KAR 35:100 are used.)

Alternative I

1. Sum of current closure and postclosure cost estimates (total of all cost estimates shown in the five (5) [four (4)] paragraphs above) $_____

*2. Total liabilities (if any portion of the closure or postclosure cost estimates is included in your total liabilities, you may deduct the amount of that portion from this line and add that amount to lines 3 and 4) $_____

*3. Tangible net worth $_____

*4. Net worth $_____

*5. Current assets $_____

*6. Current liabilities $_____

7. Net working capital (line 5 minus line 6) $_____

*8. The sum of net income plus depreciation, depletion, and amortization $_____

*9. Total assets in United States (required only if less than ninety (90) percent of assets are located in United States). $_____

(Answer yes or no to the following questions.)

10. Is line 3 at least $10 million? _____

11. Is line 3 at least six (6) times line 1? __

12. Is line 7 at least six (6) times line 1? __

*13. Are at least ninety (90) percent of assets located in the United States? If not, complete line 14.__

14. Is line 9 at least six (6) times line 1?___

15. Is line 2 divided by line 4 less than 2.0?_

16. Is line 8 divided by line 2 greater than 0.1?_____

17. Is line 5 divided by line 6 greater than 1.5?_____

Alternative II

1. Sum of current closure and postclosure cost estimates (total of all cost estimates shown in the five (5) [four (4)] paragraphs above) $_____

2. Current bond rating of most recent issuance of this firm and name of rating service._____

3. Date of issuance of bond_____

4. Date of maturity of bond_____

*5. Tangible net worth (if any portion of the closure and postclosure cost estimates is included in "total liabilities" on your firm's financial statements, you may add the amount of that portion to this line) $_____

*6. Total assets in United States (required only if less than 90 percent of firm's assets are located in United States.) $_____

(Answer yes or no to the following questions.)

7. Is line 5 at least $10 million?_____

8. Is line 5 at least six (6) times line 1?____

*9. Are at least ninety (90) percent of firm's assets located in United States? If not complete line 10._____

10. Is line 6 at least six (6) times line 1?___

I hereby certify that the wording of this letter is identical to the wording specified in 401 KAR 34:159 as such regulations were constituted on the date shown immediately below.

(Signature)_____

(Name, typed)_____

(Title, typed)_____

(Date)_____

MARY HELEN MILLER, Secretary

APPROVED BY AGENCY: October 8, 1987

FILED WITH LRC: October 15, 1987 at 10 a.m.

STATEMENT OF EMERGENCY

KRS 224.866(3) requires that hazardous waste sites or facilities must provide evidence of financial responsibility for the purpose of corrective action and for satisfying claims arising out of injury to persons or property resulting from the release of hazardous waste. On July 11, 1986, the U.S. EPA promulgated regulatory revisions to allow the use of the corporate guarantee as a financial responsibility mechanism. Because 4 companies propose to use the corporate guarantee for liability coverage and may be unable to obtain other coverage, it is essential that this regulation become effective immediately. The proposed amendments also change the liability coverage requirements to ensure that the regulations are consistent with the requirements in KRS 224.866 that were promulgated by the 1986 General Assembly. Ten companies are affected by this change. An ordinary regulation identical to this emergency regulation has been submitted and will replace this emergency regulation upon passage.

MARTHA LAYNE COLLINS, Governor
MARY HELEN MILLER, Secretary

NATURAL RESOURCES AND
ENVIRONMENTAL PROTECTION CABINET
Department for Environmental Protection
Division of Waste Management

401 KAR 34:162E. Wording of the instrument for financial test on liability coverage and closure or postclosure care.

RELATES TO: KRS 224.033, 224.071, 224.830 through 224.877, 224.994

PURSUANT TO: KRS 13A.210, 224.017, 224.033 224.017, 224.862, 224.866, 224.867

EFFECTIVE: October 15, 1987

NECESSITY AND FUNCTION: KRS 224.866 requires that persons engaging in the storage, treatment, and disposal of hazardous waste obtain a permit. KRS 224.866 requires the Cabinet to establish standards for these permits, to require adequate financial responsibility, and to establish minimum standards for closure for all facilities and the postclosure monitoring and maintenance of hazardous waste disposal facilities. This chapter establishes minimum standards for new hazardous waste sites or facilities. This

regulation establishes the wording of the instrument for financial test on liability and closure or postclosure care.

Section 1. Financial Test for Liability and Closure or Postclosure Instrument. A letter from the chief financial officer, as specified in Section 6 of 401 KAR 34:120 or Section 6 of 401 KAR 35:120 must be executed on a form provided by the cabinet which is worded as follows, except that instructions in parentheses are to be replaced with the relevant information and the parentheses deleted:

Letter from Chief Financial Officer
(to Demonstrate Liability Coverage or to Demonstrate Both Liability Coverage and Assurance of Closure or Postclosure Care)

Director
Division of Waste Management
Natural Resources and
Environmental Protection Cabinet
Department for Environmental Protection
Frankfort, Kentucky 40601

Dear Director:

I am the chief financial officer of (firm's [owner's or operator's] name and address). This letter is in support of the use of the financial test to demonstrate financial responsibility for liability coverage, (insert "and closure and/or postclosure care" if applicable) as specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130.

(Fill out the following [five] paragraphs regarding facilities and liability coverage. If there are no facilities that belong in a particular paragraph, write "None" in the space indicated. For each facility, include its EPA Identification Number, name, and address.)

The firm [owner or operator] identified above is the owner or operator of the following facilities for which liability coverage for (insert "sudden" or "nonsudden" or "both sudden and nonsudden") accidental occurrences is being demonstrated through the financial test as specified in 401 KAR 34:080 through 401 KAR 34:176 [34:120] and 401 KAR 35:080 through 401 KAR 35:130 [35:120]: _____.

The firm identified above guarantees, through the corporate guarantee specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130, liability coverage for (insert "sudden" or "nonsudden" or "both sudden and nonsudden") accidental occurrences at the following facilities owned or operated by the following subsidiaries of the firm: _____.

(If you are using the financial test to demonstrate coverage of both liability and closure and postclosure care, fill in the following five (5) [four (4)] paragraphs and schedules regarding facilities and associated closure and postclosure cost estimates. If there are no facilities that belong in a particular paragraph, write "None" in the space indicated. For each facility, include its EPA Identification Number, name, address, and current closure and/or postclosure cost estimates. Identify each cost estimate as to whether it is for closure or postclosure care.)

1. The firm [owner or operator] identified above owns or operates the following facilities in Kentucky for which financial assurance for closure or postclosure care is demonstrated through the financial test specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130. The current closure and/or postclosure cost estimates covered by this test are shown for each facility in Schedule 1 which is attached.

2. The firm [owner or operator] identified above guarantees, through the corporate guarantee specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130, the closure and postclosure care of the following facilities owned or operated by its subsidiaries. The current cost estimates for the closure or postclosure care so guaranteed are shown for each facility in Schedule 2 which is attached.

3. In States other than Kentucky, this firm [owner or operator] is demonstrating financial assurance for the closure or postclosure care of the following facilities through the use of a test equivalent or substantially equivalent to the financial test specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130. The current closure [and/]or postclosure cost estimates covered by such a test are shown for each facility in Schedule 3 which is attached.

4. The firm [owner or operator] identified above owns or operates the following hazardous waste sites or facilities for which financial assurance for closure or, if a disposal facility, postclosure care, is not demonstrated to Kentucky, EPA or any State through the financial test or any other financial assurance mechanism specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130 or equivalent or substantially equivalent state mechanisms. The current closure and/or postclosure cost estimates not covered by such financial assurance are shown for each facility in Schedule 4 which is attached.

5. This firm is the owner or operator of the following UIC facilities for which financial assurance for plugging and abandonment is required under 40 CFR Part 144. The current closure cost estimates as required by 40 CFR 144.62 and 401 KAR 35:270 are shown for each facility in schedule 5 which is attached.

This firm [owner or operator] (insert "is required" or "is not required") to file a form 10K with the Securities and Exchange Commission (SEC) for the latest fiscal year.

The fiscal year of this firm [owner or operator] ends on (month, day). The figures for the following items marked with an asterisk are derived from this firm's [owner's or operator's] independently audited, year-end financial statements for the latest completed fiscal year, ended (date).

(Fill in Part A if you are using the financial test to demonstrate coverage only for the liability requirements.)

Part A. Liability Coverage for Accidental Occurrences

(Fill in Alternative I if the criteria of Section 6(1)(a) of 401 KAR 34:120 or Section 6(1)(a) of 401 KAR 35:120 are used. Fill in Alternative II if the criteria of Section 6(1)(b) of 401 KAR 34:120 or Section 6(1)(b) of 401 KAR 35:120 are used.)

Alternative I

1. Amount of annual aggregate liability coverage to be demonstrated: $_____

*2. Current assets $_____

*3. Current liabilities $_____

*4. Net working capital (line 2 minus line 3) $_____

*5. Tangible net worth $_____

*6. If less than ninety (90) percent of assets are located in United States, give total United States assets $_____

*7. Ten (10) percent of equity: $_____

(Answer yes or no to questions 8 through 13 [12].)

8. Is line 1 less than line 7? If the answer is no, the test fails. _____.

9. [8.] Is line 5 at least $10 million? _____

10. [9.] Is line 4 at least six (6) times line 1? ___

11. [10.] Is line 5 at least six (6) times line 1? __

*12. [11.] Are at least ninety (90) percent of assets located in United States? If not, complete line 13 [12]. _____

13. [12.] Is line 6 at least six (6) times line 1? __

Alternative II

1. Amount of annual aggregate liability coverage to be demonstrated: $_____

2. Current bond rating of most recent issuance and name of rating service _____

3. Date of issuance of bond _____

4. Date of maturity of bond _____

*5. Tangible net worth $_____

*6. Total assets in United States (required only if less than ninety (90) percent of assets are located in United States) $_____

*7. Ten (10) percent of equity: $_____

(Answer yes or no to the questions 8 through 12 [11]).

8. Is line 1 less than line 7? If the answer is no, the test fails. _____.

9. [8.] Is line 5 at least $10 million? _____

10. [9.] Is line 5 at least six (6) times line 1? ___

*11. [10.] Are at least ninety (90) percent of assets located in United States? If not, complete line 12 [11]. _____

12. [11.] Is line 6 at least six (6) times line 1? __

(Fill in Part B if you are using the financial test to demonstrate assurance of both liability coverage and closure or postclosure care.)

Part B. Closure or Postclosure Care and Liability Coverage

(Fill in Alternative I if the criteria of Section 8(1)(a) of 401 KAR 34:090 or Section 8(1)(a) of 401 KAR 34:100 and Section 6(1)(a) of 401 KAR 34:120 are used or if the criteria of Section 7(1)(a) of 401 KAR 35:090 or Section 7(1)(a) of 401 KAR 35:100 and Section 6(1)(a) of 401 KAR 35:120 are used. Fill in Alternative II if the criteria of Section 8(1)(b) of 401 KAR 34:090 or Section 8(1)(b) of 401 KAR 34:100 and Section 6(1)(b) of 401 KAR 34:120 are used or if the criteria of Section 7(1)(b) of 401 KAR 35:090 or Section 7(1)(b) of 401 KAR 35:100 and Section 6(1)(b) of 401 KAR 35:120 are used.

Alternative I

1. Sum of current closure and postclosure cost estimates (total of all cost estimates listed above) $_____

2. Amount of annual aggregate liability coverage to be demonstrated $_____

3. Sum of lines 1 and 2 $_____

*4. Total liabilities (if any portion of your closure or postclosure cost estimates is included in your total liabilities, you may deduct that portion from this line and add that amount to lines 5 and 6) $_____

*5. Tangible net worth $_____

*6. Net worth $_____

*7. Current assets $_____

*8. Current liabilities $_____

9. Net working capital (line 7 minus line 8) $_____

*10. The sum of net income plus depreciation, depletion, and amortization $_____

*11. Total assets in United States (required only if less than ninety (90) percent of assets are located in United States.) $_____

*12. Ten (10) percent of equity $_____

(Answer yes or no to questions 13 through 21 [20].)

13. Is line 2 less than line 12? If the answer is no, the test fails for liability coverage (complete form number DEP-6035F). _____.

14. [13.] Is line 5 at least $10 million? _____

15. [14.] Is line 5 at least six (6) times line 3? __

16. [15.] Is line 9 at least six (6) times line 3? __

*17. [16.] Are at least ninety (90) percent of assets located in United States? If not, complete line 18 [17]. _____

18. [17.] Is line 11 at least six (6) times line 3? _

19. [18.] Is line 4 divided by line 6 less than 2.0? _____

20. [19.] Is line 10 divided by line 4 greater than 0.1? _____

21. [20.] Is line 7 divided by line 8 greater than 1.5? _____

Alternative II

1. Sum of current closure and postclosure cost estimates (total of all cost estimates listed above) $_____

2. Amount of annual aggregate liability coverage to be demonstrated $_____

3. Sum of lines 1 and 2 $_____

4. Current bond rating of most recent issuance and name of rating service _____

5. Date of issuance of bond _____

6. Date of maturity of bond _____

*7. Tangible net worth (if any portion of the closure or postclosure cost estimates is included in "total liabilities" on your financial statements you may add that portion to this line) $_____

*8. Total assets in United States (required only if less than ninety (90) percent of assets are located in United States.) $_____

*9. Ten (10) percent of equity $_____

(Answer yes or no to questions 10 through 14 [13].)

10. Is line 1 less than line 9? If the answer

is no, the test fails for liability coverage (complete form number DEP 3065F for closure and/or postclosure). _____.

11. [10.] Is line 7 at least $10 million? _____

12. [11.] Is line 7 at least six (6) times line 3? __

13. [12.] Are at least ninety (90) percent of assets located in United States? If not, complete line 14 [13]. _____

14. [13.] Is line 8 at least six (6) times line 3? __

I hereby certify that the wording of this letter is identical to the wording specified in 401 KAR 34:162 as such regulations were constituted on the date shown immediately below.

Signature: _____
Name (typed): _____
Title (typed): _____
Date (typed): _____

MARY HELEN MILLER, Secretary
APPROVED BY AGENCY: October 8, 1987
FILED WITH LRC: October 15, 1987 at 10 a.m.

STATEMENT OF EMERGENCY

KRS 224.866(3) requires that hazardous waste sites or facilities must provide evidence of financial responsibility for the purpose of corrective action and for satisfying claims arising out of injury to persons or property resulting from the release of hazardous waste. On July 11, 1986, the U.S. EPA promulgated regulatory revisions to allow the use of the corporate guarantee as a financial responsibility mechanism. Because 4 companies propose to use the corporate guarantee for liability coverage and may be unable to obtain other coverage, it is essential that this regulation become effective immediately. The proposed amendments also change the liability coverage requirements to ensure that the regulations are consistent with the requirements in KRS 224.866 that were promulgated by the 1986 General Assembly. Ten companies are affected by this change. An ordinary regulation identical to this emergency regulation has been submitted and will replace this emergency regulation upon passage.

MARTHA LAYNE COLLINS, Governor
MARY HELEN MILLER, Secretary

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
Department for Environmental Protection
Division of Waste Management

401 KAR 34:165E. Wording of the instrument for a corporate guarantee.

RELATES TO: KRS 224.033, 224.071, 224.830 through 224.877, 224.994

PURSUANT TO: KRS 13A.210, 224.017, 224.862, 224.866, 224.867

EFFECTIVE: October 15, 1987

NECESSITY AND FUNCTION: KRS 224.866 requires that persons engaging in the storage, treatment, and disposal of hazardous waste obtain a permit. KRS 224.866 requires the Cabinet to establish standards for these permits, to require adequate financial responsibility, and to establish minimum standards for closure for all facilities and the postclosure monitoring and maintenance of hazardous waste disposal facilities. This chapter establishes minimum standards for new hazardous waste sites or facilities. This regulation establishes the wording of the instrument for a corporate guarantee.

Section 1. Corporate Guarantee Instrument. (1) A corporate guarantee, as specified in Section 8 of 401 KAR 34:090, or Section 8 of 401 KAR 34:100, or Section 7 of 401 KAR 35:090, or Section 7 of 401 KAR 35:100, shall [must] be executed on a form provided by the cabinet which is worded as follows, except that instructions in parentheses are to be replaced with the relevant information and the parentheses deleted:

Corporate Guarantee for
Closure or Postclosure Care

Guarantee made this (date) by (name of guaranteeing entity), a business corporation organized under the laws of the state of (insert name of state), herein referred to as guarantor, to the Division of Waste Management in the Kentucky Natural Resources and Environmental Protection Cabinet, obligee, on behalf of our subsidiary (owner or operator) of (business address).

Recitals

1. Guarantor meets or exceeds the financial test criteria and agrees to comply with the reporting requirements for guarantors as specified in Section 8 of 401 KAR 34:090, or Section 8 of 401 KAR 34:100 and Section 7 of 401 KAR 35:090 or Section 7 of 401 KAR 35:100.

2. (Owner or operator) owns or operates the following hazardous waste site(s) or facility(ies) covered by this guarantee: (List for each facility: EPA Identification Number, name, and address. Indicate for each whether guarantee is for closure, postclosure care, or both).

3. "Closure plans" and "postclosure plans" as used below refer to the plans maintained as required by 401 KAR 34:070 and 401 KAR 35:070 for the closure and postclosure care of facilities as identified above.

4. For value received from (owner or operator), guarantor guarantees to the Division of Waste Management that in the event that (owner or operator) fails to perform (insert "closure," "postclosure care" or "closure and postclosure care") of the above facility(ies) in accordance with the closure or postclosure plans and other permit or interim status requirements whenever required to do so, the guarantor shall do so or establish a trust fund as specified in 401 KAR 34:080 through 401 KAR 34:176 or 401 KAR 35:080 through 401 KAR 35:130, as applicable, in the name of (owner or operator) in the amount of the current closure or postclosure cost estimates as specified in 401 KAR 34:080 through 401 KAR 34:176 or 401 KAR 35:080 through 401 KAR 35:130.

5. Guarantor agrees that if, at the end of any fiscal year before termination of this guarantee, the guarantor fails to meet the financial test criteria, guarantor shall send within ninety (90) days, by certified mail, notice to the Director of the Division of Waste Management and to (owner or operator) that he intends to provide alternate financial assurance as specified in 401 KAR 34:080 through 401 KAR 34:176 or 401 KAR 35:080 through 401 KAR 35:130, as applicable, in the name of (owner or

operator). Within 120 days after the end of such fiscal year, the guarantor shall establish such financial assurance unless (owner or operator) has done so.

6. The guarantor agrees to notify the Director of the Division of Waste Management by certified mail of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming guarantor as debtor, within ten (10) days after commencement of the proceeding.

7. Guarantor agrees that within thirty (30) days after being notified by the Director of the Division of the Waste Management of a determination that guarantor no longer meets the financial test criteria or [that he] is disallowed from continuing as a guarantor of closure or postclosure care, it [he] shall establish alternate financial assurance as specified in 401 KAR 34:080 through 401 KAR 34:176 or 401 KAR 35:080 through 401 KAR 35:130, as applicable, in the name of (owner or operator) unless (owner or operator) has done so.

8. Guarantor agrees to remain bound under this guarantee notwithstanding any or all of the following: amendment or modification of the closure or postclosure plan, amendment or modification of the permit, the extension or reduction of the time of performance of closure or postclosure, or any other modification or alteration of an obligation of the owner or operator pursuant to 401 KAR Chapter 34 or 35.

9. Guarantor agrees to remain bound under this guarantee for so long as (owner or operator) must comply with the applicable financial assurance requirements of 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130 for the above-listed facilities, except that guarantor may cancel this guarantee by sending notice by certified mail to the Director of the Division of Waste Management and to (owner or operator), such cancellation to become effective no earlier than 120 days after receipt of such notice by both the Director of the Division of Waste Management and (owner or operator), as evidenced by the return receipts.

10. Guarantor agrees that if (owner or operator) fails to provide alternate financial assurance as specified in 401 KAR 34:080 through 401 KAR 34:176 or 401 KAR 35:080 through 401 KAR 35:130, as applicable, and obtain written approval of such assurance from the Director of the Division of Waste Management within ninety (90) days after a notice of cancellation by the guarantor is received by the Director of the Division of Waste Management from guarantor, guarantor shall provide such alternate financial assurance in the name of (owner or operator).

11. Guarantor expressly waives notice of acceptance of this guarantee by the Director of the Division of Waste Management or by (owner or operator). Guarantor also expressly waives notice of amendments or modifications of the closure and/or postclosure plan and of amendments or modifications of the facility permit(s).

I hereby certify that the wording of this guarantee is identical to the wording specified in 401 KAR 34:165 as such regulation was constituted on the date first above written.

Effective date: _____
(Name of guarantor, typed) _____
(Authorized signature for guarantor) _____
(Name of person signing, typed) _____
(Title of person signing, typed) _____
(Signature of Witness or Notary Public) _____
(Date Notary Public's Commission Expires) _____
(Seal of Notary Public) _____

(2) A corporate guarantee, as specified in Section 7 of 401 KAR 34:120, or Section 7 of 401 KAR 35:120 shall be executed on a form provided by the cabinet which is worded as follows, except that instructions in parentheses are to be replaced with the relevant information and the parentheses deleted:

Corporate Guarantee for Liability Coverage

Guarantee made this (date) by (name of guaranteeing entity), a business corporation organized under the laws of the state of (insert name of state), herein referred to as guarantor, on behalf of our subsidiary (owner or operator) of (business address), to any and all third parties who have sustained or may sustain bodily injury or property damage caused by (sudden and/or nonsudden) accidental occurrences arising from operation of the facility(ies) covered by this guarantee.

Recitals

1. Guarantor meets or exceeds the financial test criteria and agrees to comply with the reporting requirements for guarantors as specified in Section 7 of 401 KAR 34:120 and Section 7 of 401 KAR 35:120.

2. (Owner or operator) owns or operates the following hazardous waste site(s) or facility(ies) covered by this guarantee: (List for each facility: EPA Identification Number, name, and address.) This corporate guarantee satisfies RCRA third-party liability requirements for (insert "sudden" or "nonsudden" or "both sudden and nonsudden") accidental occurrences in above-named owner or operator's facilities for (insert dollar amount) of coverage.

3. For value received from (owner or operator), guarantor guarantees to any and all third parties who have sustained or may sustain bodily injury or property damage caused by (sudden and/or nonsudden) accidental occurrences arising from operations of the facility(ies) covered by this guarantee that in the event that (owner or operator) fails to satisfy a judgment or award based on a determination of liability for bodily injury or property damage to third parties caused by (sudden or nonsudden) accidental occurences, arising from operation of the above named facilities, or fails to pay an amount agreed to in settlement of a claim arising from or alleged to arise from such injury or damages, the guarantee will satisfy such judgment(s), award(s), or settlement agreement(s) up to the limits of coverage identified above.

4. Guarantor agrees that if, at the end of any fiscal year before termination of this guarantee, the guarantor fails to meet the financial test criteria, guarantor shall send within ninety (90) days, by certified mail, notice to the Director of the Division of Waste Management and to (owner or operator) that it intends to provide alternate liability coverage as specified in 401 KAR 34:120 and 401 KAR 35:120, as applicable, in the name of (owner or operator). Within 120 days after the end of such fiscal year, the guarantor shall establish such liability coverage unless (owner or operator) has done so.

5. The guarantor agrees to notify the Director of the Division of Waste Management by certified mail of a voluntary or involuntary proceeding

under Title 11 (Bankruptcy), U.S. Code, naming guarantor as debtor, within ten (10) days after commencement of the proceeding.

6. Guarantor agrees that within thirty (30) days after being notified by the Director of the Division of the Waste Management of a determination that guarantor no longer meets the financial test criteria or is disallowed from continuing as a guarantor, it shall establish alternate liability coverage as specified in 401 KAR 34:120 or 401 KAR 35:120 in the name of (owner or operator) unless (owner or operator) has done so.

7. Guarantor reserves the right to modify this agreement to take into account amendment or modification of the liability requirements set by 401 KAR 34:120 and 401 KAR 35:120, provided that such modification shall become effective only if the Director of the Division of Waste Management does not disapprove the modification within thirty (30) days of the notification of the modification.

8. Guarantor agrees to remain bound under this guarantee for so long as (owner or operator) must comply with the applicable requirements of 401 KAR 34:120 and 401 KAR 35:120 for the above-listed facilities(ies), except as provided in paragraph 9 of this agreement.

9. Guarantor may terminate this guarantee by sending notice by certified mail to the Director of the Division of Waste Management and to (owner or operator), provided that this guarantee may not be terminated unless and until the (owner or operator) obtains, and the Director of the Division of Waste Management approves alternate liability coverage complying with 401 KAR 34:120 and/or 401 KAR 35:120.

10. This guarantee is to be interpreted and enforced in accordance with the laws of Kentucky.

11. Guarantor hereby expressly waives notice of acceptance of this guarantee by any party.

I hereby certify that the wording of this guarantee is identical to the wording specified in Section 1(2) of 401 KAR 34:165 as such regulation was constituted on the date first above written.

Effective date: _____

(Name of guarantor _____

(Authorized signature for guarantor) _____

(Name of person signing) _____

(Title of person signing) _____

(Signature of Witness or Notary Public) _____

(Date Notary Public's Commission Expires) _____

(Seal of Notary Public) _____

MARY HELEN MILLER, Secretary
APPROVED BY AGENCY: October 8, 1987
FILED WITH LRC: October 15, 1987 at 10 a.m.

STATEMENT OF EMERGENCY

KRS 224.866(3) requires that hazardous waste sites or facilities must provide evidence of financial responsibility for the purpose of corrective action and for satisfying claims arising out of injury to persons or property resulting from the release of hazardous waste. On July 11, 1986, the U.S. EPA promulgated regulatory revisions to allow the use of the corporate guarantee as a financial responsibility mechanism. Because 4 companies propose to use the corporate guarantee for liability coverage and may be unable to obtain other coverage, it is essential that this regulation become effective immediately. The proposed amendments also change the liability coverage requirements to ensure that the regulations are consistent with the requirements in KRS 224.866 that were promulgated by the 1986 General Assembly. Ten companies are affected by this change. An ordinary regulation identical to this emergency regulation has been submitted and will replace this emergency regulation upon passage.

MARTHA LAYNE COLLINS, Governor
MARY HELEN MILLER, Secretary

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
Department for Environmental Protection
Division of Waste Management

401 KAR 35:120E. Liability requirements (IS).

RELATES TO: KRS 224.033, 224.071, 224.830 through 224.877, 224.994
PURSUANT TO: KRS 224.017, 224.862, 224.866, 224.867
EFFECTIVE: October 15, 1987
NECESSITY AND FUNCTION: KRS 224.866 requires that persons engaging in the storage, treatment, and disposal of hazardous waste obtain a permit. KRS 224.866 requires the cabinet to establish standards for these permits, to require adequate financial responsibility, and to establish minimum standards for closure for all facilities and the postclosure monitoring and maintenance of hazardous waste disposal facilities. This chapter establishes minimum standards for hazardous waste sites or facilities qualifying for interim status. This regulation establishes the liability requirements.

Section 1. Coverage for Sudden Accidental Occurrences. By October 8, 1982, an owner or operator of a hazardous waste treatment, storage, or disposal facility, or a group of such facilities, must demonstrate financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator must have and maintain liability coverage for sudden accidental occurrences in the amount of at least $1,000,000 per occurrence with an annual aggregate of at least $2,000,000, exclusive of legal defense costs. [A hazardous waste disposal site or facility shall maintain additional excess liability coverage in the amount of at least $10,000,000.] This liability coverage may be demonstrated in one (1) of three (3) ways, as specified in subsections (1), (2), and (3) of this section.

(1) An owner or operator may demonstrate the required liability coverage by having liability insurance as specified in this section.

(a) Each insurance policy must be amended by attachment of the hazardous waste facility liability endorsement or evidenced by a certificate of liability insurance. The liability endorsement must be executed on a form provided by the cabinet containing wording identical to the wording specified in 401 KAR 34:172. The certificate of liability insurance must be on a form provided by the cabinet containing wording identical to the wording specified in 401 KAR 34:176. The owner or

operator must submit an originally signed duplicate of the endorsement or the certificate of insurance to the director. If requested by the director, the owner or operator must provide an originally signed duplicate of the insurance policy.

(b) Each primary insurance policy must be issued by an insurer which, at a minimum, is licensed to transact the business of primary insurance in Kentucky except as KRS 304.11-030 provides otherwise. Each excess insurance policy must be issued by an insurer which, at a minimum, is licensed to provide insurance as an excess or surplus lines insurer in one (1) state.

(2) An owner or operator may meet the requirements of this regulation by passing a financial test or using the corporate guarantee for liability [self-insurance] coverage as specified in Section 7 [6] of this regulation.

(3) An owner or operator may demonstrate the required liability coverage through use of [both] the financial test, [and] insurance, the corporate guarantee, a combination of the financial test and insurance, or a combination of the corporate guarantee and insurance [as these mechanisms are specified in this regulation]. The amounts of coverage demonstrated must total at least the minimum amounts required by this section.

Section 2. Coverage for Nonsudden Accidental Occurrences. An owner or operator of a surface impoundment, landfill, or land treatment facility which is used to manage hazardous waste, or a group of such facilities, must demonstrate financial responsibility for bodily injury and property damage to third parties caused by nonsudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator must have and maintain additional liability coverage for nonsudden accidental occurrences in the amount of at least $3,000,000 [5,000,000] per occurrence with an annual aggregate of at least $6,000,000 [10,000,000], exclusive of legal defense costs. This liability coverage may be demonstrated in one (1) of three (3) ways, as specified in subsections (1), (2), and (3) of this section:

(1) An owner or operator may demonstrate the required liability coverage by having liability insurance as specified in this section.

(a) Each insurance policy must be amended by attachment of the hazardous waste facility liability endorsement or evidenced by a certificate of liability insurance. The liability endorsement must be on a form provided by the cabinet containing wording identical to the wording specified in 401 KAR 34:172. The certificate of liability insurance must be on a form provided by the cabinet containing wording identical to the wording specified in 401 KAR 34:176. The owner or operator must submit an originally signed duplicate of the endorsement or the certificate of insurance to the director. If requested by the director, the owner or operator must provide an originally signed duplicate of the insurance policy.

(b) Each primary insurance policy must be issued by an insurer which, at a minimum is licensed to transact the business of primary insurance in Kentucky except as KRS 304.11-030 provides otherwise. Each excess insurance policy must be issued by an insurer which, at a minimum is licensed to provide insurance as an excess or surplus lines insurer in one (1) state.

(2) An owner or operator may meet the requirements of this regulation by passing a financial test, or using the corporate guarantee for liability [self-insurance] coverage as specified in Sections 6 and 7 of this regulation.

(3) An owner or operator may demonstrate the required liability coverage through use of [both] the financial test, [and] insurance, the corporate guarantee, a combination of the financial test and insurance, or a combination of the corporate guarantee and insurance [as these mechanisms are specified in this regulation]. The amounts of coverage demonstrated must total at least the minimum amounts required by this section.

(4) The required liability coverage for nonsudden accidental occurrences must be demonstrated by the dates listed below. The total sales or revenues of the owner or operator in all lines of business, in the fiscal year preceding October 8, 1982, will determine which of the dates apply. If the owner and operator of a facility are two (2) different parties, or if there is more than one (1) owner or operator, the sales or revenues of the owner or operator with the largest sales or revenues will determine the date by which the coverage must be demonstrated. The dates are as follows:

(a) For an owner or operator with sales or revenues totaling $10,000,000 or more, February 24, 1983.

(b) For an owner or operator with sales or revenues greater than $5,000,000 but less than $10,000,000, February 24, 1984.

(c) For all other owners or operators, February 24, 1985.

Section 3. Adjustments by the Director. If the director determines that the levels of financial responsibility required by Sections 1 and 2 of this regulation are not consistent with the degree and duration of risks associated with treatment, storage, or disposal at any facility or group of facilities, the director may increase the level of financial responsibility required under Sections 1 and 2 of this regulation as may be necessary to protect human health and the environment. This adjusted level will be based on the director's assessment of the degree and duration of risks associated with the ownership or operation of each facility or group of such facilities. In addition, if the director determines that there is a significant risk to human health and the environment from nonsudden accidental occurrences from the operations of a facility that is not a surface impoundment, landfill, or land treatment facility, the director may require that the owner or operator of the facility comply with Section 2 of this regulation. An owner or operator must furnish to the director, within a reasonable time, any information which the director requests to determine whether cause exists for such adjustments of the level or type of coverage. Any adjustment of the level of required coverage for a facility that has a permit shall be treated as a permit modification under Section 2(1)(e) of 401 KAR 38:040 and subject to the procedures of Section 2 of 401 KAR 38:050. Notwithstanding any other provision, the cabinet may hold a public hearing at its discretion or whenever the cabinet finds, on the basis of requests for a public hearing, a significant degree of public interest in a

tentative decision to adjust the level or type of required coverage.

Section 4. Request for a Variance. If an owner or operator can demonstrate to the satisfaction of the director that the increased level of financial responsibility required by Section 3 of this regulation is not consistent with the degree and duration of risks associated with the treatment, storage, or disposal at each facility or group of facilities, the owner or operator may obtain a variance from the director. The request for a variance must be submitted to the director in writing. The director shall not grant any requests for a variance which seek to decrease the level of financial responsibility below the minimums required by KRS 224.866(3)(c). If granted, the variance shall take the form of an adjusted level of required liability coverage, such level to be based on the director's assessment of the degree and duration of risks associated with the ownership or operation of each facility or group of facilities. The director may require an owner or operator who requests a variance to provide such technical and engineering information as is deemed necessary by the director to determine a level of financial responsibility other than that required by Sections 1 and 2 of this regulation. Any request for a variance for a permitted facility shall be treated as a request for a permit modification under Section 2 of 401 KAR 38:040 and subject to the procedures of Section 2 of 401 KAR 38:050. Notwithstanding any other provision, the cabinet may hold a public hearing at its discretion or whenever the cabinet finds, on the basis of requests for a public hearing, a significant degree of public interest in a tentative decision to grant a variance.

Section 5. Period of Coverage. Within sixty (60) days after receiving certifications from the [An] owner or operator and an independent registered professional engineer that final closure has been completed in accordance with the approved closure plan, the director will notify the owner or operator in writing that he is no longer required by this regulation to maintain liability coverage for that facility, unless the director has reason to believe that closure has not been in accordance with the approved closure plan. [must continuously provide liability coverage for a facility as required by this regulation until certification of termination pursuant to the requirements of KRS 224.866.]

Section 6. Liability Self-Insurance. (1) An owner or operator may satisfy the requirements of this regulation by demonstrating that he passes a financial test as specified in this section. To pass this test the owner or operator must demonstrate that the level of self-insurance does not exceed ten (10) percent of equity and must meet the criteria of either paragraph (a) or (b) of this subsection:

(a) The owner or operator must have:

1. Net working capital and tangible net worth each at least six (6) times the amount of liability coverage to be demonstrated by this test; and

2. Tangible net worth of at least $10 million; and

3. Assets in the United States amounting to either, at least, ninety (90) percent of his total assets or at least six (6) times the sum of the appropriate liability coverage to be demonstrated by this test.

(b) The owner or operator must have:

1. A current rating for his most recent bond issuance of AAA, AA, A or BBB as issued by Standard and Poor's or Aaa, Aa, A, or Baa as issued by Moody's; and

2. Tangible net worth of at least $10 million; and

3. Tangible net worth at least six (6) times the amount of the liability coverage to be demonstrated by this test; and

4. Assets located in the United States amounting to either, at least, ninety (90) percent of his total assets or at least six (6) times the amount of the liability coverage to be demonstrated by this test.

(2) The phrase "amount of liability coverage" as used in subsection (1) of this section refers to the annual aggregate amounts for which coverage is required under Sections 1 and 2 of this regulation.

(3) To demonstrate that he meets this test, the owner or operator must submit the following three (3) items to the director:

(a) A letter signed by the owner's or operator's chief financial officer and executed on a form provided by the cabinet which is worded as specified in 401 KAR 34:162;

(b) A copy of the independent certified public accountant's report on examination of the owner's or operator's financial statements for the latest completed fiscal year; and

(c) A special report from the owner's or operator's independent certified public accountant to the owner or operator stating that:

1. He has compared the data which the letter from the chief financial officer specifies as having been derived from the independently audited, year-end financial statements for the latest fiscal year with the amounts in such financial statements; and

2. In connection with that procedure, no matters came to his attention which caused him to believe that the specified data should be adjusted.

(4) An owner or operator of a new facility must submit the items specified in subsection (3) of this section to the director at least sixty (60) days before the date on which hazardous waste is first received for treatment, storage or disposal.

(5) After the initial submission of items specified in subsection (3) of this section, the owner or operator must send updated information to the director within ninety (90) days after the close of each succeeding fiscal year. This information must consist of all three (3) items specified in subsection (3) of this section.

(6) If the owner or operator no longer meets the requirements of subsection (1) of this section, he must obtain insurance for the entire amount of required liability coverage as specified in this regulation. Evidence of insurance must be submitted to the director within ninety (90) days after the end of the fiscal year for which the year-end financial data show that the owner or operator no longer meets the test requirements.

(7) The director may, based on a reasonable belief that the owner or operator may no longer meet the requirements of subsection (1) of this section, require reports of financial condition

at any time from the owner or operator in addition to those specified in subsection (3) of this section. If the director finds, on the basis of such reports or other information, that the owner or operator no longer meets the requirements of subsection (1) of this section, the owner or operator must provide liability insurance as specified in this regulation within thirty (30) days after notification of such a finding.

(8) The director may disallow use of this test on the basis of qualifications in the opinion expressed by the independent certified public accountant in his report on examination of the owner's or operator's financial statements (see subsection (3)(c) of this section). An adverse opinion or a disclaimer of opinion will be cause for disallowance. The director will evaluate other qualifications on an individual basis. The owner or operator must provide liability insurance for the entire amount of liability coverage as specified in this regulation within thirty (30) days after notification of the disallowance.

Section 7. Corporate Guarantee for Liability Coverage. (1) Subject to subsection (2) of this section, an owner or operator may meet the requirements of this regulation by obtaining a written guarantee, hereinafter referred to as "corporate guarantee." The guarantor shall be the parent corporation of the owner or operator. The guarantee shall meet the requirements for owners or operators in Section 6(1) through (8) of this regulation. The wording of the corporate guarantee shall be identical to the wording specified in Section 1(2) of 401 KAR 34:165. A certified copy of the corporate guarantee shall accompany the items sent to the director as specified in Section 6(3) of this regulation. The terms of the corporate guarantee shall provide that:

(a) If the owner or operator fails to satisfy a judgment based on a determination of liability for bodily injury or property damage to third parties caused by sudden or nonsudden accidental occurrences (or both as the case may be), arising from the operation of facilities covered by this corporate guarantee, or fails to pay an amount agreed to in settlement of claims arising from or alleged to arise from such injury or damage, the guarantor shall do so up to the limits of coverage.

(b) The corporate guarantee shall remain in force unless the guarantor sends notice of cancellation by certified mail to the owner or operator and to the director. This guarantee may not be terminated unless and until the director approves alternate liability coverage complying with 401 KAR 35:120 or this regulation.

(2) A corporate guarantee may be used to satisfy the requirements of this regulation only if the Attorney General or insurance commissioner of the state in which the guarantor is incorporated and the office of general counsel in the Kentucky Natural Resources and Environmental Protection Cabinet and the insurance commissioner of the Commonwealth of Kentucky have submitted a written statement to the cabinet that a corporate guarantee executed as described in this regulation and Section 1(2) of 401 KAR 34:165 is a legally valid and enforceable obligation in the Commonwealth of Kentucky.

MARY HELEN MILLER, Secretary
APPROVED BY AGENCY: October 8, 1987
FILED WITH LRC: October 15, 1987 at 10 a.m.

STATEMENT OF EMERGENCY

In order to continue to operate the Kentucky State Penitentiary 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 policies must be revised immediately to allow the Kentucky State Penitentiary to come into immediate compliance with the American Correctional Association (ACA) standards prior to an upcoming ACA accreditation audit. This emergency regulation will be replaced by the ordinary administrative regulation filed with LRC on October 12, 1987 in accordance with KRS Chapter 13A.

MARTHA LAYNE COLLINS, Governor
GEORGE W. WILSON, Secretary

CORRECTIONS CABINET

501 KAR 6:040E. Kentucky State Penitentiary.

RELATES TO: KRS Chapters 196, 197, 439
PURSUANT TO: KRS 196.035, 197.020, 439.470, 439.590, 439.640
EFFECTIVE: October 13, 1987
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 October 12 [August 14], 1987 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 NonUniformed 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
KSP 030000-06	Inmate Commissary Program
KSP 040000-01	Management Information System
KSP 040000-02	Inmate Records
KSP 040000-08	Inmate Equal Opportunity Policy
KSP 050000-14	Searches and Preservation of Evidence [(Amended 8/14/87)]
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 070000-01	Hospital Services
KSP 070000-02	Sick Call
KSP 070000-03	Health Evaluations
KSP 070000-04	Consultations
KSP 070000-05	Emergency Medical Procedure
KSP 070000-13	Pharmacy Procedures
KSP 070000-14	Medical Records
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 (Amended 10/12/87)
KSP 070000-30	Therapeutic Diets
KSP 090000-01	Inmate Work Programs (Amended 10/12/87)
KSP 090000-03	Correctional Industries (Amended 10/12/87)
KSP 100000-02	Visiting Program [(Amended 8/14/87)]
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	Inmate Mail and Packages [(Amended 8/14/87)]
KSP 100000-07	Inmate Telephone Access
KSP 100000-08	Behavioral Counseling Record
KSP 100000-09	Due Process/Disciplinary Procedures
KSP 100000-11	Authorized and Unauthorized Inmate Property [(Amended 8/14/87)]
KSP 100000-14	Property Room: Clothing Storage and Inventory [(Amended 8/14/87)]
KSP 100000-15	Uniform Cell Standards for Fire Safety, Sanitation and Security
KSP 100000-18	Inmate Grievance Committee Hearings
KSP 100000-20	Legal Services Program
KSP 100000-21	Photocopies for NonIndigent Inmates with Special Court Deadlines
KSP 110000-03	Governor's Meritorious Good Time Award Committee
KSP 110000-04	Preparole Progress Report
KSP 110000-06	General Guidelines of the Classification Committee
KSP 110000-07	Statutory Good Time Restoration
KSP 110000-08	Award of Meritorious Good Time
KSP 110000-10	Special Needs Inmates [(Amended 8/14/87)]
KSP 110000-11	Classification Committee - Transfer Requests
KSP 110000-12	Classification Committee - Inmate Work Assignments
KSP 110000-13	Classification Document
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 [(Amended 8/14/87)]
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: October 12, 1987
FILED WITH LRC: October 13, 1987 11 a.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 institutional policies must be revised immediately to allow the Blackburn Correctional Complex to come into compliance with the American Correctional Association (ACA) accreditation standards prior to their scheduled ACA accreditation audit in October. This emergency regulation will be replaced by the ordinary administrative regulation filed with LRC on September 23, 1987 in accordance with KRS Chapter 13A.

MARTHA LAYNE COLLINS, Governor
GEORGE W. WILSON, Secretary

CORRECTIONS CABINET

501 KAR 6:120E. Blackburn Correctional Complex.

RELATES TO: KRS Chapters 196, 197, 439
PURSUANT TO: KRS 196.035, 197.020, 439.470, 439.590, 439.640
EFFECTIVE: September 25, 1987
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 September 23 [June 12], 1987 and hereinafter should be referred to as Blackburn Correctional Complex and Procedures. Copies of the procedures may be obtained from the Office of the General Counsel, Corrections Cabinet, State Office Building, Frankfort, Kentucky 40601.

BCC 01-05-01 Duty Officer and Acting Warden (Added 9/23/87)
BCC 01-07-01 Extraordinary Occurrence Reports
BCC 01-09-01 Legal Assistance for Staff (Added 9/23/87)
BCC 01-10-01 Political Activities of Merit Employees (Added 9/23/87)
BCC 01-11-01 Roles of Consultants, Contract Employees, Volunteers and Employees of Other Agencies
BCC 01-13-01 Relationships with Public, Media, and Other Agencies
BCC 01-15-01 Internal Affairs Office
BCC 01-16-01 Tours of Blackburn Correctional Complex
BCC 01-19-01 Inmate Access to BCC Staff
BCC 02-01-01 Inmate Canteen (Amended 9/23/87)
BCC 02-02-01 Fiscal Responsibility
BCC 02-02-02 Fiscal Management: Accounting Procedures (Amended 9/23/87)
BCC 02-02-03 Fiscal Management: Checks
BCC 02-02-04 Fiscal Management: Budget
BCC 02-02-05 Fiscal Management: Insurance (Amended 9/23/87)
BCC 02-02-06 Fiscal Management: Audits
BCC 02-04-01 Billing Method for Health Services Staff Paid by Personal Service Contract
BCC 02-05-01 Property Inventory
BCC 02-06-01 Purchasing
BCC 02-07-01 Inmate Personal Accounts
BCC 03-01-01 EEO - Affirmative Action (Added 9/23/87)
BCC 03-02-01 General Guidelines for BCC Employees (Added 9/23/87)
BCC 03-02-03 Physical Examinations for New Employees and Emergency Notification (Added 9/23/87)
BCC 03-03-01 Travel Reimbursement for Official Business and Professional Meetings (Added 9/23/87)
BCC 03-04-01 Employment of Ex-Offenders (Added 9/23/87)
BCC 03-06-01 Procedures for Selection, Retention, Promotion, and Lateral Transfer of Merit System Employees (Added 9/23/87)
BCC 03-06-02 Procedures for Promotional Opportunities (Added 9/23/87)
BCC 03-07-01 Workers' Compensation (Added 9/23/87)
BCC 03-08-01 Employee Assistance Program (Added 9/23/87)
BCC 03-09-01 Holding of Second Jobs by Employees (Added 9/23/87)
BCC 03-10-01 Student Intern (Co-Op) and Practicum Placement Procedures (Added 9/23/87)
BCC 03-11-01 Maintenance, Confidentiality, and Challenge of Information Contained in Employee File (Added 9/23/87)
BCC 03-12-01 Work Assignments for Security Staff (Added 9/23/87)
BCC 04-02-01 Firearms Training
BCC 04-03-01 Educational Assistance Program (Added 9/23/87)
BCC 05-01-01 Inmate Participation in Authorized Research [(Amended 6/12/87)]
BCC 06-01-01 Storage of Expunged Records
BCC 06-02-01 Records - Release of Information
BCC 06-02-02 Offender Records (Amended 9/23/87)
BCC 06-03-01 Reporting Inmate Misconduct Following Favorable Recommendation by the Parole Board
BCC 08-01-01 Simplified Fire Safety System (SFSS)
BCC 08-02-01 Natural Disaster Plan (Tornado)
BCC 08-03-01 Emergency Preparedness Plan Manual (Amended 9/23/87)
BCC 08-04-01 Fire Safety Plan, Drills and Related Staff Duties (Amended 9/23/87)
BCC 08-04-02 Immediate Release of Inmates from Locked Areas (Added 9/23/87)
BCC 08-05-01 Duties of Fires Safety Officer (Added 9/23/87)
BCC 08-06-01 Storage, Control and Accountability of Flammable, Toxic, Caustic and Other Hazardous Materials (Added 9/23/87)
BCC 08-07-01 Facility Furnishings: Exit and Emergency Lights and Noncombustible Containers (Amended 9/23/87)
BCC 09-01-01 Inclement Weather/Emergency Condition Operation (Added 9/23/87)
BCC 09-02-01 Restricted Areas (Amended 9/23/87)
BCC 09-02-02 Inmate Pass System to Restricted Areas
BCC 09-02-03 Regulation of Inmate Movement
BCC 09-03-01 Inmate Identification (Amended 9/23/87)
BCC 09-04-02 Complex Entry & Exit (Amended 9/23/87)
BCC 09-05-01 Key Control (Amended 9/23/87)
BCC 09-06-02 Transportation to Courts
BCC 09-07-01 Drug Abuse and Intoxicants Testing
BCC 09-08-02 Use of Restraints (Added 9/23/87)
BCC 09-09-01 Population Counts and Count Documentation (Amended 9/23/87)
BCC 09-10-03 Development of Institutional Post Orders (Amended 9/23/87)
BCC 09-10-04 Governmental Services, Study Release Officer Post Orders
BCC 09-10-05 Unit A-1 Post Orders [(Added 6/12/87)]
BCC 09-10-06 Recreation Post Orders: Observation (Added 9/23/87)
BCC 09-10-07 Entrance Gate Post Orders (Added 9/23/87)
BCC 09-10-08 Visiting Area Post Orders (Added 9/23/87)
BCC 09-10-09 Security Staff General Orders (Added 9/23/87)
BCC 09-12-01 Use of Physical Force; Prohibitation of Personal Abuse and Corporal Punishment
BCC 09-13-01 Perimeter Patrol
BCC 09-14-01 Prohibiting Inmate Authority Over Other Inmates
BCC 09-15-01 Search Policy/Disposition of Contraband
BCC 09-16-01 Security Activity Logs

BCC 09-17-01 Institutional Supervisor Inspections (Added 9/23/87)
BCC 09-18-01 Use of State Vehicles and Staff Owned Vehicles
BCC 09-19-01 Duties and Responsibilities of the Institutional Captain
BCC 09-19-02 Duties and Responsibilities of the Shift Supervisor (Amended 9/23/87)
BCC 09-20-01 Inmate Death (Added 9/23/87)
BCC 09-21-01 Tool Control (Added 9/23/87)
BCC 09-22-01 Emergency Communication System (Added 9/23/87)
BCC 10-01-01 Special Management Inmates
BCC 11-01-01 Menu and Special Diets (Amended 9/23/87)
BCC 11-02-01 Food Service: Inspection, Health Protection and Sanitation (Amended 9/23/87)
BCC 11-03-01 Food Service: Meals (Amended 9/23/87)
BCC 11-04-01 Dining Room Guidelines (Amended 9/23/87)
BCC 11-05-01 Food Service Security: Knife & Other Sharp Instrument/Utensil Control
BCC 11-06-01 Purchasing, Storage and Farm Products (Amended 9/23/87)
BCC 11-07-01 Food Service Operations Manual (Added 9/23/87)
BCC 12-02-01 Personal Hygiene Items (Amended 9/23/87)
BCC 12-02-02 Personal Hygiene for Inmates: Clothing, [and] Linens and Shower Facilities (Amended 9/23/87)
BCC 12-05-01 Barber Shop Services (Added 9/23/87)
BCC 12-06-01 BCC Housekeeping Plan (Added 9/23/87)
BCC 13-01-01 Sick Call and Pill Call (Amended 9/23/87)
BCC 13-02-01 Administration and Authority for Health Services (Amended 9/23/87)
BCC 13-03-01 Provisions of Health Care Delivery (Amended 9/23/87)
BCC 13-04-01 Licensure and Training Standards (Amended 9/23/87)
BCC 13-05-01 Medical Alert System (Amended 9/23/87)
BCC 13-06-01 Health Care Practices (Amended 9/23/87)
BCC 13-07-01 Emergency Medical Care Plan (Added 9/23/87)
BCC 13-07-02 Emergency and Specialized Health Services (Added 9/23/87)
BCC 13-07-03 Immediate Medical Treatment for Person's Injured by Weapon or Chemical Agent (Added 9/23/87)
BCC 13-08-01 Inmate Health Screening and Evaluation (Amended 9/23/87)
BCC 13-09-01 Prohibition on Medical Experimentation (Amended 9/23/87)
BCC 13-10-01 Dental Services (Added 9/23/87)
BCC 13-11-01 Suicide Prevention and Intervention Program (Added 9/23/87)
BCC 13-12-01 Use of Pharmaceutical products (Added 9/23/87)
BCC 13-12-02 Parenteral Administration of Medications and Use of Psychotropic Drugs (Added 9/23/87)
BCC 13-13-01 Inmate Health Education (Added 9/23/87)
BCC 13-14-01 Management of Serious and Infectious Diseases (Added 9/23/87)
BCC 13-15-01 Informed Consent (Added 9/23/87)
BCC 13-16-01 Health Records (Added 9/23/87)
BCC 13-17-01 Notification of Inmate Family in the Event of Serious Illness, Injury or Surgery (Added 9/23/87)
BCC 13-19-01 Physicians Referrals/Continuity of Care (Added 9/23/87)
BCC 13-20-01 Chronic and Convalescent Care (Added 9/23/87)
BCC 13-22-01 Psychiatric and Psychological Services, Handling of Mentally Retarded Inmates and Transfers (Added 9/23/87)
BCC 13-23-01 First Aid Kits (Added 9/23/87)
BCC 14-01-01 Office of Public Advocacy Attorney Visits
BCC 14-02-01 Law Library [(Amended 6/12/87)]
BCC 14-03-01 Inmate Grievance Procedure
BCC 14-04-01 Inmate Rights and Responsibilities (Amended 9/23/87)
BCC 14-05-01 Inmate Claims
BCC 15-01-01 Authorized Inmate Personal Property (Amended 9/23/87)
BCC 15-02-01 Meritorious Living Unit (B-1)
BCC 15-03-01 Rules and Regulations for Dormitories (Amended 9/23/87)
BCC 15-04-01 Restoration of Forfeited Good Time
BCC 15-05-01 Extra Duty Assignments
BCC 15-06-01 Due Process/Disciplinary Procedures (Amended 9/23/87)
BCC 16-01-01 Inmate Furloughs (Amended 9/23/87)
BCC 16-02-01 Visiting (Amended 9/23/87)
BCC 16-03-01 Inmate [Mail Regulations -] Packages (Amended 9/23/87)
BCC 16-03-02 Outgoing Inmate Packages
BCC 16-03-03 Inmate Correspondence (Added 9/23/87)
BCC 18-01-01 Classification: Institutional Classification and Reclassification (Added 9/23/87)
BCC 18-02-01 Racial Balance in Living Areas (Added 9/23/87)
BCC 19-01-01 Inmate Work Programs (Added 9/23/87)
BCC 19-02-01 Classification of Inmates to Governmental Service Program (Added 9/23/87)
BCC 19-03-01 Correctional Industries (Added 9/2/87)
BCC 20-01-01 Academic and Vocational School
BCC 20-02-01 College Programs
BCC 20-04-01 Educational Program Evaluation
BCC 20-05-01 Educational Program Planning
BCC 20-06-01 Academic and Vocational Curriculum
BCC 21-01-01 Library Services (Amended 9/23/87)
BCC 22-01-01 Arts and Crafts/Production and Sale of Items
BCC 22-02-01 Privileged Trips
BCC 22-03-01 Recreational Employees
BCC 22-04-01 Recreation and Inmate Activities
BCC 22-04-02 Inmate Clubs and Organizations
BCC 22-04-03 Conducting Inmate Organizational Meetings and Programs (Added 9/23/87)
BCC 22-04-04 Recreation Program Availability (Added 9/23/87)
BCC 22-04-05 Supervision of Leisure-Time Craft Club Activities and Materials (Added 9/23/87)
BCC 22-06-01 Music Club (Added 9/23/87)
BCC 22-09-01 Use of Inmates in Recreation Programs (Added 9/23/87)

BCC 23-01-01	Religious Services [(Added 6/12/87)]
BCC 24-01-01	Duties and Responsibilities of Classification and Treatment Officers (Added 9/23/87)
BCC 24-02-01	Duties and Responsibilities of the Unit Director and Assistant to Unit Director (Added 9/23/87)
BCC 24-03-01	Social Services (Amended 9/23/87)
BCC 25-01-01	Inmate Check Out Procedure (Amended 9/23/87)
BCC 25-02-02	Temporary Release/Community Center Release
BCC 26-01-01	Citizen Involvement and Volunteer Service Program (Added 9/23/87)

GEORGE W. WILSON, Secretary
APPROVED BY AGENCY: September 23, 1987
FILED WITH LRC: September 25, 1987 at 10 a.m.

STATEMENT OF EMERGENCY

KRS 177.9771 requires that the Secretary of Transportation update the Extended Weight Coal Haul Road System each year by November 1. In order that the 1987 update be effective no later than November 1, it is necessary that this emergency regulation listing the roads in the Extended Weight Coal Haul Road System, based upon 1986 data, be implemented. It will be replaced by an ordinary administrative regulation as soon as possible.

MARTHA LAYNE COLLINS, Governor
C. LESLIE DAWSON, Secretary

TRANSPORTATION CABINET
Department of Highways

603 KAR 5:210E. Extended weight coal haul road system.

RELATES TO: KRS 177.9771, 189.230
PURSUANT TO: KRS 177.9771(10)
EFFECTIVE: October 15, 1987
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:

BATH COUNTY ROAD	FROM	TO	LENGTH
* KY 11	0.0 Montgomery CO LN	12.8 Fleming CO LN	12.8
		STATE ROAD MILEAGE	12.8
		COUNTY ROAD MILEAGE	0.0
		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	11.9 Straight Creek RD	2.1
		[18.7 Clay CO LN	8.9]
	12.9 Bow Valley	18.7 Clay CO LN	5.8
* 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
	9.8 Mine	16.8 US 25E	7.0

	[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	0.0 Tennessee ST LN	3.1 KY 74	3.1
	[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	4.6 KY 1344	8.8 KY 987	4.2
	[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	3.8 KY 217	4.3 KY 188	0.5]
* KY 1344	0.0 KY 217	2.1 Wolfpen Branch RD	2.1
* KY 2011	0.0 KY 221	9.0 KY 66	9.0
	[7.7 Mine Access	9.0 KY 66	1.3]
* KY 2012	0.0 [Balkan RD] Private Haul RD	2.1 US 119	2.0
		[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]
		STATE ROAD MILEAGE	111.2 [105.0]
		COUNTY ROAD MILEAGE	7.5 [9.5]
		TOTAL ROAD MILEAGE	118.7 [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
* US 460	7.7 US 27	9.2 US 68X	1.5
* KY 627	0.0 Clark CO LN	9.5 US 68X	9.5
		STATE ROAD MILEAGE	27.9 [26.4]
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	27.9 [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
	1.7 [1.6] US 60	2.0 [1.8] US 23	0.3 [0.2]
* US 60	0.0 Carter CO LN	12.3 [12.4] US 23	12.3 [12.4]
* US 60X	0.0 US 60	0.5 US 23S	0.5
* 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 716	0.0 US 60	0.4 Molsruger RD	0.4
* 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
* Cobb Road				
CR 5490	0.0 Straight Creek RD	1.2 Mine		1.2]
* Hatcher Drive				
CR 5357	0.0 Molsruger RD	0.1 Mine		0.1
* Molsruger Road				
CR 5379	0.0 KY 716	0.3 Hatcher Drive		0.3
* 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
			STATE ROAD MILEAGE	40.8 [41.7]
			COUNTY ROAD MILEAGE	2.3 [4.6]
			TOTAL ROAD MILEAGE	43.1 [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	16.8 US 150 Bypass	18.9 Lincoln CO LN	2.1
* US 150B	0.0 US 127	2.3 US 150	2.3
		STATE ROAD MILEAGE	11.9
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	11.9

BRACKEN COUNTY

ROAD	FROM	TO	LENGTH
* KY 8	0.0 Pendleton CO LN	19.0 Mason CO LN	19.0
		STATE ROAD MILEAGE	19.0
		COUNTY ROAD MILEAGE	0.0
		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 Elkatawa Tipple	14.8 KY 15 (North)	0.7
	14.8 KY 15 (South)	33.3 KY 542	18.5
	[30.0 Mine Access	37.5 Magoffin CO LN	7.5]
* KY 476	0.0 Perry CO LN [5.8 Falcon Haul RD]	11.4 KY 15	11.4 [5.6]
* KY 542	0.0 KY 30 [10.0 Mine Access]	18.6 Magoffin CO LN	18.6 [8.6]
* KY 1098	0.0 KY 15	20.7 Knott CO LN	20.7
		[14.8 Mine Access	14.8]
* KY 1110	15.2 Haddix Tipple	15.7 KY 15	0.5
* KY 1111	0.0 KY 1098 [1.6 Mine Access]	2.2 Big Lovely RD	2.2 [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]
		STATE ROAD MILEAGE	101.8 [67.6]
		COUNTY ROAD MILEAGE	5.3 [5.9]
		TOTAL ROAD MILEAGE	107.1 [73.5]

BUTLER COUNTY

ROAD	FROM	TO	LENGTH
* Green River Parkway			
	18.2 Warren CO LN	35.1 Ohio CO LN	16.9

*	Western KY Parkway			
		87.4 Ohio CO LN	88.4 Grayson CO LN	1.0
*	US 231	8.6 KY 1468	8.9 Green River Parkway	0.3
		[8.4 Alley-Cassetty Tipple	18.9 Ohio CO LN	10.5]
		11.5 KY 70 (South)	18.9 Ohio CO LN	7.4
*	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	6.1 Mine [2.2 Mine]	6.1 [2.2]
*	KY 1328	10.3 [10.0] Mine	10.6 Old Greenwich SCH RD	0.3 [0.6]
		11.5 Mine	11.7 KY 70	0.2
*	KY 468	0.0 KY 70	11.1 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 KY 70	0.3 Pyramid Mine	0.3
		[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	0.3 C Crabtree Mine	0.3
			[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 Addwest Mine	0.4
[*	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
			STATE ROAD MILEAGE	58.6 [60.4]
			COUNTY ROAD MILEAGE	4.1 [6.4]
			TOTAL ROAD MILEAGE	62.7 [66.8]

CALDWELL COUNTY

ROAD	FROM	TO	LENGTH
Western Kentucky Parkway	5.6 Lyon CO LN	21.8 Hopkins CO LN	16.2
* KY 70	0.5 KY 91	10.5 Mine	10.0
		STATE ROAD MILEAGE	26.2 [16.2]
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	26.2 [16.2]

CAMPBELL COUNTY

ROAD	FROM	TO	LENGTH
US 27	0.0 Pendleton CO LN	16.6 I-471	16.6
		STATE ROAD MILEAGE	16.6
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	16.6

CARTER COUNTY

ROAD	FROM	TO	LENGTH
* US 60	24.1 KY 1 & KY 7	24.8 KY 1	0.7
		[35.0 Boyd CO LN	10.9]
	30.7 KY 207	35.0 Boyd CO LN	4.3
* KY 1	1.2 KY 1496	11.5 I-64	10.3
	[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
* KY 207	0.0 US 60	2.3 Greenup CO LN	2.3
		STATE ROAD MILEAGE	28.5 [22.7]
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	28.5 [22.7]

CHRISTIAN COUNTY

	ROAD	FROM	TO	LENGTH
	Pennyrile Parkway			
		7.0 US 41A	11.7 KY 1682	4.7
*	US 41	28.5 KY 1296	31.6 Hopkins CO LN	3.1
*	US 41A	4.4 I-24	13.5 Pennyrile Parkway	9.1
*	KY 1296	2.7 Campbell Cemetery RD	5.2 US 41	2.5
*	Campbell Cemetery Road			
	CR 5418	0.0 KY 1296	1.6 T D C Mine	1.6
			STATE ROAD MILEAGE	19.4
				[5.6]
			COUNTY ROAD MILEAGE	1.6
			TOTAL ROAD MILEAGE	21.0
				[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
			STATE ROAD MILEAGE	28.4
			COUNTY ROAD MILEAGE	0.0
			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	32.8 Jackson CO LN	30.2
			[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	1.8 Lick Fork	1.8
			[6.9 Leslie CO LN	6.9]
		4.9 Phillips Fork	6.9 Leslie CO LN	2.0
		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	3.0 Roots Branch	7.5 US 421	4.5
		[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	1.1 KY 2000	1.1
			[6.9 Big John Branch RD	6.9]
*	KY 2000	0.0 KY 1524	3.5 Mine Access	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]
*	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]
			STATE ROAD MILEAGE	112.7
				[129.6]
			COUNTY ROAD MILEAGE	3.0
				[10.7]
			TOTAL ROAD MILEAGE	115.7
				[140.3]

CRITTENDEN COUNTY

ROAD	FROM	TO	LENGTH
* US 60	0.0 Livingston CO LN	23.0 Union CO LN	23.0
* KY 120	0.0 US 60	16.6 Webster CO LN	16.6
		STATE ROAD MILEAGE	39.6
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	39.6

DAVIESS COUNTY

ROAD	FROM	TO	LENGTH
* Green River Parkway			
	59.5 Ohio CO LN	70.7 US 60 Bypass	11.2
		[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	12.9 Boston-Laffoon RD	10.4
		[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 Flora RD	11.9
* KY 331	0.0 US 60 (East)	1.9 Mine	1.9
		[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	2.9 Mine	2.9
		[1.6 Mine	1.6]
* Flora 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]
		STATE ROAD MILEAGE	92.4
			[95.5]
		COUNTY ROAD MILEAGE	1.8
			[2.2]
		TOTAL ROAD MILEAGE	94.2
			[97.7]

ELLIOTT COUNTY

ROAD	FROM	TO	LENGTH
* KY 7	0.0 Morgan CO LN	19.3 Carter CO LN	19.3
* KY 32	8.6 KY 7	11.4 KY 719	2.8
		[16.6 Mason Branch RD	8.0]
* KY 409	0.0 KY 7	2.7 Mine	2.7
[* 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	0.8 Mine	0.8
		[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]
		STATE ROAD MILEAGE	24.8
			[38.9]
		COUNTY ROAD MILEAGE	0.8
			[3.0]
		TOTAL ROAD MILEAGE	25.6
			[41.9]

ESTILL COUNTY

ROAD	FROM	TO	LENGTH
* KY 52	0.0 Madison CO LN	21.0 Lee CO LN	21.0
		[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]
		STATE ROAD MILEAGE	21.0 [10.0]
		COUNTY ROAD MILEAGE	0.0 [0.8]
		TOTAL ROAD MILEAGE	21.0 [10.8]

FAYETTE COUNTY

ROAD	FROM	TO	LENGTH
[* 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]
* KY 922	1.0 KY 4	2.9 I-75	1.9
[* Man-O-War Boulevard (Lexington)	0.0 US 68	3.3 US 27	3.3]
		STATE ROAD MILEAGE	12.1 [23.0]
		COUNTY ROAD MILEAGE	0.0 [3.3]
		TOTAL ROAD MILEAGE	12.1 [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
		STATE ROAD MILEAGE	22.6
		COUNTY ROAD MILEAGE	0.0
		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	1.6 Coal Mac Mine	1.6
		[5.6 Buffalo CR RD	5.6]
	9.0 Addington Mine	12.2 Pike CO LN	3.2
	[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	2.3 Caleb Fork RD	4.1 KY 122	1.8
	[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	1.2 Jet Tipple	1.0
		[4.6 KY 80	4.4]
* KY 680	0.0 KY 122	5.4 KY 979	5.4
* KY 777	5.2 Transcontinental Mine	9.0 KY 80	3.8
	[5.9 Mine	9.0 KY 80	3.1]
* KY 850	4.3 Pitts Fork Road	7.5 KY 404	3.2
	[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	0.0 Pike CO LN	2.5 K C Rogers Mine	2.5
	[2.5 Mine	6.6 KY 979	4.1]
	6.4 Damron Coal Mine	9.5 Justice Branch RD	3.1
	[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 Uptown Mining 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 Kanawha 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]
* Bushy Fork Road			
CR 5046	0.0 KY 194	0.4 Wolf Branch Road	0.4
* Wolf Branch Road			
CR 5046A	0.0 Bushy Fork Road	1.0 Martin CO LN	1.0
* 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 Prater Creek Mine	0.2
* Transcontinental Road (Excluding Bridge)			
CR 5083	0.0 Transcontinental Tipple	0.8 US 23	0.8
* Spruce Pine Road			
CR 5098	0.0 KY 2030	0.4 Maple Ridge Mine	0.4
* Justice Branch Road			
CR 5107	0.0 KY 1426	0.4 RT FK Justice BR RD	0.4
* Big Branch/Little Mud Creek Road			
CR 5108	0.0 KY 2030	3.3 Island Creek Mine	3.3
* Frog Branch Road			
CR 5110	0.0 KY 2030	1.0 Maple Ridge Mine	1.0
* Betsy Layne Branch Road			
CR 5111	0.0 KY 2557	0.9 Somerset Coal Mine	0.9
* Cedar Hill Road			
CR 5118	0.0 KY 1426	0.6 Bebe Tipple	0.6
* Parsons Branch Road			
CR 5128	0.0 KY 979	0.2 Transcontinental Mine	0.2
* Frasure Branch Road			
CR 5134	0.0 KY 979	1.0 Joseph Mining Mine	1.0
* Mink Branch Road			
CR 5138	0.0 KY 979	1.9 Joseph Mining Mine	1.9
		[1.5 Mine	1.5]
* Dry Branch/Mud Creek Road			
CR 5139	0.0 KY 979	1.1 Joseph Mining Mine	1.1
* Ned Fork Road			
CR 5140	0.0 KY 1929	1.1 Premium Elkhorn Shannon Mine	1.1
* Branham Creek Road			
CR 5142	0.0 KY 979	8.3 Pike CO LN	8.3
		[3.1 Mine	3.1
	7.7 Left FK/Tinker FK RD	8.3 Pike CO LN	0.6]
* Barn Branch Road			
CR 5146	0.0 Branham Creek Road	0.3 Phyllis Coal Mine	0.3
* Left Fork/Tinker Fork Road			
CR 5147	0.0 Branham Creek RD	0.2 Wellmore Kodiak Mine	0.2
* Andy Branch Road			
CR 5148	0.0 Tinker Fork RD	0.5 Ensol 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 Turner Elkhorn Mine	0.9
		[0.7 End of Road	0.7]
* Buzzard Rock Road			
CR 5157	0.2 Apache Mining Mine	0.5 Pike CO LN	0.3
* Buckhorn Hollow Road			
CR 5159	0.0 KY 979	0.4 Wheelwright Douglas #2 Mine	0.4
* Spewing Camp Branch Road			
CR 5190	0.0 KY 122	2.4 JRM Mining Mine	2.4
* Little Muddy Creek Road			
CR 5197	0.0 KY 2030	3.0 Bebe Mine	3.0

* Gunstock Branch Road				
CR 5202	0.0 KY 2030	0.4 Island Creek Mine		0.4
* Stonecoal Branch Road				
CR 5234	0.0 KY 1101	2.0 Blackhawk Mine		2.0
* Step Branch Road				
CR 5247	0.0 KY 122	0.1 Transcontinental Mine		0.1
* Goose Creek Road				
CR 5273	0.0 Gosling Branch RD	0.6 Transcontinental T&H Mine		0.6
* 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]
* Pitts Fork Road				
CR 5288	0.0 KY 850	1.3 Branham & Baker Mine		1.3
* Johnson Fork-Conley Fork Road				
CR 5409	0.0 KY 1210	0.2 Amber Prep Plant		0.2
			STATE ROAD MILEAGE	150.1
				[168.9]
			COUNTY ROAD MILEAGE	37.8
				[36.6]
			TOTAL ROAD MILEAGE	187.9
				[205.5]

[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
		STATE ROAD MILEAGE	8.9
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	8.9]

GRAYSON COUNTY

ROAD	FROM	TO	LENGTH
* Western KY Parkway			
	88.4 Butler CO LN	119.6 Hardin CO LN	31.2
		STATE ROAD MILEAGE	31.2
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	31.2

GREENUP COUNTY

ROAD	FROM	TO	LENGTH
* US 23	0.0 Boyd CO LN	11.2 KY 2	11.2
		[11.8 KY 2541	11.8]
	24.5 KOT Dock	28.8 Ohio State LN	4.3
* KY 1	11.4 KY 207	17.3 US 23	5.9
* KY 2	10.3 Schultz Branch RD	17.2 US 23	6.9
* KY 207	0.0 Carter CO LN	0.0 Logtown Hollow RD	0.5
	6.9 Mine	9.2 KY 1	2.3
	[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
* Stepp Drive			
CR 5216	0.0 KY 207	0.3 Mine	0.3
* Schultz Branch Road			
CR 5250	0.0 KY 2	1.0 Mine	1.0
		STATE ROAD MILEAGE	31.1
			[26.8]
		COUNTY ROAD MILEAGE	1.8
			[0.5]
		TOTAL ROAD MILEAGE	32.9
			[27.3]

HANCOCK COUNTY

ROAD	FROM	TO	LENGTH
* US 60	0.0 Daviess CO LN	5.0 Mine	5.0
		[5.5 Mine	5.5]
		STATE ROAD MILEAGE	5.0
			[5.5]
		COUNTY ROAD MILEAGE	0.0

			TOTAL ROAD MILEAGE	5.0
				[5.5]

HARDIN COUNTY

	ROAD	FROM	TO	LENGTH
*	Western KY Parkway			
		119.6 Grayson CO LN	135.8 US 31W	16.2
*	US 31W	18.8 US 31W Bypass	33.0 Meade CO LN	14.2
*	US 31WB	0.2 Western KY Parkway	3.7 US 31W	3.5
			STATE ROAD MILEAGE	33.9
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	33.9

HARLAN COUNTY

	ROAD	FROM	TO	LENGTH
*	US 119	0.0 Bell CO LN	39.7 Letcher CO LN	39.7
			[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 (East) [(West)]	27.4 Leslie CO LN	9.8
*	KY 38	0.0 US 421	8.5 KY 215	8.5
			[13.3 Shields School RD	13.3]
		11.9 Nance Road	14.5 Highsplint	2.6
		16.7 Belt Line	17.0 KY 179	0.3
		28.1 Jericol Tipple	29.5 Virginia State LN	1.4
*	KY 72	0.0 Bell CO LN	4.9 Rockhouse Branch [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	0.2 Yokum Tipple	0.2
			[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
*	KY 987	10.4 Wilder Branch	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 2005	2.6 Lick Branch Culvert	5.1 KY 72	2.5
*	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
*	KY 2425	0.0 Mine	0.4 KY 72	0.4
*	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)	0.4 End	0.4
			[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 Road			
	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
*	Forester Creek Road			
	CR 5238	0.0 Layman-Coldiron Road	1.8 Mine	1.8
*	Rockhouse Branch [Creek] Road			
	CR 5256	0.0 KY 72	0.2 R B Tipple	0.2
*	Ages Creek Road			
	CR 5326M	0.0 KY 38	0.3 Mine	0.3
			[0.5 Mine	0.5]

	FROM	TO	LENGTH
* 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]
		STATE ROAD MILEAGE	140.3 [132.5]
		COUNTY ROAD MILEAGE	10.2 [10.5]
		TOTAL ROAD MILEAGE	150.5 [143.0]

HARRISON COUNTY

ROAD	FROM	TO	LENGTH
* US 27	0.0 Bourbon CO LN	19.5 Pendleton CO LN	19.5
		STATE ROAD MILEAGE	19.5
		COUNTY ROAD MILEAGE	0.0
		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 US 41 [[Webster CO LN	0.1 Bill Givens RD	0.1 0.2]
		0.2 KY 2097	
		STATE ROAD MILEAGE	15.7
		COUNTY ROAD MILEAGE	0.1 [0.2]
		TOTAL ROAD MILEAGE	15.8 [15.9]

HOPKINS COUNTY

ROAD	FROM	TO	LENGTH
* Western Kentucky Parkway	21.8 Caldwell CO LN	43.4 Muhlenberg CO LN	21.6
* Pennyrile Parkway (Non-Toll Segment)	32.9 US 62	45.2 Begin Toll Segment	12.3
	[29.6 US 41	[45.2 Begin Toll Segment	15.6]
* Pennyrile Parkway (Toll Segment)	45.2 Non-Toll Segment	55.0 Webster CO LN	9.8
* US 41	0.0 Christian CO LN	1.4 US 41A	1.4
	3.0 KY 1751	[2.3 Pennyrile Parkway	2.3]
* US 41A	0.0 US 41	11.8 Webster CO LN	8.8
	[3.7 US 62	29.4 Webster CO LN	29.4
* US 62	1.7 KY 109	29.4 Webster CO LN	25.7]
* KY 70	4.5 Peter Howton RD	21.3 Sextet Mine & Tipple	19.6
	[7.1 KY 109	18.7 US 41A	14.2
	18.7 US 41A	18.7 US 41A	11.6]
	[19.9 Pennyrile Parkway	26.4 Muhlenberg CO LN	7.7
* KY 85	0.0 KY 70	23.2 KY 85	3.3]
* KY 109	2.1 US 62	3.3 Green River Mine	3.3
* KY 112	0.0 US 62	17.2 KY 814	15.1
	[2.8 Mine	9.8 US 41A	9.8
	5.4 Edro Washer	5.0 Copper Creek RD	2.2
* KY 262	0.0 KY 630	9.8 US 41A	4.4]
* KY 281	0.0 US 41A	0.3 Warrior Mine	0.3
* KY 336	0.0 US 41A	0.7 Pennyrile Parkway	0.7
* KY 454	0.0 US 62	2.3 McLeod RD	2.3
[* KY 630	0.0 KY 262	2.3 KY 112	2.3
* KY 813	2.5 Drakes Creek RD	2.0 US 41A	2.0]
	[2.6 Farmer Crossing RD	2.8 US 62	0.3
	4.2 Mine	2.8 US 62	0.2]
	[4.3 Mine	5.1 Private Haul Road	0.9
	10.2 Mortons Gap-WH CTY RD	5.0 Private Haul RD	0.7]
* KY 814	0.0 KY 109	12.3 US 41A	2.1
* KY 1302	1.9 Bean Cemetery RD	1.4 Webster CO LN	1.4
[* KY 1687	3.9 Mine	2.7 Poole RD	0.8
* KY 1751	0.0 US 41A	4.6 US 62	0.7]
* KY 2083	0.9 US 62	1.4 US 41	1.4
* KY 2086	0.0 Walnut Grove RD	1.1 South Hopkins Tipple	0.2
* McLeod Road CR 5140	0.0 KY 336	1.2 KY 109	1.2
		0.5 Mine	0.5

* Mortons Gap-White City Road				
CR 5153	0.0 KY 813	2.4 Mine		2.4
		[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 Farmers 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
* Wells Road				
CR 5212	7.9 Barnsley Loop Road	8.7 Mine		0.8
* Barnsley Loop Road				
CR 5217	0.0 US 41A	1.5 Wells Road		1.5
* 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
* Peter Howton Road				
CR 5330	0.0 KY 70	0.3 Mine		0.3
* 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
			STATE ROAD MILEAGE	168.9 [157.3]
			COUNTY ROAD MILEAGE	15.8 [12.7]
			TOTAL ROAD MILEAGE	184.7 [170.0]

JACKSON COUNTY

ROAD	FROM	TO	LENGTH
* US 421	0.0 Clay CO LN	4.6 KY 30 (East)	4.6
	[3.8 KY 30	10.8 KY 587	7.0]
* KY 30	0.0 Laurel CO LN	12.5 US 421 (South)	12.5
	12.5 US 421 North	20.9 Owsley CO LN	8.4
[* KY 587	0.0 US 421	5.5 Brushy Ridge RD	5.5]
* KY 2002	0.0 KY 30	4.3 Ruby Mine	4.3
* KY 2003	0.0 KY 2002	2.9 Ruby Mine	2.9
[* 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]
		STATE ROAD MILEAGE	32.7 [25.0]
		COUNTY ROAD MILEAGE	0.0 [4.1]
		TOTAL ROAD MILEAGE	32.7 [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
		STATE ROAD MILEAGE	11.8
		COUNTY ROAD MILEAGE	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
			STATE ROAD MILEAGE	12.1
				[14.1]
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	12.1
				[14.1]

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	8.3 US 23	8.3
*	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
		8.7 US 23	13.3 Deadfall Branch RD	4.6
*	KY 172	0.0 Morgan CO LN	12.4 KY 40	12.4
		[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 1559	2.8 Frank Vanhoose Road	6.0 US 23	3.2
*	KY 1614	0.0 Morgan CO LN	1.2 KY 469	1.2
*	KY 2381	0.0 US 23	2.2 KY 302	2.2
*	KY 3214	2.3 Brier Fork Road	3.2 KY 172	0.9
*	Frank Vanhoose Road			
	CR 5061	0.0 KY 1559	0.4 Mine	0.4
*	Deadfall Branch Road			
	CR 5139	0.0 KY 40	0.6 Mine Access RD	0.6
*	Brier Fork Road			
	CR 5359	0.0 KY 3214	1.0 Morgan CO LN	1.0
			STATE ROAD MILEAGE	70.1
				[61.7]
			COUNTY ROAD MILEAGE	2.0
				[0.0]
			TOTAL ROAD MILEAGE	72.1
				[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
			[20.1 Floyd CO LN	20.1]
*	KY 160	0.0 KY 15	5.8 AKP Coal Mine	5.8
			[4.2 Runnells Branch RD	4.2]
		8.2 KY 1393	12.5 KY 80	4.3
*	KY 550	20.6 National Mines Mine	26.6 Floyd CO LN	6.0
*	KY 899	0.0 KY 1393	4.9 Apollo Coal Mine	4.9
		7.7 National Mines Mine	12.2 KY 7	4.5
*	KY 1087	1.4 KY 3209	3.4 Mountain Clay 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	9.1 Old KY 15	9.4 KY 15	0.3
		[3.9 Youngs Fork RD	9.4 KY 15	5.5]
*	KY 1098	0.0 Breathitt CO LN	12.0 KY 1087	12.0
*	KY 1231	0.0 KY 15	5.8 Atlas Mining Mine	5.8
			[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 National Mines Mine	0.2
			[0.4 G. S. & M. Mine	0.4]
[*	Bruce Branch Road			
	CR 5026	0.0 KY 1087	0.7 Patsy Jane Mine	0.7]
*	Big Springs Branch Road			
	CR 5032	0.0 KY 550	0.9 National Mines Mine	0.9
*	Rock Fork (Bolyn) Road			
	CR 5037	0.0 KY 80	0.8 Consolidation Mine	0.8

* Bates Branch Road				
CR 5117	0.0 KY 7	1.4 Wheelwright Mine		1.4
* Perkins Branch-Lick Branch Road				
CR 5145	0.0 KY 15	0.4 Southeast Coal 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 Golden Oak Mine		0.3
* Irishman Creek Road				
CR 5203	0.0 KY 1231	2.5 RJF Coal 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 Meade & Shepherd Mine		3.2
[* Youngs Fork Road				
CR 5226	0.0 KY 1088	1.3 Mine		1.3]
			STATE ROAD MILEAGE	101.4 [90.6]
			COUNTY ROAD MILEAGE	10.2 [13.0]
			TOTAL ROAD MILEAGE	111.6 [103.6]

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 Kayjay Mine	15.0 US 25E	9.1
* KY 233	3.4 Lynn Camp Branch RD	6.2 US 25E	2.8
	[4.6 Lynn Camp Branch RD	6.2 US 25E	1.6]
* KY 459	2.6 Little Indian Creek RD	11.7 KY 11	9.1
[* KY 718	0.0 KY 223	9.2 Alex Creek RD	9.2]
* KY 1418	0.8 Hubbs Hollow RD	2.3 Clate-Perman RD	1.5
	[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
[* 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 K & M Mine	0.2
* Stoney Fork Road			
CR 5210	0.0 KY 1809	1.1 Roark Mine	1.1
		[1.8 Swanpond Road	1.8]
* Hubbs Road			
CR 5214	0.0 KY 1809	1.5 Girdner #1 Mine	1.5
* Sugartree Road			
CR 5216	0.0 Hubbs RD	0.5 Turco #1 Mine	0.5
* Flat Creek Road			
CR 5243	0.0 KY 1418	2.6 Little Indian Creek RD	2.6
* Hubbs Hollow Road			
CR 5244	0.0 KY 1418	0.8 Brenda Mine	0.8
* Little Indian Creek Road			
CR 5245	3.3 Flat Creek Road	3.6 KY 459	0.3
* Lewellen Road			
CR 5259	0.0 Hubbs RD	0.5 Jarcoal 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
* Middle Fork Richland Creek Road			
CR 5311	0.9 Higgins Road	1.2 H & P Mine	0.3
	[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]

STATE ROAD MILEAGE	93.7 [95.6]
COUNTY ROAD MILEAGE	11.1 [10.5]
TOTAL ROAD MILEAGE	104.8 [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	1.2 KY 490	9.8 Jackson CO LN	8.6
	[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	13.3 KY 192	2.2
		[11.8 KY 638	0.7]
* KY 192	0.0 Pulaski CO LN	22.0 D Boone PKWY	22.0
	[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]

STATE ROAD MILEAGE	74.7 [59.8]
COUNTY ROAD MILEAGE	0.5 [4.6]
TOTAL ROAD MILEAGE	75.2 [64.4]

LAWRENCE COUNTY

ROAD	FROM	TO	LENGTH
* US 23	0.0 Johnson CO LN	30.2 Boyd CO LN	30.2
* KY 1	0.0 KY 3	3.6 KY 828	3.6
* KY 3	0.0 Martin CO LN	15.5 US 23	15.5
	15.5 US 23	24.7 KY 1	9.2
* 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 US 23 [Martin CO LN]	5.2 Martin CO LN [US 23]	5.2
* KY 1760	0.0 US 23	2.8 Georges Creek RD	2.8
* Fallsburg-Fullers Road			
CR 5022	0.0 US 23	0.1 Belfry #5 Tipple	0.1
* Donithon Branch Road			
CR 5118	0.0 KY 3	1.6 Lockworth 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	1.7 Lockworth Mine	1.7]
* Georges Creek Road			
CR 5156	0.0 KY 1760	1.5 LT FK BR CR RD [TEBCO #22 Mine]	1.5
* Left Fork Brushy Creek Road			
CR 5203	0.0 Georges Creek Road	0.8 Mine	0.8

STATE ROAD MILEAGE	91.6 [78.8]
COUNTY ROAD MILEAGE	4.0 [5.6]
TOTAL ROAD MILEAGE	95.6 [84.4]

LEE COUNTY

ROAD	FROM	TO	LENGTH
* KY 11	0.0 Owsley CO LN	4.3 KY 52 (West)	4.3
* KY 52	0.0 Estill CO LN	12.9 KY 11 (North)	12.9

STATE ROAD MILEAGE	17.2
COUNTY ROAD MILEAGE	0.0
TOTAL ROAD MILEAGE	17.2

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	35.4 Clay CO LN	35.4
			[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]
*	KY 699	0.0 KY 80	10.0 Long Branch	10.0
			[16.0 Perry CO LN	16.0]
		15.2 Mine	16.0 Perry CO LN	0.8
*	KY 1807	0.0 KY 80	3.6 End State MAINT	3.6
*	KY 2008	0.0 KY 2009	1.5 End State MAINT	1.5
			[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	3.1 Bear Branch RD	3.1
			[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	2.2 Big Branch H'Cane CR RD	3.3 Wendover RD	1.1
		[0.7 Big BR H'Cane CR RD	3.3 Wendover RD	2.6]
*	Camp Creeks [Long] Fork Road			
	CR 5005	0.0 Hurricane Creek RD	1.6 Left Fork	1.6
			[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]
*	Bear Branch Road			
	CR 5018	0.0 KY 2057	1.4 Mine at Perry CO LN	1.4
*	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	4.7 KY 2008	4.7
			[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]
*	Spruce Pine Creek Road			
	CR 5219	2.3 Mine	6.6 Rocky Hollow Branch	4.3
*	Rocky Hollow Branch Road			
	CR 5220	0.0 US 421	0.2 Spruce Pine Creek RD	0.2
*	Phillips Fork Road			
	CR 5225	5.0 Mine RD	5.2 Mine RD	0.2
			STATE ROAD MILEAGE	95.2
				[88.2]
			COUNTY ROAD MILEAGE	18.0
				[13.3]
			TOTAL ROAD MILEAGE	113.2
				[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	9.4 KY 806	9.4
			[10.3 KY 932	10.3]
		20.7 KY 1862	27.7 US 23	7.0
		[17.6 KY 15	27.7 US 23	10.1]
*	KY 7	0.0 Perry CO LN	27.6 Knott CO LN	27.6
		[0.3 KY 1103	27.6 Knott CO LN	27.3]

*	KY 15	5.2 Loggy Hollow RD	9.3 KY 7	4.1
		[0.0 US 119	9.2 KY 7	9.2]
		9.3 KY 7	10.7 Knott CO LN	1.4
		[9.2 KY 7	10.7 Knott CO LN	1.5]
*	KY 113	0.0 KY 805	4.5 Millstone-Dem. RD [End ST 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 343	0.0 KY 317	1.5 #2 Hollow Road	1.5
[*	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	16.6 KY 1862	18.4 KY 7	1.8
		[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 Beth Energy Mine	2.7 KY 113	1.0
*	Beaverdam Branch Road			
	CR 5047	0.0 KY 7	2.0 A & E Coal Mine	2.0
[*	Loves Branch Road			
	CR 5048	0.0 KY 7	1.5 Mine	1.5]
*	Bottom Fork Road			
	CR 5068L	0.2 Tammy Ann Mine	0.7 #2 Hollow Road	0.5
#	Hollow Road			
	CR 5068M	0.0 Bottom Fork Road	0.6 KY 343	0.6
*	Mayking-Cram Creek Road			
	CR 5153	0.0 KY 1862	1.5 Cram Creek RD	1.5
*	Cram Creek Road			
	CR 5169	0.9 Wampler Bros Mine	1.4 Mayking-Cram CR RD	0.5
		[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 Lake Coal Mine	1.2
*	Big Branch-Tolson Branch Road			
	CR 5258	0.0 KY 588	4.5 Lake Coal 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 Southeast Coal Mine	5.6 KY 1103	0.5
*	Lucky Branch Road			
	CR 5272	0.0 KY 160	0.4 Lake Coal Mine	0.4
*	Johnson Branch Road			
	CR 5309	0.0 KY 160	0.3 Whitaker Mine	0.3
*	Big Bee Tree Branch Road			
	CR 5311	0.0 KY 160	1.0 Lake Coal Mine	1.0
*	Hollybush Branch Road			
	CR 5312	0.0 KY 160	0.4 Golden Oak Mine	0.4
*	Loggy Hollow Road			
	CR 5314	0.0 KY 15	1.1 Katco Mining 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 Golden Oak 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 Golden Oak Mine	0.5
*	Bull Creek-Meadow Fork Road			
	CR 5367	3.3 Golden Oak Mine	5.0 Perry CO LN	1.7
			STATE ROAD MILEAGE	100.0 [125.0]
			COUNTY ROAD MILEAGE	23.8 [23.6]
			TOTAL ROAD MILEAGE	123.8 [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
			STATE ROAD MILEAGE	19.5
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	19.5

LIVINGSTON COUNTY

	ROAD	FROM	TO	LENGTH
*	US 60	0.0 McCracken CO LN	29.1 Crittenden CO LN	29.1
*	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
			STATE ROAD MILEAGE	33.1 [4.0]
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	33.1 [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
			STATE ROAD MILEAGE	14.1
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	14.1

McCRACKEN COUNTY

	ROAD	FROM	TO	LENGTH
*	US 60	19.5 US 62	20.0 Livingston CO LN	0.5
*	US 62	12.9 US 60	15.5 US 68	2.6
*	US 68	0.0 US 62	1.2 I-24	1.0
			STATE ROAD MILEAGE	4.1
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	4.1

McCREARY COUNTY

	ROAD	FROM	TO	LENGTH
*	US 27	4.6 KY 92	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
		0.6 Whitley CO LN	2.2 Corley Bridge RD	1.6
*	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 Shamrock #9 Mine	1.3
*	Corley Ridge Road			
	CR 5108	0.0 KY 1673	0.4 Whitley CO LN	0.4
*	Railroad Drive			
	CR 5203	0.0 KY 92	0.3 Revelo Prep Plant	0.3
			STATE ROAD MILEAGE	36.3 [34.7]
			COUNTY ROAD MILEAGE	3.4 [3.0]
			TOTAL ROAD MILEAGE	39.7 [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]

STATE ROAD MILEAGE		15.7 [31.2]
COUNTY ROAD MILEAGE		0.0 [3.1]
TOTAL ROAD MILEAGE		15.7 [34.3]

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	7.2 I-75	10.8 KY 52	3.6
	[8.6 Kit Carson DR	10.8 KY 52	2.2]
		STATE ROAD MILEAGE	13.5 [16.4]
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	13.5 [16.4]

MAGOFFIN COUNTY

ROAD	FROM	TO	LENGTH
* Mountain Parkway	71.1 KY 30	75.6 US 460	3.9
	[63.1 Morgan CO LN	75.6 US 460	12.5]
* US 460	12.5 Mountain Parkway	20.4 Johnson CO LN	7.9
	[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	3.3 KY 1397	8.9 Mountain Parkway	5.6
	[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	2.7 Jake Wireman Road	3.3 KY 542	0.6
	[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
* Jake Wireman Road CR 5144	0.0 KY 1502	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
* Wright Oakley Creek Road CR 5221	0.0 KY 1635	0.3 Mine	0.3
* 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
		STATE ROAD MILEAGE	72.3 [99.6]
		COUNTY ROAD MILEAGE	4.8 [3.5]
		TOTAL ROAD MILEAGE	77.1 [103.1]

MARTIN COUNTY

ROAD	FROM	TO	LENGTH
* KY 3	0.0 Johnson CO LN	13.3 KY 40	13.3
	22.9 KY 292	23.2 Lawrence CO LN	0.3
	[21.8 Laurel Creek RD	23.2 Lawrence CO LN	1.4]
* KY 40	5.3 KY 1224 [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
	27.8 Mine	28.9 KY 3		1.1
* KY 645	0.0 Lawrence CO LN [KY 40]	4.7 KY 645 [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	3.6 KY 1439	9.2 KY 292		5.6
	[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	0.5 Mine		0.5
		[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
* Laurel Fork-Wolf Creek Road				
CR 5202	0.0 KY 1439	7.8 Private Access Road		7.8
* Middle Fork-Wolf Creek Road				
CR 5205	0.0 Mid FK Rockcastle RD	3.3 Mine Access Road		3.3
		[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]
			STATE ROAD MILEAGE	67.4
				[74.3]
			COUNTY ROAD MILEAGE	16.4
				[12.1]
			TOTAL ROAD MILEAGE	83.8
				[86.4]

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
		STATE ROAD MILEAGE	45.1
		COUNTY ROAD MILEAGE	2.5
		TOTAL ROAD MILEAGE	47.6

MEADE COUNTY

ROAD	FROM	TO	LENGTH
* US 31W	0.0 Hardin CO LN	0.6 US 60	0.6
* US 60	8.7 KY 144	15.6 US 31W 6.9	
* KY 144	25.4 KY 448	28.7 US 60	3.3
* KY 448	0.0 KY 144	5.3 KY 933	5.3
* KY 933	4.6 Olin Chemical Plant	7.4 KY 448	2.8
		STATE ROAD MILEAGE	18.9
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	18.9

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	6.4 KY 342	7.7 US 68	1.3
* KY 342	0.0 KY 33	1.5 E W Brown Power Plant	1.5
		STATE ROAD MILEAGE	20.7
			[4.4]
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	20.7
			[4.4]

MONTGOMERY COUNTY ROAD	FROM	TO	LENGTH
* US 460	7.3 KY 11 (North)	8.3 KY 686 (North)	1.0
* KY 11	0.0 Powell CO LN	9.2 KY 686 (South)	9.2
	10.0 US 460 (North)	15.4 Bath CO LN	5.4
* KY 686	0.0 KY 11 (South)	2.7 US 460 (North)	2.77
		STATE ROAD MILEAGE	18.3
		COUNTY ROAD MILEAGE	0.0
		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	15.5 KY 191	17.8 KY 7	2.3
	[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	22.6 Johnson CO LN	3.9
		[22.3 KY 1614	3.6]
* KY 191	13.0 Still Branch Road	14.7 US 460	1.7
[* KY 205	0.0 Wolfe CO LN	6.8 US 460	6.8]
* KY 437	6.3 KY 3344	12.4 KY 172 @ Relief	6.1
[* 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
* KY 3344	0.0 KY 437	0.4 Mine	0.4
[* 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]
* River Road			
CR 5100	0.0 KY 191	0.3 Mine	0.3
[* 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]
		STATE ROAD MILEAGE	26.3 [38.8]
		COUNTY ROAD MILEAGE	0.6 [4.8]
		TOTAL ROAD MILEAGE	26.9 [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
	17.9 US 431	26.0 Ohio CO LN	8.1
	[19.8 Cleaton-Green River RD	26.0 Ohio CO LN	6.2]
* US 431	9.8 KY 70	25.5 Mine	15.7
		[27.7 McLean CO LN	17.9]
* KY 70	0.0 Hopkins CO LN	15.4 US 431	15.4
	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 181	15.2 Western KY Parkway	17.5 Mine	2.3
* KY 189	6.0 Mine Access	8.8 US 62	2.8
* KY 277	2.6 KY 602	3.8 KY 1379	1.2
* KY 602	0.0 KY 277	0.7 US 431	0.7
* KY 1379	0.0 KY 277	0.5 Prep Plant Access	0.5
* 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
* Caney Creek Mine Road			
CR 5103	0.0 KY 176	0.7 Prep Plant & Mine	0.7
* Vogue Haul Road			
CR 5389	0.0 Henry Oaks Road	0.8 Vogue Road	0.8

*	Henry Oaks Road			
	CR 5392	2.3 Mine	4.5 Vogue Haul Road	2.2
*	Vogue Road			
	CR 5407	0.0 Vogue Haul Road	1.6 Tipple	1.6
			STATE ROAD MILEAGE	91.6 [79.2]
			COUNTY ROAD MILEAGE	8.6 [3.3]
			TOTAL ROAD MILEAGE	100.2 [82.5]

NICHOLAS COUNTY

	ROAD	FROM	TO	LENGTH
*	US 68	0.0 Bourbon CO LN	12.2 Robertson CO LN	12.2
			STATE ROAD MILEAGE	12.2
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	12.2

OHIO COUNTY

	ROAD	FROM	TO	LENGTH
*	Western Kentucky Parkway			
		65.7 Muhlenberg CO LN	87.4 Butler CO LN	21.7
			[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	15.5 Horton-Mount Pleasant RD	15.5
			[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	0.8 Schultztown-Coolsprings RD	5.6 US 231	4.8
		[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	0.6 Brown Badgett Mine	0.6
			[1.6 Mine	1.6]
		1.7 Southwind Mine	2.9 US 62	1.2
*	Schultztown-Cool Springs Road			
	CR 5267	2.5 KY 269 [Mine]	3.6 Green Mine [KY 269]	1.1
*	Lone Star Road			
	CR 5313	0.0 KY 69	1.1 Tipple	1.1
*	James Road			
	CR 5322	0.0 US 62	0.5 KY 1245	0.5
			[0.4 KY 1245	0.4]
*	Martin-Dodson Cemetery Road			
	CR 5373	0.0 US 231	0.6 Mine	0.6
			STATE ROAD MILEAGE	97.0 [91.5]
			COUNTY ROAD MILEAGE	5.2 [2.2]
			TOTAL ROAD MILEAGE	102.2 [93.7]

OWSLEY COUNTY

	ROAD	FROM	TO	LENGTH
*	KY 11	0.0 Clay CO LN	17.3 Lee CO LN	17.3
			[10.8 KY 1938	10.8]
*	KY 30	0.0 Jackson CO LN	5.2 KY 847	5.2
		9.4 Veneable School RD	11.2 KY 11 @ Levi	1.8
*	KY 847	0.0 KY 30	4.3 Bowman Branch RD	4.3
[*	KY 1938	1.6 Minnow Branch RD	2.5 KY 11	0.9]
*	Hurricane Branch Road			
	CR 5301	0.0 Bowman Branch Road	1.1 Denham & Lewis Mine	1.1
*	Bowman Branch Road			
	CR 5303	0.0 KY 847	0.3 Hurricane Branch RD	0.3
[*	Minnow Branch Road			
	CR 5304	0.0 KY 1938	0.3 Mine	0.3]
*	Veneable School Road			
	CR 5316	0.0 KY 30	0.4 Apex Mine	0.4

*	The Judd Road CR 5323	2.2 Manious Road	2.4 KY 30	0.2
			STATE ROAD MILEAGE	28.6 [11.7]
			COUNTY ROAD MILEAGE	2.0 [0.3]
			TOTAL ROAD MILEAGE	30.6 [12.0]

PENDLETON COUNTY

	ROAD	FROM	TO	LENGTH
*	US 27	0.0 Harrison CO LN	19.4 Campbell CO LN	19.4
*	KY 8	2.3 Black River Lime	4.3 Bracken CO LN	2.1
			STATE ROAD MILEAGE	21.5
			COUNTY ROAD MILEAGE	0.0
			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	13.6 Letcher CO LN	13.6
			[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	1.4 Jackson Fork Road	6.5 KY 699	5.1
		[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 (South)	4.2 KY 1146 (North)	0.3
			[18.1 Mine	14.2]
		7.5 Dwarf-Engle Fork RD	22.3 Breathitt CO LN	14.8
[*	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	0.0 Montgomery Creek Road	2.9 KY 15	2.9
		[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	4.6 Buckhorn Prep Plant	1.9
			[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
*	Dwarf-Engle Fork Road CR 5032	0.0 KY 476	0.1 Highland Coal Mine	0.1
*	Coates Branch Road CR 5044	0.0 Ky 476	0.5 Ball Branch Mine	0.5
*	Lick Branch Road CR 5045	0.0 KY 1087	0.6 Star Fire Mine	0.6
*	Cockerell Fork-Noble Branch Road CR 5050	0.0 KY 476	1.7 Shamrock Coal Mine	1.7
*	Jeff-Knott County Line Road CR 5100	0.0 Old KY 15 Loop #1 RD	2.4 Lake Coal 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
*	Montgomery Creek Road CR 5120	0.0 Letcher CO LN	1.5 KY 1095	1.5
*	Left Fork Maces Creek Road CR 5131	0.0 KY 1165	1.1 Leemike Mine	1.1

*	Little Leatherwood Creek Road			
	CR 5139	0.0 KY 699	5.7 Blue Diamond Mine	5.7
*	Beech Fork Road			
	CR 5146	0.0 KY 3196	3.0 Leemike Mine	3.0
*	Jackson Fork Road			
	CR 5152	0.0 KY 463	0.4 Blue Diamond Mine	0.4
*	Coal Waste Road			
	CR 5237	0.0 KY 699 [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 Roost-Hull School RD)			
	CR 5319	0.0 KY 15	4.8 Dun Raven [River Proc.] Tipple	4.8
*	Clear Fork road			
	CR 5320	0.0 KY 28	2.3 Sam Campbell BR RD	2.3
[*	Trace Branch-Tenmile Creek Road			
	CR 5326	0.0 KY 15	1.1 Mine	1.1]
*	Barwick Road			
	CR 5330	0.0 KY 28	0.8 Breathitt CO LN	0.8
*	Right Fork Spencer Creek Road			
	CR 5332	0.0 Spencer Creek-Napfor BR RD	1.0 Vires Coal Mine	1.0
*	Spencer Creek-Napfor Branch Road			
	CR 5333	0.0 KY 28	1.9 Pine Branch Mine	1.9
*	Buckhorn-Breathitt County Line Road			
	CR 5349	0.0 KY 28	0.4 Kescoal Mine	0.4
			[1.2 Mine	1.2]
			STATE ROAD MILEAGE	117.5 [123.0]
			COUNTY ROAD MILEAGE	34.2 [28.6]
			TOTAL ROAD MILEAGE	151.7 [151.6]

PIKE COUNTY

	ROAD	FROM	TO	LENGTH
*	US 23	0.0 Letcher CO LN	39.6 Floyd CO LN	39.6
*	New US 23	0.0 KY 1384	1.4 US 23 NW of Pikeville	1.4
[*	US 23X	2.1 KY 1384	2.3 US 23	0.2]
*	US 119	0.0 US 23	29.7 West Virginia ST LN	29.7
*	Old US 119	0.0 US 23	2.8 US 119	2.8
*	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	3.3 Arnold Fork Road Mine	10.4 US 23	7.1
		[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 (South)	16.8
		16.8 US 119 (North)	41.3 Kyber Coal Mine	24.5
			[27.8 Mine	11.0]
		[31.0 Mine	40.0 KY 1499	9.0]
		47.2 H K Corp Mine	55.7 KY 632 at Phelps	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	5.6 Fountain Blue Mine	16.6 KY 80	11.0
		[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 (South)	4.8
		4.8 US 119 (North)	12.7 Martin CO LN	7.9
*	KY 319	3.8 KY 1056 at Nampa [(East)]	12.3 US 119	8.5
			[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	3.5 Henry Clay Mine	3.5
			[6.0 US 23	6.0]
		4.3 Little Fork-Left Fork RD	6.0 US 23	1.7
*	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 881	0.0 US 119	3.0 Brushy Fork Road	3.0
*	KY 1056	0.0 KY 199	7.7 KY 319 (North)	7.7
			[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 1373	4.8 Card Creek-Card Knob RD	6.7 US 460	1.9
*	KY 1384	0.2 Peter Fork #2 Tipple	3.8 Dog Fork-Hurricane Creek RD	3.6
		6.0 Clark Elkhorn Mine	7.3 New US 23	1.3
		[0.0 US 23	7.7 US 23X	7.7]
*	KY 1426	0.0 US 23	4.9 Floyd CO LN	4.9
			[3.5 Hoopwood Branch RD	3.5]
*	KY 1441	4.4 Standard Elkhorn Mine	10.1 US 119	5.7
*	KY 1469	6.0 Kentucky Elkhorn 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
*	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 Hawkeye Coal Mine	3.4
*	KY 2062	0.0 KY 194	3.1 KY 194	3.1
[*	KY 2552	0.0 US 23	0.3 Shelbiana 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 Branson Coleman Mine	0.5
*	Winn Branch Road			
	CR 5011	0.0 US 119	1.3 Chloe Creek Dev Mine	1.3
*	Varney Branch Road			
	CR 5021	0.0 KY 194	0.4 Utility Tipple	0.4
*	Meathouse Fork Road			
	CR 5022	0.0 KY 194	1.3 Rockhouse FK-Pigeon Creek RD	1.3
*	Rockhouse Fork-Pigeon Creek Road			
	CR 5024	0.0 Meathouse FK RD	1.0 Ridgeway Coals Mine	1.0
			[1.9 Mine	1.9]
*	Meathouse Branch Road			
	CR 5025	0.0 KY 3154	3.2 Ember & K-Lin 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 Eastern Coal Mine [Entrance]	0.6
*	Goody-Aflex-Burnwell Road			
	CR 5050	0.0 KY 292	1.1 Harbour Marine Mine	1.1
			[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 Coal Mac Mine [Entrance]	0.5
*	Bent Branch Road			
	CR 5074	0.0 KY 468	1.1 Gex Tipple	1.1
*	Swinge Camp Branch Road			
	CR 5075	0.0 KY 468	0.4 H Mar/Island Mines [Entrance]	0.4
*	Halfway Branch Road			
	CR 5077	0.0 KY 468	0.5 Island Creek Mine [Entrance]	0.5
*	Rockhouse Fork Road			
	CR 5078	0.0 KY 468	0.4 Island Creek Mine	0.4
			[0.3 Case Prep Plant	0.3]
*	Brushy Fork Road			
	CR 5095	0.0 KY 881	0.5 Addington Mine	0.5
*	Big Branch/Meathouse Creek Road			
	CR 5111	0.0 Martin CO LN	2.7 Little Fork Mine [Entrance]	2.7
*	Miller Creek-Cowpen 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 Liberty Mine [Entrance]	0.4
*	Lick Branch Road			
	CR 5141	0.0 KY 468	0.8 Gex Big Hill Mine [Entrance]	0.8
*	Fishtrap Ridgeline Road			
	CR 5160	0.0 KY 194	2.7 Hurricane Creek Road	2.7
*	Hurricane Creek Road			
	CR 5162	2.5 Wellmore Mine	3.7 Fishtrap Ridgeline Road	1.2
*	Dicks Fork Road			
	CR 5163	0.0 KY 194	0.6 Big Fist #4 Mine	0.6
*	Lane Branch Road			
	CR 5168	0.0 KY 632	1.2 McCoy Elkhorn Mine [Entrance]	1.2

* Mullen Fork Road			
CR 5191	0.0 KY 199	2.1 St Johnsbury Mine [Entrance]	2.1
* Hatfield Branch Road			
CR 5210	0.0 KY 319	0.8 Blackberry Creek Mine [Entrance]	0.8
* Left Fork/Blackberry Road			
CR 5213	0.0 KY 1056	1.5 H Mar/Eastern Mines [Entrance]	1.5
* Blue Springs Branch Road			
CR 5218	0.0 KY 1056	0.1 Blackberry Creek Mine [Entrance]	0.1
* Lynntrough Branch Road			
CR 5233	0.0 KY 194	1.2 Majestic Mine	1.2
		[0.2 Majestic Tipple	0.2]
* Lower Elk Creek Road			
CR 5241	0.0 KY 2059	0.6 Race Fork Mine [Entrance]	0.6
* Prater Branch Road			
CR 5253	0.0 KY 194	0.8 Majestic 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]
* Old Mouthcard-Feds Creek Road			
CR 5282	0.0 US 460	0.3 Flannery Branch RD	0.3
* Flannery Branch Road			
CR 5283	0.0 Old Mouthcard-Feds CR RD	0.2 Mouthcard Mines	0.2
* Card Creek-Card Knob Road			
CR 5285	0.0 KY 1373	0.7 Clark Elkhorn Mine	0.7
	1.6 Wellmore Mine [Entrance]	4.6 US 460	3.0
* Island Creek Road			
CR 5287	0.0 Bane Tipple	0.6 Island CR Grapevine RD [CR 5288]	0.6
* Island Creek-Grapevine Road			
CR 5288	0.0 Island CR RD [CR 528]7	1.8 Milers Creek Road	1.8
		[0.5 CR 5289	0.5]
* Left Fork Island Creek Road			
CR 5289	0.0 Island CR-Grapevine RD [CR 5288]	0.2 Flannery Coal Mine [Entrance]	0.2
* Millers Creek Road			
CR 5290	0.0 Island CR-Grapevine RD	2.4 Flannery Coal Mine	2.4
* Hopkins Creek Road			
CR 5322	0.0 US 460	1.0 Hopkins Creek Tipple	1.0
[* 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 Wellmore Mine [Entrance]	1.5
[* Dog Branch Road			
CR 5332	0.0 KY 195	0.4 Mine [Entrance]	0.4]
* Left Fork Wolfpit Branch Road			
CR 5333	0.0 Wolfpit Branch Gardiner FK RD	0.8 Wellmore Mine	0.8
[* Ratliff Hollow Road			
CR 5339	0.0 KY 195	0.2 Wolfpit Tip @ Ratliff	0.2]
* Jimmie Creek Road			
CR 5341	0.0 US 460	0.6 Wellmore Mine	0.6
* Old US 460 Loop			
CR 5353	0.0 Potter Coal Mine	0.8 US 460	0.5
* Shortridge Fork Road			
CR 5355	0.4 Wellmore Mine	0.9 Wellmore Private RD	0.5
	[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
* John Moore Branch Road			
CR 5363	0.0 KY 197	0.9 Federal Tipple	0.9
* Jackson Branch Road			
CR 5371	0.0 KY 197	1.7 C & D Coal Mine	1.7
* Brushy Branch Road			
CR 5379	0.0 KY 195	0.8 Ratliff Elkhorn Mine	0.8
* Marrowbone Creek Road			
CR 5381	0.0 KY 195	2.1 LAD/Prospect Mine	2.1
		[1.2 Mine	1.2]
* Bowling Fork Road			
CR 5384	0.0 KY 195	1.9 Henry Clay 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 Henry Clay Mine		0.2
* Rockhouse Creek/Greasy Road				
CR 5422	0.0 KY 195	0.3 Bad Fork RD		0.3
* Wolfpit Branch-Gardner Fork Road				
CR 5433	0.0 KY 195	0.9 Left FK Wolfpit BR RD		0.9
* Wolfpen Branch Road				
CR 5444	0.0 KY 80	0.8 Wellmore 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 Wellmore Mine		0.8
[* Shelbiana 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 Coal Run Mine		1.0
* Harmond Branch Road				
CR 5505	0.0 US 23	0.9 Amber #9 Mine		0.9
* Dog Fork/Hurricane Creek Road				
CR 5522	0.0 KY 1384	1.3 Peter Fork Joline 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	0.7 Stillhouse Mine		0.7
		[0.5 Mine		0.5]
* Raccoon Branch Road				
CR 5531	0.0 KY 1426	1.3 Jet/Cimaron Mine		1.3
* Billy Compton Road				
CR 5534	0.0 Island Creek RD	1.2 Horn Const Mine		1.2
		[0.2 Road BR/Sookeys CR RD		0.2]
* Island Creek Road				
CR 5535	0.0 KY 1426	4.0 Corbin Coal 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 Pace Energies 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 Apache Mining Mine		1.6
* Robinson Creek Road				
CR 5554	0.0 KY 122	4.1 Apache Mining Mine		4.1
* Arnold Fork Road				
CR 5555	0.0 KY 122	0.3 Apache Mining Mine		0.3
* Burk Branch Road				
CR 5578	0.0 KY 610	0.9 Beth Energy Mine		0.9
* Lizzie Fork Road				
CR 5590	0.4 Beth Energy Mine	1.4 US 23		1.0
	[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]
			STATE ROAD MILEAGE	305.3
				[297.1]
			COUNTY ROAD MILEAGE	88.6
				[79.0]
			TOTAL ROAD MILEAGE	393.9
				[376.1]

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
		STATE ROAD MILEAGE	28.7
		COUNTY ROAD MILEAGE	0.0
		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	21.6 KY 80 Bypass	40.4 Laurel CO LN	18.8
	[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	2.9 KY 790	4.2 US 27	1.3
	[2.0 KY 790	4.2 US 27	1.3]
* KY 192	0.0 KY 80 Bypass	18.6 Laurel CO LN	18.6
		[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 Ikerd-Bandy 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 Wash Ridge Mine	1.1
* Cooper Power Plant Road			
CR 5349	0.0 KY 1247	0.6 E KY Power Plant	0.6
		STATE ROAD MILEAGE	77.2 [77.0]
		COUNTY ROAD MILEAGE	9.6 [10.8]
		TOTAL ROAD MILEAGE	86.8 [87.8]

ROBERTSON COUNTY

ROAD	FROM	TO	LENGTH
* US 68	0.0 Nicholas CO LN	1.4 Fleming CO LN	1.4
		STATE ROAD MILEAGE	1.4
		COUNTY ROAD MILEAGE	0.0
		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]
		STATE ROAD MILEAGE	12.6 [15.2]
		COUNTY ROAD MILEAGE	0.0 [2.7]
		TOTAL ROAD MILEAGE	12.6 [17.9]

SIMPSON COUNTY

	ROAD	FROM	TO	LENGTH
*	US 31W	0.0 Tennessee State LN	14.0 Warren CO LN	14.0
			STATE ROAD MILEAGE	14.0
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	14.0

UNION COUNTY

	ROAD	FROM	TO	LENGTH
*	US 60	0.0 Crittenden CO LN	5.7 KY 109 in Sturgis	5.7
		[1.4 KY 109	5.7 KY 109	4.3]
*	KY 109	0.0 Webster CO LN	1.5 US 60 (West)	1.5
		1.5 US 60 (East)	4.9 KY 492	3.4
			[3.2 KY 1508	1.7]
*	KY 360	0.5 KY 871 (South)	6.6 Island Creek Mine	6.1
*	KY 492	1.9 Davis Mine Road	2.5 KY 109	0.6
*	KY 871	0.0 KY 360 (South)	2.4 Hite Speece Road	2.4
*	KY 1508	0.0 KY 109	2.7 Pyro Dock	2.7
		5.3 Kannipe Dock	6.0 Private Haul Road	0.7
*	Davis Mine Road			
	CR 5227	0.0 KY 109	0.3 Private Haul Road	0.3
*	Hite Speece Road			
	CR 5314	0.0 KY 871	0.2 Hamilton Mine Road	0.2
*	Hamilton Road			
	CR 5317	0.0 Hite Speece Road	0.5 Mine and Prep Plant	0.5
			STATE ROAD MILEAGE	23.1 [10.2]
			COUNTY ROAD MILEAGE	1.0 [0.0]
			TOTAL ROAD MILEAGE	24.1 [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
			STATE ROAD MILEAGE	27.2
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	27.2

WAYNE COUNTY

	ROAD	FROM	TO	LENGTH
*	KY 776	7.5 KY 790	9.8 Brammer Hill Ridge Road	2.3
		[9.2 Denny Creek RD	9.8 Brammer Hill Ridge RD	0.6]
*	KY 790	1.3 KY 776	10.5 Pulaski CO LN	9.2
		[5.0 Brammer Hill-Delta RD	10.5 Pulaski CO LN	5.5]
*	Brammer Hill Ridge Road			
	CR 5023	0.0 KY 776	2.2 Mine	2.2
			[4.2 Mine	4.2]
*	Denny Creek Road			
	CR 5024	0.0 KY 776	1.7 Sizemore Road	1.7
			[0.4 Sizemore RD	0.4]
*	Brammer Hill-Delta Road			
	CR 5030	0.0 KY 790	2.2 Brammer Hill Ridge RD	2.2
			[2.4 Brammer Hill Ridge RD	2.4]
*	Sizemore Road			
	CR 5155	0.0 Denny Creek RD	0.4 Mine	0.4
			[1.7 Mine	1.7]
			STATE ROAD MILEAGE	11.5 [6.1]
			COUNTY ROAD MILEAGE	6.5 [8.7]
			TOTAL ROAD MILEAGE	18.0 [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 (South)	7.2
		12.5 US 41 (North)	14.4 Old Eastwood Ferry RD	1.9
*	KY 109	2.9 KY 670	14.7 Union CO LN	11.8

* KY 120	0.0 Crittenden CO LN		6.7 US 41A	6.7
	[3.6 Mine		6.7 US 41A	3.1]
* KY 132	23.6 Mine		25.9 KY 494	2.3
			[28.5 KY 56	4.9]
[* KY 270	8.6 Mine		13.2 US 41A	4.6]
* KY 494	0.0 KY 132		2.2 US 41	2.2
* 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		0.4 Big Rivers Plant	0.4
			[0.2 Big Rivers Plant	0.2]
			STATE ROAD MILEAGE	74.6
				[76.0]
			COUNTY ROAD MILEAGE	0.5
			TOTAL ROAD MILEAGE	75.1
				[76.5]

WHITLEY COUNTY

ROAD	FROM	TO	LENGTH
* US 25T	0.0 US 25W	0.7 US 25W	0.7
* US 25W	0.8 Black Oak-Proctor Hollow RD	32.8 US 25T	32.0
	[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	2.7 Jordan Hollow RD	5.2 US 25W	2.5
	[1.9 Jordan Hollow RD	5.2 US 25W	3.3]
* KY 779	6.3 KY 1064 (South)	12.7 KY 11	6.4
		[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	1.7 McCreary CO LN	1.3
		[1.4 Mine	1.0]
* KY 1809	0.0 KY 92	1.4 Knox CO LN	1.4
* KY 1898	2.2 Old Jellico RD	2.8 KY 92	0.6
	[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]
* McNeil Hollow-Corn Creek Road			
CR 5045	2.4 Brenda Mine	3.6 KY 1064	1.2
	[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	0.9 Daniel Bros Mine	0.9
		[0.8 Mine	0.8]
* Doc Siler Road			
CR 5223	0.0 Tennessee ST LN [Skaggs RD]	0.1 Skaggs RD [Tennessee ST LN]	0.1
* Skaggs Branch Road			
CR 5224	0.0 Doc Siler RD	0.7 Bowline Mine	0.7
* Keswick-Gatliff Road			
CR 5227	3.3 Upper Cane Creek RD	8.0 KY 904	4.7
	[2.0 Mine	8.0 KY 904	6.0]
* Upper Cane Creek Road			
CR 5230	0.0 Keswick-Gatliff RD	0.5 Gatliff 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	1.0 Wash Ridge Mine [0.0 KY 628
[*	Kensee Hollow Road CR 5326	0.0 US 25W
*	Ryans Creek Road CR 5335	0.0 KY 1898
*	Old Jellico Creek Road CR 5337	0.0 KY 92
*	Kidd Road CR 5344	0.0 McCreary CO LN

WOLFE COUNTY

	ROAD	FROM	TO	LENGTH
*	Mountain PKWY	36.0 Powell CO LN [57.2 KY 205	53.3 KY 1010 57.7 Morgan CO LN	17.3 0.5]
*	KY 15	0.0 Breathitt CO LN 13.9 KY 3040	10.3 KY 651 14.0 KY 715	10.3 0.1 [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	6.4 KY 191 6.9 Morgan CO LN	2.1 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 Mines	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	3.0 Mine [2.7 Mine	3.0 2.7]
			STATE ROAD MILEAGE	40.9 [54.0]
			COUNTY ROAD MILEAGE	3.0 [2.7]
			TOTAL ROAD MILEAGE	43.9 [56.7]

		0.5
1.5 KY 628		0.3]
0.3 Mine		
0.8 Mine		0.8]
1.0 Bucks Branch Road		1.0
1.0 Gatliff Mine		1.2
1.5 Stansbury Mine		1.5
	STATE ROAD MILEAGE	122.9 [112.6]
	COUNTY ROAD MILEAGE	12.1 [14.8]
	TOTAL ROAD MILEAGE	135.0 [127.4]

TOTAL STATE ROAD MILEAGE	3,637.6 [3,398.6]
TOTAL COUNTY ROAD MILEAGE	361.6 [366.7]
TOTAL EXTENDED WEIGHT SYSTEM MILEAGE	3,999.2 [3,765.3]

[Section 4. The effective date of this regulation is April 1, 1987.]

C. LESLIE DAWSON, Secretary/Commissioner
APPROVED BY AGENCY: October 14, 1987
FILED WITH LRC: October 15, 1987 at 11 a.m.

STATEMENT OF EMERGENCY

KRS 177.9771 requires that the Extended Weight Coal Haul Road System be updated by November 1 of each year. In order that deficient bridges on the updated Extended Weight Coal Haul Road System be identified at the same time the Extended Weight Coal Haul Road System is identified, it is necessary that this emergency regulation be promulgated. It will be replaced by an ordinary administrative regulation as soon as possible.

MARTHA LAYNE COLLINS, Governor
C. LESLIE DAWSON, Secretary

TRANSPORTATION CABINET
Department of Highways

603 KAR 5:230E. Bridge weight limits on the extended weight coal haul road system.

RELATES TO: KRS 177.9771, 189.230
PURSUANT TO: KRS 177.9771
EFFECTIVE: October 15, 1987
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 [31] tons, TY III = 32 tons, TY IV = 39 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 = 45 tons, TY III = 46 tons, TY IV = 50 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	11.9 Straight CR RD
		[18.7 Clay CO LN]
	12.9 Bow Valley	18.7 Clay CO LN

3.4 Harlan CO LN

* KY 72 0.0 US 119

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

0.9 KY 535

* KY 74 0.0 Tennessee State LN

14.0 Stony Fork RD]

[9.4 Rockhouse BR RD

16.8 US 25E

9.8 Mine

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
Weight Limit - Bridge over Yellow Creek Bypass Canal @ milepoint 14.21
TY I = 20 tons, TY II = 43 tons, TY III = 45 tons, TY IV = 60 tons

16.8 US 25E]

[16.1 KY 2079

Weight Limit - Bridge over Little Yellow Creek @ milepoint 16.66
TY I = 20 tons, TY II = 32 tons, TY III = 33 tons, TY IV = 37 tons

10.8 US 25E

* KY 92 0.0 Whitley CO LN

3.1 KY 74

* KY 186 0.0 Tennessee ST LN

2.3 Stony Fork RD]

[2.0 Appolo Tipple

Weight Limit - Bridge over Bennett's Fork @ milepoint 2.41
TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons

4.1 Cranes Creek RD

[* KY 188 2.8 KY 988

Weight Limit - Bridge over Clear Creek @ milepoint 2.80
TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 49 tons]

8.8 KY 987

* KY 217 4.6 KY 1344 [0.0 KY 988]

[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]
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

12.6 Harlan CO LN

* KY 221 0.0 KY 66

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

0.6 Clear Fork RD

* KY 535 0.0 KY 74

8.7 KY 217

* KY 987 4.8 Hen Wilder RD

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

4.3 KY 188

[* KY 988 3.8 KY 217

Weight Limit - Bridge over Clear Fork @ Jct. KY 217
TY I = 10 tons, TY II = 10 tons, TY III = 10 tons, TY IV = 10 tons]

2.1 Wolfpen Branch RD

* KY 1344 0.0 KY 217

9.0 KY 66

* KY 2011 0.0 KY 221 [7.7 Mine Access]

Weight Limit - Bridge over Knuckles Branch @ milepoint 1.27
TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons
Weight Limit - Bridge over Jim York Branch @ milepoint 1.88
TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons
Weight Limit - Bridge over Stoney Fork Creek @ milepoint 3.86
TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons
Weight Limit - Bridge over Red Bird Creek @ milepoint 6.40
TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons
Weight Limit - Bridge over Red Bird Creek @ milepoint 7.54
TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 49 tons
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

2.0 US 119 [0.1 Hen Wilder RD]

* KY 2012 0.0 Private Haul RD [Balkan RD (Private)]

Weight Limit - Bridge over Cumberland River @ Tejay @ milepoint 1.30
TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons

2.6 Charter Tipple

[* KY 2079 2.1 KY 74

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

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*  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
   Weight Limit - Bridge over Townsend Creek @ milepoint 15.4
   TY I = 20 tons, TY II = 40 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 = 38 [37] tons, TY IV = 50 [48] tons
*  US 68X           1.4 KY 627                                        2.8 US 68 (East)
   Weight Limit - Bridge over Stoner Creek @ milepoint 2.0
   TY I = 20 tons, TY II = 39 [40] tons, TY III = 40 [39] tons, TY IV = 48 [47] tons
*  US 460           7.7 US 27                                         9.2 US 68X
   Weight Limit - Bridge over L & N RR @ milepoint 7.99
   TY I = 5 tons, TY II = 5 tons, TY III = 5 tons, TY IV = 5 tons
   Weight Limit - Bridge over Houston Creek @ milepoint 8.82
   TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 57 tons
*  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 = 44 [28] tons, TY III = 46 [37] tons, TY IV = 60 [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
   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 23S           0.0 US 60                                         0.5 Ohio State LN
   Weight Limit - Northbound Bridge over Ohio River @ milepoint 0.03
   TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons
   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 23S
                   [1.6 US 60                                        1.8 US 23]
                    1.7 US 60                                        2.0 US 23
*  US 60            0.0 Carter CO LN                                 12.3 [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
*  US 60X           0.0 US 60                                         0.5 US 23S
*  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 716           0.0 US 60                                         0.4 Molsruger RD
*  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]
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	ROAD	FROM	TO
*	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
*	Hatcher Drive CR 5357	0.0 Molsruger RD	0.1 Mine
*	Molsruger Road CR 5379	0.0 Ky 716	0.3 Hatcher DR
[*	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 = 54 [53] tons		
*	US 150	16.8 US 150 Bypass	18.9 Lincoln CO LN
*	US 150B	0.0 US 127	2.3 US 150

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 = 57 [56] tons Weight Limit - Bridge over Big Bracken Creek @ milepoint 13.93 TY I = 20 tons, TY II = 38 [40] tons, TY III = 39 tons, TY IV = 53 [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 (North)
		14.8 KY 15 (South)	33.3 KY 542
	Weight Limit - Bridge over Hunting Creek @ milepoint 29.07 TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons		
		[30.0 Mine Access	37.5 Magoffin CO LN]
*	KY 476	0.0 Perry CO LN [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	0.0 KY 30 [10.0 Mine Access]	18.6 Magoffin CO LN
	Weight Limit - Bridge over Big Caney Creek @ milepoint 0.09 TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		

* KY 1098	0.0 KY 15		20.7 Knott CO LN [14.8 Mine ACC]
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			
Weight Limit - Bridge over Quicksand Creek @ milepoint 17.98			
TY I = 20 tons, TY II = 43 tons, TY III = 44 tons, TY IV = 59 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 = 36 [37] tons, TY IV = 51 tons			
* KY 1111	0.0 KY 10.98 [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 = 42 tons, TY III = 46 tons, TY IV = 54 tons			
* Western KY PKWY	87.4. Ohio CO Ln		88.4 Grayson CO LN
* US 231	[8.4 Alley-Cassetty Tipple		18.9 Ohio CO LN]
	8.6 KY 1468		8.9 Green River PKWY
	11.5 KY 70 (South)		18.9 Ohio CO LN
[Weight Limit - Bridge over Embrys Ditch @ milepoint 9.92			
TY I = 20 tons, TY II = 35 tons, TY III = 37 tons, TY IV = 60 tons]			
Weight Limit - Bridge over Green River @ milepoint 12.26			
TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 51 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			
	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		6.1 [2.2] Mine
* KY 1328	10.3 [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 KY 70		0.3 Pyramid Mine
	[0.0 Peyton Cemetery RD		1.4 KY 70]
[* Peyton Cemetery Road			
CR 5028	0.6 Mine		0.9 Jolertown Ridge RD]
* New Cut Road (South)			
CR 5243	0.0 KY 70		0.3 C Crabtree MN [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 Addwest Mine
[* Possum Hollow School Road			
CR 5355	0.0 KY 70		0.7 Mine
* 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		
*	KY 70	0.5 KY 91	10.5 Mine
	Weight Limit - Bridge over Stephenson Creek @ milepoint 8.20		
	TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Donaldson Creek @ milepoint 8.42		
	TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Donaldson Creek Overflow @ milepoint 8.55		
	TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 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 and KY 7	24.8 KY 1 [35.0 Boyd CO LN]
		30.7 KY 207	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	1.2 KY 1496 [10.6 US 60 & KY 7]	11.5 I-64
	Weight Limit - Bridge over Little Fork Little Sandy River @ milepoint 2.40		
	TY I = 20 tons, TY II = 43 tons, TY III = 44 tons, TY IV = 59 tons		
	Weight Limit - Bridge over Little Fork Little Sandy River @ milepoint 4.13		
	TY I = 20 tons, TY II = 41 tons, TY III = 43 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Little Fork Little Sandy River @ milepoint 4.75		
	TY I = 20 tons, TY II = 41 tons, TY III = 43 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Little Fork Little Sandy River @ milepoint 5.41		
	TY I = 20 tons, TY II = 42 tons, TY III = 43 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Little Fork Little Sandy River @ milepoint 5.77		
	TY I = 20 tons, TY II = 33 tons, TY III = 34 tons, TY IV = 45 tons		
	Weight Limit - Bridge over Little Fork Little Sandy River @ milepoint 7.70		
	TY I = 20 tons, TY II = 40 tons, TY III = 41 tons, TY IV = 55 tons		
	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 Little Sandy River @ milepoint 10.12		
	TY I = 20 tons, TY II = 45 tons, TY III = 49 tons, TY IV = 56 tons		
*	KY 207	0.0 US 60	2.3 Greenup CO LN

CHRISTIAN COUNTY

	ROAD	FROM	TO
*	Pennyrile PKWY	7.0 US 41A	11.7 KY 1682
	Weight Limit - Bridge over US 41 @ milepoint 7.91		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
*	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		
*	US 41A	4.4 I-24	13.5 Pennyrile Parkway
*	KY 1296	2.7 Campbell Cemetery RD	5.2 US 41
*	Campbell Cemetery Road		
	CR 5418	0.0 KY 1296	1.6 T D C 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	

CLAY COUNTY

	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	32.8 Jackson CO LN [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 = 36 [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	1.8 Lick FK [6.9 Leslie CO LN]
		4.9 Phillips Fork	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
		3.0 Roots Branch	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	1.1 KY 2000 [6.9 Big John BR 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 Access
*	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]
* 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 Access
[* 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]

CRITTENDEN ROAD

	ROAD	FROM	TO
*	US 60	0.0 Livingston CO LN	23.0 Union CO LN
	Weight Limit - Bridge over Windlow Creek @ milepoint 12.4		
	TY I = 20 tons, TY II = 25 tons, TY III = 26 tons, TY IV = 43 tons		
	Weight Limit - Bridge over Repton Creek @ milepoint 14.69		
	TY I = 20 tons, TY II = 27 tons, TY III = 28 tons, TY IV = 44 tons		
	Weight Limit - Bridge over Matoon Creek @ milepoint 15.79		
	TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Hoods Creek @ milepoint 17.22		
	TY I = 20 tons, TY II = 27 tons, TY III = 28 tons, TY IV = 47 tons		
	Weight Limit - Bridge over Meadow Creek @ milepoint 20.32		
	TY I = 20 tons, TY II = 35 tons, TY III = 37 tons, TY IV = 60 tons		
*	KY 120	0.0 US 60	16.6 Webster CO LN
	Weight Limit - Bridge over Unnamed Stream @ milepoint 5.20		
	TY I = 20 tons, TY II = 39 tons, TY III = 38 tons, TY IV = 57 tons		
	Weight Limit - Bridge over Piney Fork Creek @ milepoint 9.05		
	TY I = 20 tons, TY II = 38 tons, TY III = 39 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Piney Fork Creek @ milepoint 9.18		
	TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 48 tons		
	Weight Limit - Bridge over Slough of Trade Water River @ milepoint 16.43		
	TY I = 17 tons, TY II = 19 tons, TY III = 20 tons, TY IV = 33 tons		
	Weight Limit - Bridge over Slough of Trade Water River @ milepoint 16.53		
	TY I = 17 tons, TY II = 19 tons, TY III = 20 tons, TY IV = 33 tons		

DAVIESS COUNTY

	ROAD	FROM	TO
*	Green River Parkway		
		59.5 Ohio CO LN	70.7 [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 11.78		
	TY I = 20 tons, TY II = 34 tons, TY III = 35 [37] tons, TY IV = 44 tons		
	Weight Limit - Westbound Bridge over L & N RR @ milepoint 16.66		
	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 16.66		
	TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 53 tons		
	Weight Limit - Bridge over Pup Creek @ milepoint 20.31		
	TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 45 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	12.9	Boston-Lafoon RD
			[15.2	KY 764 (South)]

Weight Limit - Bridge over Barnett Creek @ milepoint 5.68 [5.7]
TY I = 20 tons, TY II = 44 tons, TY III = 46 tons, TY IV = 60 tons
Weight Limit - Bridge over Caney Creek @ milepoint 7.78 [7.8]
TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 60 tons
Weight Limit - Bridge over Panther Creek Overflow @ milepoint 10.26 [10.3]
TY I = 20 tons, TY II = 36 tons, TY III = 39 tons, TY IV = 60 tons
Weight Limit - Bridge over Panther Creek @ milepoint 10.46 [10.5]
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	Flora 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

*	KY 331	0.0 US 60 (East)	1.9	Mine [1.8 Owensboro RVPT]
*	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	2.9	[1.6] Mine
*	Flora 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	11.4 KY 719	[16.6 Mason Branch RD]

Weight Limit - Bridge over Middle Fork @ milepoint 11.30
TY I = 20 tons, TY II = 32 tons, TY III = 33 tons, TY IV = 47 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 409	0.0 KY 7	2.7	Mine
[*	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	0.8	[0.3] Mine
[*	P Skaggs Road			
	CR 5121	0.0 KY 486	0.2	Mine

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*  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                              21.0 Lee 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 = 29 tons, TY III = 30 tons, TY IV = 37 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]
*  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 = 41 [28] tons, TY III = 43 [37] tons, TY IV = 60 [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 = 43 [28] tons, TY III = 44 [37] tons, TY IV = 58 [40] tons
   Weight Limit - Bridge over Viley Pike @ milepoint 5.48
   TY I = 20 tons, TY II = 43 [28] tons, TY III = 45 [37] tons, TY IV = 60 [40] tons
   Weight Limit - Bridge over Southern RR @ milepoint 6.01
   TY I = 20 tons, TY II = 39 [28] tons, TY III = 40 [37] tons, TY IV = 51 [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-Chinoe Road @ milepoint 17.05
   TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons
   Weight Limit - Bridge over Tates 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-O-War Boulevard (Lexington)
                    0.0 US 68                                       3.3 US 27]

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
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Weight Limit - Bridge over Levisa Fork Big Sandy River @ milepoint 10.76
TY I = 20 tons, TY II = 45 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 north of Price
TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 53 tons
Weight Limit - Bridge over unnamed stream @ Pilgrim Church
TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons
Weight Limit - Bridge over Abner Fork @ Melvin
TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons

* KY 194 0.0 KY 1428 1.6 Coal Mac Mine
[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 = 41 tons, TY III = 43 tons, TY IV = 60 tons]
9.0 Addington Mine [7.4 Copperas RD] 12.2 Pike CO LN
Weight Limit - Bridge over Brushy Creek @ milepoint 12.15
TY I = 20 tons, TY II = 40 tons, TY III = 42 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

* KY 466 2.3 Caleb FK RD [2.1 Mine] 4.1 KY 122

Weight Limit - Bridge over Left Fork of Beaver Creek @ milepoint 2.58
TY I = 16 [20] tons, TY II = 18 tons, TY III = 21 tons, TY IV = 37 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 1.2 Jett Tipple [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 5.2 Transcontinental [5.9] Mine 9.0 KY 80

[Weight Limit - Bridge over Turkey Creek @ milepoint 8.63
TY I = 20 tons, TY II = 43 tons, TY III = 48 tons, TY IV = 57 tons]

* KY 850 4.3 Pitts FK RD [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 0.0 Pike CO LN 2.5 K C Rogers Mine
6.4 Damron Coal Mine 9.5 Justice BR RD
[2.5 Mine 6.6 KY 979
6.6 KY 979 9.0 Mine]
* KY 1428 [5.7 Colliver RD 6.2 US 23

Weight Limit - Bridge over Levisa Fork @ milepoint 5.9
TY I = 15 tons, TY II = 15 tons, TY III = 15 tons, TY IV = 15 tons]
6.2 US 23 8.8 KY 194
[Weight Limit - Bridge over Cow Creek @ milepoint 8.75
TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 59 tons]
14.1 Uptown Mining 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 = 42 tons, TY III = 43 tons, TY IV = 56 tons
* KY 2557 0.0 Betsy Layne BR RD 0.3 US 23
* KY 3188 0.8 Kanawha 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]
* Bushy Fork Road
CR 5046 0.0 KY 194 0.4 Wolf BR RD
* Wolf Branch Road
CR 5046A 0.0 Bushy Fork Road 1.0 Martin CO LN
* 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 Prater Creek Mine
* Transcontinental Road (Excluding Bridge)
CR 5083 0.0 Transcontinental Tip 0.8 US 23
* Spruce Pine Road
CR 5098 0.0 KY 2030 0.4 Maple Ridge Mine
* Justice Branch Road
CR 5107 0.0 KY 1426 0.4 Right Fork Justice BR RD
* Big Branch/Little Mud Creek Road
CR 5108 0.0 KY 2030 3.3 Island Creek Mine
* Frog Branch Road
CR 5110 0.0 KY 2030 1.0 Maple Ridge Mine
* Betsy Layne Branch Road
CR 5111 0.0 KY 2557 0.9 Somerset Coal Mine
* Cedar Hill Road
CR 5118 0.0 KY 1426 0.6 Bebe Tipple
* Parsons Branch Road
CR 5128 0.0 KY 979 0.2 Transcontinental Mine
Weight Limit - Bridge over Mud Creek
TY I = 20 tons, TY II = 36 tons, TY III = 36 tons, TY IV = 36 tons
* Frasure Branch Road
CR 5134 0.0 KY 979 1.0 Joseph Mining Mine
* Mink Branch Road
CR 5138 0.0 KY 979 1.9 Joseph Mining [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]
* Dry Branch/Mud Creek Road
CR 5139 0.0 KY 979 1.1 Joseph Mining Mine
* Ned Fork Road
CR 5140 0.0 KY 1929 1.1 Premium Elkhorn Shannon Mine
* Branham Creek Road
CR 5142 0.0 KY 979 8.3 Pike CO LN
[0.0 KY 979 3.1 Mine
7.7 Left FK/Tinker FK RD 8.3 Pike CO LN]
* Barn Branch Road
CR 5146 0.0 Branham Creek RD 0.3 Phyllis Coal Mine
* Left Fork/Tinker Fork Road
CR 5147 0.0 Branham Creek RD 0.2 Wellmore Kodiak Mine
* Andy Branch Road
CR 5148 0.0 Tinker Fork RD 0.5 Ensol 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 Turner Elkhorn Mine
				[0.7 End of Road]
*	Buzzard Rock Road			
	CR 5157	0.2 Apache Mining Mine		0.5 Pike CO LN
*	Buckhorn Hollow Road			
	CR 5159	0.0 KY 979		0.4 Wheelwright Douglas #2 Mine
*	Spewing Camp Branch			
	CR 5190	0.0 KY 122		2.4 J R M Mining 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 Bebe Mine
*	Gunstock Branch Road			
	CR 5202	0.0 KY 2030		0.4 Island Creek Mine
*	Stonecoal Branch Road			
	CR 5234	0.0 KY 1101		2.0 Blackhawk Mine
*	Step Branch Road			
	CR 5247	0.0 KY 122		0.1 Transcontinental Mine
*	Goose Creek Road			
	CR 5273	0.0 Gosling Branch RD		0.6 Transcontinental T&H 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]
*	Pitts Fork Road			
	CR 5288	0.0 KY 850		1.3 Branham & Baker 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 = 30 tons, TY III = 32 tons, TY IV = 45 tons		
*	KY 34	0.0 Boyle CO LN	2.7 US 27]

GRAYSON COUNTY

	ROAD	FROM	TO
*	Western KY PKWY	88.4 Butler CO LN	119.6 Hardin CO LN
	Weight Limit - Bridge over Millwood-Pleasant View Road @ milepoint 99.08		
	TY I = 20 tons, TY II = 43 tons, TY III = 45 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Kentucky 187 @ milepoint 103.98		
	TY I = 20 tons, TY II = 40 tons, TY III = 41 tons, TY IV = 58 tons		

GREENUP COUNTY

	ROAD	FROM	TO
*	US 23	0.0 Boyd CO LN	11.2 KY 2 [11.8 KY 2541]
	[Weight Limit - Bridge over Little Sandy River @ milepoint 11.4		
	TY I = 20 tons, TY II = 41 tons, TY III = 43 tons, TY IV = 57 tons]		
		24.5 K O T Dock	28.8 Ohio ST LN
	Weight Limit - Bridge over Tygart's Creek @ milepoint 26.47		
	TY I = 20 tons, TY II = 45 tons, TY III = 45 tons, TY IV = 50 tons		
*	KY 1	11.4 KY 207	17.3 US 23
*	KY 2	10.3 Schultz Branch Road	17.2 US 23
	Weight Limit - Bridge over Little Sandy River @ milepoint 13.17		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
*	KY 207	0.0 Carter CO LN	0.5 Logtown Hollow RD
		6.9 Mine	9.2 KY 1
		[0.4 Logtown RD	9.2 KY 1
	Weight Limit - Bridge over Sandslick Creek @ milepoint 6.64		
	TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 60 tons		
*	KY 2541	1.3 Pilgrim Dock	1.6 US 23]
*	Logtown Hollow Road		
	CR 5168	0.0 KY 207	0.5 Mine
*	Stepp Drive		
	CR 5216	0.0 KY 207	0.3 Mine

	ROAD	FROM	TO
*	Schultz Branch Road		
	CR 5250	0.0 KY 2	1.0 Mine

HANCOCK COUNTY

	ROAD	FROM	TO
*	US 60	0.0 Daviess CO LN	5.0 [5.5] Mine

HARDIN COUNTY

	ROAD	FROM	TO
*	Western KY PKWY	119.6 Grayson CO LN	135.8 US 31W
	Weight Limit - Bridge over Valley Creek @ milepoint 132.46		
	TY I = 20 tons, TY II = 42 tons, TY III - 43 tons, TY IV = 54 tons		
	Weight Limit - Bridge over L&N RR - Gaither Station Road @ milepoint 132.62		
	TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 60 tons		
*	US 31W	18.8 US 31W Bypass	33.0 Meade CO LN
*	US 31WB	0.2 Western Kentucky Parkway	3.7 US 31W
	Weight Limit - Bridge over US 62, L&N, and IC RR @ milepoint 0.65		
	TY I = 20 tons, TY II = 41 tons, TY III = 41 tons, TY IV = 41 tons		

HARLAN COUNTY

	ROAD	FROM	TO
*	US 119	0.0 Bell CO LN	39.7 Letcher 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 Poore Fork Cumberland River @ milepoint 31.12		
	TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 53 tons		
	Weight Limit - Bridge over Poore Fork Cumberland River @ milepoint 33.32		
	TY I = 20 tons, TY II = 47 tons, TY III = 47 tons, TY IV = 55 tons		
	Weight Limit - Bridge over Clover Lick Creek @ milepoint 33.74		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
	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 = 25 tons, TY III = 27 tons, TY IV = 35 tons		
	Weight Limit - Bridge over Poor Fork @ milepoint 39.61		
	TY I = 20 tons, TY II = 30 tons, TY III = 31 tons, TY IV = 44 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 = 29 tons, TY III = 30 tons, TY IV = 42 tons		
	Weight Limit - Bridge over Fork of Crummies Creek @ milepoint 7.36		
	TY I = 20 tons, TY II = 31 tons, TY III = 32 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 (East) [(West)]	27.4 Leslie CO LN
*	KY 38	0.0 US 421	8.5 KY 215 [13.3 Shields SCH 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 = 26 tons, TY III = 27 tons, TY IV = 38 tons]		
		11.9 Nance RD	14.5 Highsplint
	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 Jericol Tipple	29.5 Virginia State LN
*	KY 72	0.0 Bell CO LN	4.9 Rockhouse BR [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
[*	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 = 34 tons, TY III = 37 tons, TY IV = 50 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
*	KY 215	0.0 KY 38	0.2 Yocum Tipple [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 2005	2.6 Lick Branch Culvert	5.1 KY 72
	Weight Limit - Bridge over Yocum Creek @ milepoint 5.08		
	TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons		
*	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 @ milepoint 0.43		
	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		
	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		
*	KY 2425	0.0 Mine	0.4 KY 72
*	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)	0.4 End [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 Catron 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 Foresters Creek RD
	Weight Limit - Bridge over Jesses Creek		
	TY I = 18 tons, TY II = 18 tons, TY III = 18 tons, TY IV = 18 tons		
*	Foresters Creek Road		
	CR 5238	0.0 Layman-Coldiron RD	1.8 Mine
*	Rockhouse Branch [Creek] Road		
	CR 5256	0.0 KY 72	0.2 R B Tipple
*	Ages Creek Road		
	CR 5326M	0.0 KY 38	0.3 [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 = 35 tons, TY III = 36 tons, TY IV = 45 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 = 37 tons, TY III = 39 tons, TY IV = 60 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	0.1 [0.2] KY 2097

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 Pennyrile Parkway @ milepoint 38.31
TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 56 tons

*	Pennyrile Parkway (Non-Toll Segment)		
		32.9 US 62 [29.6 US 41]	45.2 Begin Toll Segment

Weight Limit - Bridge on exit ramp to U.S. 41 @ milepoint 45.2
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons

*	Pennyrile Parkway (Toll Segment)		
		45.2 End 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	1.4 US 41A [2.3 Pennyrile PKWY]

Weight Limit - Bridge over Drakes Creek @ milepoint 0.49
TY I = 20 tons, TY II = 31 tons, TY III = 36 [33] tons, TY IV = 53 tons
[Weight Limit - Bridge on entrance ramp to Pennyrile Parkway @ milepoint 2.3
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 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	0.0 US 41 [3.7 US 62]	29.4 Webster CO LN

Weight Limit - Bridge over Crab Orchard Creek @ milepoint 0.82
TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 56 tons
Weight Limit - Bridge over IC RR & Pleasant Run Creek @ milepoint 3.42
TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 48 tons
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 = 27 [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 Sextet Mine & Tipple

Weight Limit - Bridge over Copperas 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	4.5 Peter Howton Road [7.1 KY 109]	18.7 US 41A

Weight Limit - Bridge over Lick Creek @ milepoint 5.92
TY I = 20 tons, TY II = 38 tons, TY III = 39 tons, TY IV = 51 tons
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 = 28 tons, TY III = 37 tons, TY IV = 40 tons

		18.7 US 41A	26.4 Muhlenburg CO

Weight Limit - Bridge over Pond River @ milepoint 26.32
TY I = 20 tons, TY II = 44 tons, TY III = 45 tons, TY IV = 60 tons

		[19.9 Pennyrile Parkway	23.2 KY 85]
*	KY 85	0.0 KY 70	3.3 Green River 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	0.0 US 62	9.8 US 41A

Weight Limit - Bridge over Copperas Creek @ milepoint 0.68
TY I = 20 tons, TY II = 25 tons, TY III = 26 tons, TY IV = 43 tons

		[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
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 Warrior 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 454	0.0 US 62	2.3 KY 112

Weight Limit - Bridge over Western KY PKWY @ milepoint 1.02
TY I = 20 tons, TY II = 36 tons, TY III = 37 tons, TY IV = 49 tons

[*	KY 630	0.0 KY 262	2.0 US 41A]
*	KY 813	2.5 Drakes Creek Road	2.8 US 62
		4.2 Mine	5.1 Private Haul Road
		[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	2.4 [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	
*	Wells Road			
	CR 5212	7.9 Barnsley Loop RD	8.7 Mine	
*	Barnsley Loop Road			
	CR 5217	0.0 US 41A	1.5 Wells Road	
*	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	
*	Peter Howton Road			
	CR 5330	0.0 KY 70	0.3 Mine	
*	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	0.0 Clay CO LN	4.6 KY 30 (East)
		[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 (South)
	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		
		12.5 US 421 (North)	20.9 Owsley CO LN
[*	KY 587	0.0 US 421	5.5 Brushy Ridge RD]
*	KY 2002	0.0 KY 30	4.3 Ruby Mine
*	KY 2003	0.0 KY 2002	2.9 Ruby Mine
[*	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
	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		
	CR 5248	0.0 Mildred RD	0.3 Mine]

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)		
		0.9 KY 1934	1.8 Dupont Plant

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	8.3 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 = 23 tons, TY III = 27 tons, TY IV = 44 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 = 41 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		
		8.7 US 23	13.3 Deadfall Branch RD
*	KY 172	0.0 Morgan CO LN [2.5 Mine Access]	12.4 KY 40
	Weight Limit - Bridge over Upper Laurel Creek @ milepoint 1.65		
	TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Mudlick Creek @ milepoint 11.91		
	TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 55 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 1559	2.8 Frank Vanhoose Road	6.0 US 23
	Weight Limit - Bridge over Tom's Creek @ milepoint 3.53		
	TY I = 20 tons, TY II = 34 tons, TY III = 36 tons, TY IV = 58 tons		
*	KY 1614	0.0 Morgan CO LN	1.2 KY 469
*	KY 2381	0.0 US 23	2.2 KY 302
*	KY 3214	2.3 Briar Fork Road	3.2 KY 172
*	Frank Vanhoose Road		
	CR 5061	0.0 KY 1559	0.4 Mine
*	Deadfall Branch Road		
	CR 5139	0.0 KY 40	0.6 Mine Access Road
*	Briar Fork Road		
	CR 5339	0.0 KY 3214	1.0 Morgan CO LN

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 = 40 tons, TY III = 41 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 = 39 tons, TY III = 42 tons, TY IV = 60 tons		
*	KY 80	0.0 Perry CO LN	21.1 [20.1] Floyd CO LN
*	KY 160	0.0 KY 15	5.8 A K P Coal Mine
			[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	12.5 KY 80
*	KY 550	20.6 National Mines Mine	26.6 Floyd CO LN
	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 = 30 tons, TY III = 31 tons, TY IV = 44 tons		

*	KY 899	0.0 KY 1393	4.9 Apollo Coal Mine	
		7.7 National Mines 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 Mountain Clay Mine	
		12.0 Sandlick Branch RD	14.1 KY 80	
		[19.9 Bruce Branch RD	20.6 KY 550]	
*	KY 1088	9.1 Old KY 15 [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 1098	0.0 Breathitt CO LN	12.0 KY 1087	
	Weight Limit - Bridge over Laurel Fork Quicksand Creek @ milepoint 6.94			
	TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 49 tons			
*	KY 1231	0.0 KY 15	5.8 Atlas Mining Mine	
			[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 = 40 tons, TY III = 42 tons, TY IV = 60 tons			
*	Patten Branch of Beaver Creek Road			
	CR 5009	0.0 KY 7	0.2 National Mines Mine	
			[0.4 G.S. & M. Mine]	
[*	Bruce Branch Road			
	CR 5026	0.0 KY 1087	0.7 Patsy Jane Mine]	
*	Big Springs Branch Road			
	CR 5032	0.0 KY 550	0.9 National Mines 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 (Bolyn) Road			
	CR 5037	0.0 KY 80	0.8 Consolidation Mine	
*	Bates Branch Road			
	CR 5117	0.0 KY 7	1.4 Wheelwright Mine	
*	Perkins Branch-Lick Branch Road			
	CR 5145	0.0 KY 15	0.4 Southeast CoalMine	
*	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 Golden Oak Mine	
*	Irishman Creek Road			
	CR 5203	0.0 KY 1231	2.5 R J F Coal Mine	
[*	Flaxpatch Branch Road			
	CR 5208	0.0 KY 1231	0.6 Mine]	
*	Defeated Creek Road			
	CR 5212	0.0 KY 15	3.2 Meade & Shepherd 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 = 33 tons, TY III = 33 tons, TY IV = 40 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
* 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 Kayjay Mine 15.0 US 25E
* KY 233 3.4 [4.6] Lynn Camp Branch RD 6.2 US 25E
* KY 459 2.6 Little Indian Creek RD 11.7 KY 11
Weight Limit - Bridge over Richland Creek @ milepoint 11.48
TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 38 tons
[* KY 718 0.0 KY 223 9.2 Alex Creek RD]
* KY 1418 0.8 Hubbs Hollow Road 2.3 Clate-Perman RD
[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
Weight Limit - Bridge over Brush Creek
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons
* Lay Branch Road
CR 5169 0.0 Little Brush CK RD 0.2 K & M Mines
* Stoney Fork Road
CR 5210 0.0 KY 1809 1.1 Roark Mine [1.8 Swanpond RD]
* Hubbs Road
CR 5214 0.0 KY 1809 1.5 Girdner #1 Mine
Weight Limit - Bridge over Hubbs Creek east of Bryant's Store
TY I = 20 tons, TY II = 24 tons, TY III = 28 tons, TY IV = 47 tons
Weight Limit - Bridge over Hubbs Creek @ Bain Branch
TY I = 3 tons, TY II = 3 tons, TY III = 3 tons, TY IV = 3 tons
* Sugartree Road
CR 5216 0.0 Hubbs RD 0.5 Terco #1 Mine
Weight Limit - Bridge over Hubbs Creek
TY I = 4 tons, TY II = 4 tons, TY III = 4 tons, TY IV = 4 tons
* Flat Creek Road
CR 5243 0.0 KY 1418 2.6 Little Indian CR RD
* Hubbs Hollow Road
CR 5244 0.0 KY 1418 0.8 Brenda Mine
* Little Indian Creek Road
CR 5245 3.3 Flat Creek Road 3.6 KY 459
* Lewellen Road
CR 5259 0.0 Hubbs Road 0.5 Jarcoal Mine
* Old US 25E Loop #6 Road
CR 5304 0.6 Bailey Branch RD 1.0 US 25E
Weight Limit - Bridge [Branch] over Bailey Creek
TY I = 9 tons, TY II = 9 tons, TY III = 9 tons, TY IV = 9 tons
* Bailey Bridge [Branch] Road
CR 5305 0.0 Old US 25E Loop #6 RD 0.5 Bailey Switch Tipple
Weight Limit - Branch over Bailey Branch (Richland Creek)
TY I = 18 tons, TY II = 18 tons, TY III = 18 tons, TY IV = 18 tons
* Middle Fork Richland Creek Road
CR 5311 0.9 Higgins Road 1.2 H & P Mine
[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	1.2 [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 = 36 [37] tons, TY IV = 43 tons		
		11.1 US 25	13.3 [11.8] KY 638
*	KY 192	0.0 Pulaski CO LN [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 1	0.0 KY 3	3.6 KY 828
*	KY 3	0.0 Martin CO LN	15.5 US 23
	Weight limit - Bridge over Levisa & Tug Forks @ milepoint 14.87		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
		15.5 US 23	24.7 KY 1
	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 3S	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 = 32 tons, TY III = 33 tons, TY IV = 54 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 = 35 [38] tons, TY III = 37 [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 US 23	5.2 Martin CO LN
		[0.0 Martin CO LN	5.2 US 23]
*	KY 1760	0.0 US 23	2.8 Georges Creek RD
*	Fallsburg-Fullers Road		
	CR 5022	0.0 US 23	0.1 Belfry #5 Tipple
*	Donithon Branch Road		
	CR 5118	0.0 KY 3	1.6 Lockworth Mine
[*	Yellow Creek-Tug Fork Road		
	CR 5122	0.0 KY 3	0.8 Mine
*	Laurel Creek Road		
	CR 5124	0.0 KY 3	1.7 Lockworth 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 Left FK Brushy CR RD
			[Tebco #22 Mine]
*	Left Fork Brushy Creek Road		
	CR 5203	0.0 Georges Creek Road	0.8 Mine

LEE COUNTY

	ROAD	FROM	TO
*	KY 11	0.0 Owsley CO LN	4.3 KY 52 (West)
	Weight Limit - Bridge over South Fork Kentucky River @ milepoint 3.19		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
	Weight Limit - Bridge over North Fork Kentucky River @ milepoint 4.17		
	TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 51 tons		
*	KY 52	0.0 Estill CO LN	12.9 KY 11 (North)

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	35.4 Clay CO LN [22.6 KY 118]
	Weight Limit - Bridge over Middle Fork Kentucky River @ milepoint 11.55		
	TY I = 20 tons, TY II = 35 [28] tons, TY III = 36 [37] tons, TY IV = 46 tons		
	Weight Limit - Bridge over Rockhouse Creek @ milepoint 23.02		
	TY I = 20 tons, TY II = 32 tons, TY III = 33 tons, TY IV = 51 tons		
*	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 = 28 [33] tons, TY III = 34 [33] tons, TY IV = 44 tons		
*	KY 80	0.0 US 421	9.7 Perry CO LN
	Weight Limit - Bridge over Cutshin Creek @ milepoint 5.15		
	TY I = 20 tons, TY II = 27 tons, TY III = 28 tons, TY IV = 43 tons		
	Weight Limit - Bridge over Wooten Creek @ milepoint 6.12		
	TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 46 tons		
	Weight Limit - Bridge over MacIntosh Creek @ milepoint 8.84		
	TY I = 20 tons, TY II = 25 tons, TY III = 26 tons, TY IV = 42 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	10.0 Long BR [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		
		15.2 Mine	16.0 Perry CO LN
*	KY 1807	0.0 KY 80	3.6 End State MAINT
*	KY 2008	0.0 KY 2009	1.5 End ST MAINT
			[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	3.1 Bear BR RD [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	2.2 [0.7] Big BR H'Cane CR RD	3.3 Wendover RD
*	Camp Creeks [Long] Fork Road		
	CR 5005	0.0 Hurricane Creek RD	1.6 Left FK [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]		
*	Bear Branch Road		
	CR 5018	0.0 KY 2057	1.4 Mine & Perry CO LN
*	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	4.7 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]
*	Spruce Pine Creek Road		
	CR 5219	2.3 Mine	6.6 Rocky Hollow BR RD
*	Rocky Hollow Branch Road		
	CR 5220	0.0 US 421	0.2 Spruce Pine Creek RD
	Weight Limit - Bridge over Beech Fork		
	TY I = 5 tons, TY II = 5 tons, TY III = 5 tons, TY IV = 5 tons		
*	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	9.4 KY 806
		20.7 KY 1862	27.7 US 23 [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	0.0 Perry CO LN [0.3 KY 1103]	27.6 Knott CO LN
	Weight Limit - Bridge over Line Fork @ milepoint 0.17		
	TY I = 20 tons, TY II = 25 tons, TY III = 29 tons, TY IV = 34 tons		
	Weight Limit - Bridge over North Fork Kentucky River @ milepoint 2.61		
	TY I = 20 tons, TY II = 32 tons, TY III = 33 tons, TY IV = 48 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		
	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	5.2 Loggy Hollow RD	9.3 KY 7
		[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]		
		9.3 [9.2] KY 7	10.7 Knott CO LN
*	KY 113	0.0 KY 805	4.5 Millstone-Dem RD [End ST MT]
	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

* KY 317 0.0 KY 805 8.9 KY 7
* KY 343 0.0 KY 317 1.5 #2 Hollow Road
Weight Limit - Bridge over Yount's Fork Creek @ milepoint 0.08
TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons
Weight Limit - Bridge over Wright's Fork @ milepoint 0.46
TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons
Weight Limit - Bridge over Wright's Fork @ milepoint 0.65
TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons

[* 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 = 37 [39] tons, TY III = 38 [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]
16.6 KY 1862 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 = 22 tons, TY IV = 22 tons

* Millstone-Democrat Road
CR 5020 1.7 Beth Energy Mine 2.7 KY 113

* Beaverdam Branch Road
CR 5047 0.0 KY 7 2.0 A & E Coal Mine

[* Loves Branch Road
CR 5048 0.0 KY 7 1.5 Mine]

* Bottom Fork Road
CR 5068L 0.2 Tammy Ann Mine 0.7 #2 Hollow Road

* #2 Hollow Road
CR 5068M 0.0 Bottom Fork Road 0.6 KY 343

* Mayking-Cram Creek Road
CR 5153 0.0 KY 1862 1.5 Cram Creek RD

* Cram Creek Road
CR 5169 0.9 Wampler Bros Mine 1.4 Mayking-Cram CR RD
[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 Lake Coal Mine
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 Lake Coal Mine

* Whitaker Branch Road
CR 5259 0.0 KY 1103 2.5 Big BR-Tolson BR RD

* Defeated Creek Road
CR 5265 5.1 Southeast 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 Lake Coal Mine
*	Johnson Branch Road		
	CR 5309	0.0 KY 160	0.3 Whitaker Mine
*	Bee Tree Branch Road		
	CR 5311	0.0 KY 160	1.0 Lake Coal Mine
*	Hollybush Branch Road		
	CR 5312	0.0 KY 160	0.4 Golden Oak Mine
*	Loggy Hollow Road		
	CR 5314	0.0 KY 15	1.1 Katco Mining 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 Golden Oak 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 Golden Oak Mine
*	Bull Creek-Meadow Fork Road		
	CR 5367	3.3 Golden Oak Mine	5.0 Perry CO LN

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 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 60	0.0 McCracken CO LN	29.1 Crittenden CO LN
	Weight Limit - Bridge over Cumberland River @ milepoint 12.37		
	TY I = 20 tons, TY II = 24 tons, TY III = 26 tons, TY IV = 37 tons		
	Weight Limit - Bridge over Dyers Creek @ milepoint 16.66		
	TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Mitchell Branch @ milepoint 21.31		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
	Weight Limit - Bridge over Sandy Creek @ milepoint 25.98		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
	Weight Limit - Bridge over Dry Creek @ milepoint 29.06		
	TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 40 tons		
*	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 1.92		
	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

McCRACKEN COUNTY

	ROAD	FROM	TO
*	US 60	19.5 US 62	20.0 Livingston CO LN
	Weight Limit - Bridge over US 68 @ milepoint 19.64		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
	Weight Limit - Bridge over Tennessee River @ milepoint 19.86		
	TY I = 20 tons, TY II = 21 tons, TY III = 22 tons, TY IV = 30 tons		

*	US 62	1.2 KY 453	2.9 Lyon CO LN
	Weight Limit – Bridge over IC RR @ milepoint 12.98		
	TY I = 20 tons, TY II = 39 tons, TY III = 39 tons, TY IV = 60 tons		
	Weight Limit – Bridge over IC RR @ milepoint 13.06		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
*	US 68	0.0 US 62	1.0 I-24
	Weight Limit – Bridge over I-24 @ milepoint 1.01		
	TY I = 20 tons, TY II = 40 tons, TY III = 41 tons, TY IV = 54 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		
*	KY 1673	0.6 [0.0] Whitley CO LN	2.2 Corley Ridge RD [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 Shamrock #9 Mine
*	Corley Ridge Road		
	CR 5108	0.0 KY 1673	0.4 Whitley CO LN
*	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 = 33 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 = 38 tons, TY III = 40 tons, TY IV = 56 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 = 17 tons, TY II = 17 tons, TY III = 20 tons, TY IV = 22 tons		
	Weight Limit – Bridge over Branch of Porters Ditch @ milepoint 7.34		
	TY I = 11 tons, TY II = 11 tons, TY III = 11 tons, TY IV = 11 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	7.2 I-75 [8.6 Kit Carson DR]	10.8 KY 52

MAGOFFIN COUNTY

ROAD	FROM	TO
* Mountain PKWY	71.7 KY 30 [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	12.5 Mountain PKWAY [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 = 37 tons, TY III = 38 tons, TY IV = 42 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	
* KY 30	3.3 KY 1397 [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 [18] tons, TY II = 22 [19] tons, TY III = 23 [22] tons, TY IV = 39 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	2.7 Jake Wireman RD [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
* Jake Wireman Road		
CR 5144	0.0 KY 1502	1.0 Mines
* 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	
* Wright Oakley Creek Road		
CR 5221	0.0 KY 1635	0.3 Mine
	Weight Limit - Bridge over Oakley Creek	
	TY I = 6 tons, TY II = 6 tons, TY III = 6 tons, TY IV = 6 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	
	22.9 KY 292 [21.8 Laurel Creek RD]	23.2 Lawrence CO LN
* KY 40	5.3 KY 1224 [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	
	27.8 Mine	28.9 KY 3

* KY 645	0.0 Lawrence CO LN [KY 40]		4.7 KY 40 [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	3.6 KY 1439 [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 Creek [Branch] Road			
CR 5105	0.0 KY 1714		0.5 [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
* Laurel Fork-Wolf Creek Road			
CR 5202	0.0 KY 1439		7.8 Private Access Road
* Middle Fork of Wolf Creek Road			
CR 5205	0.0 Mid FK Rockcastle RD		3.3 Mine Access 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 = 18 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	

MEADE COUNTY

ROAD	FROM	TO
* US 31W	0.0 Hardin CO LN	0.6 US 60
* US 60	8.7 KY 144	15.6 US 31W
Weight Limit - Bridge over Tank Trail @ milepoint 12.36		
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
Weight Limit - Bridge over Pinwheel Road @ milepoint 13.62		
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
* KY 144	25.4 KY 448	28.7 US 60
* KY 448	0.0 KY 144	5.3 KY 933
Weight Limit - Bridge over L & N RR @ milepoint 3.36		
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
* KY 933	4.6 Olin Chemical Plant	7.4 KY 448

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	6.4 KY 342	7.7 US 68
*	KY 342	0.0 KY 33	1.5 E W Brown Power Plant

MONTGOMERY COUNTY

	ROAD	FROM	TO
*	US 460	7.3 KY 11 (North)	8.3 KY 686 (North)
*	KY 11	0.0 Powell CO LN	9.2 KY 686 (South)
	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 (North)	15.4 Bath CO LN
*	KY 686	0.0 KY 11 (South)	2.7 US 460 (North)

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	15.5 KY 191	17.8 KY 7
		[13.1 KY 205	17.7 KY 7
		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		
	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 = 23 [25] tons, TY III = 25 tons, TY IV = 37 [38] tons		
*	KY 172	[11.8 Laurel Fork RD	12.3 Old House Branch RD]
		18.7 Cinda Branch RD	22.6 Johnson CO LN [22.3 KY 1614]
*	KY 191	13.0 Steele Branch RD	14.7 US 460
[*	KY 205	0.0 Wolfe CO LN	6.8 US 460]
*	KY 437	6.3 KY 3344	12.4 KY 172 @ Relief
	Weight Limit - Bridge over Open Fork Creek @ milepoint 12.27		
	TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons		
[*	KY 650	2.9 Mine	4.0 Elliott CO LN]
*	KY 1614	0.0 KY 172	0.2 Johnson CO LN
*	KY 3344	0.0 KY 437	0.4 Mine
[*	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]
*	River Road		
	CR 5100	0.0 KY 191	0.3 Mine
[*	Jones Creek Road		
	CR 5103	0.0 Malone-Jones RD	0.4 Mine
*	Malone-Jones Creek Road		
	CR 5175	0.0 KY 7	1.3 Jones Creek RD]

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
		17.9 US 431 [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	25.5 Mine [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	0.0 Hopkins CO LN	15.4 US 431

Weight Limit - Bridge over Pond River @ milepoint 0.20
TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons
Weight Limit - Bridge over Isaac Creek @ milepoint 3.50
TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons

		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 181	15.2 Western KY PKWY	17.5 Mine
*	KY 189	6.0 Mine Access	8.8 US 62
*	KY 277	2.6 KY 602	3.8 KY 1379
*	KY 602	0.0 KY 277	0.7 US 431
*	KY 1379	0.0 KY 277	0.5 Prep Plant Access

Weight Limit - Bridge over Unnamed Stream @ milepoint 0.25
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons

*	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
*	Caney Creek Mine Road		
	CR 5103	0.0 KY 176	0.7 Prep Plant & Mine
*	Vogue Haul Road		
	CR 5389	0.0 Henry Oaks Road	0.8 Vogue Road
*	Henry Oaks Road		
	CR 5392	2.3 Mine	4.5 Vogue Haul Road
*	Vogue Road		
	CR 5407	0.0 Vogue Haul Road	1.6 Tipple

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 KY PKWY	65.7 Muhlenberg CO LN	87.4 Butler 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 = 36 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
Weight Limit - Bridge over Arnold-Butler Road @ milepoint 85.72
TY I = 20 tons, TY II = 42 tons, TY III - 44 tons, TY IV = 60 tons
* Green River PKW 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 15.5 Horton-Mount Pleasant RD
[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 = 33 [37] tons, TY III = 35 [38] tons, TY IV = 49 [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 = 37 tons, TY III = 38 tons, TY IV = 53 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 = 34 tons, TY III = 36 tons, TY IV = 59 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 9.62
TY I = 20 tons, TY II = 33 tons, TY III = 35 tons, TY IV = 56 tons
* KY 269 0.8 Schultztown-Cool SP RD [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
* Horton-Mount Pleasant Road
CR 5124 0.0 US 62 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 0.0 US 62 1.6 Brown Badgett Mine
1.7 Southwind Mine 2.9 US 62
* Schultztown-Cool Springs Road
CR 5267 2.5 KY 269 [Mine] 3.6 Green Mine [KY 269]
* Lone Star Road
CR 5313 0.0 KY 69 1.1 Tipple
* James Road
CR 5322 0.0 US 62 0.5 [0.4] KY 1245
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
* Martin-Dodson Cemetery Road
CR 5373 0.0 US 231 0.6 Mine

OWSLEY COUNTY

	ROAD	FROM	TO
*	KY 11	0.0 Clay CO LN	17.3 Lee 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 30	0.0 Jackson CO LN	5.2 KY 847
	Weight Limit - Bridge over Little Sturgeon Creek @ milepoint 3.42		
	TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Little Sturgeon Creek @ milepoint 4.88		
	TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Little Sturgeon Creek @ milepoint 5.15		
	TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 49 tons		
		9.4 Venable School Road	11.2 KY 11 @ Levi
*	KY 847	0.0 KY 30	4.3 Bowman Branch RD
[*	KY 1938	1.6 Minnow Branch RD	2.5 KY 11]

*	Hurricane Branch Road		
	CR 5301	0.0 Bowman Branch Road	1.1 Denham & Lewis Mine
*	Bowman Branch Road		
	CR 5303	0.0 KY 847	0.3 Hurricane Branch RD
[*	Minnow Branch Road		
	CR 5304	0.0 KY 1938	0.3 Mine]
*	Venable School Road		
	CR 5316	0.0 KY 30	0.4 Apex Mine
*	The Judd Road		
	CR 5323	2.2 Manious Road	2.4 KY 30

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 5011-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	13.6 Letcher CO LN [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 = 25 [27] tons, TY III = 28 [29] tons, TY IV = 46 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	1.4 Jackson Fork RD [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 = 20 tons, TY III = 20 tons, TY IV = 30 tons		
	Weight Limit - Bridge over Lott's Creek @ milepoint 2.22		
	TY I = 20 tons, TY II = 20 tons, TY III = 22 tons, TY IV = 28 tons]		
		3.9 KY 1146 (South)	14.2 KY 1146 (North) [18.1 Mine]
		7.5 Dwarf-Engle Ford Road	22.3 Breathitt CO LN
	Weight Limit - Bridge over Troublesome Creek @ milepoint 8.72		
	TY I = 20 tons, TY II = 24 tons, TY III = 27 tons, TY IV = 38 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		
	Weight Limit - Bridge over Troublesome Creek @ milepoint 18.30		
	TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 48 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	0.0 Montgomery Creek RD [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		
*	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
*	Dwarf-Engle Fork Road		
	CR 5032	0.0 KY 476	0.1 Highland Coal Mine
*	Coates Branch Road		
	CR 5044	0.0 Ky 476	0.5 Ball Branch Mine
*	Lick Branch Road		
	CR 5045	0.0 KY 1087	0.6 Star Fire Mine
*	Cockerell Fork-Noble Branch Road		
	CR 5050	0.0 KY 476	1.7 Shamrock Coal Mine
*	Jeff-Knott County Line Road		
	CR 5100	0.0 Old KY 15 Loop #1 RD	2.4 Lake Coal 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
*	Montgomery Creek Road		
	CR 5120	0.0 Letcher CO LN	1.5 KY 1095
*	Left Fork Maces Creek Road		
	CR 5131	0.0 KY 1165	1.1 Leemike Mine
*	Little Leatherwood Creek Road		
	CR 5139	0.0 KY 699	5.7 Blue Diamond 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 Lee Mine
*	Jackson Fork Road		
	CR 5152	0.0 KY 463	0.4 Blue Diamond Mine
*	Coal Waste Road		
	CR 5237	0.0 KY 699 [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 Dun Raven Tipple [River Processing Tipple]
*	Clear Fork Road		
	CR 5320	0.0 KY 28	2.3 Sam Campbell BR RD

[* 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]
* Barwick Road
CR 5330 0.0 KY 28 0.8 Breathitt CO LN
* Right Fork Spencer Creek Road
CR 5332 0.0 Spencer Creek-Napfor BR RD 1.0 Vires Coal Mine
* Spencer Creek-Napfor Branch Road
CR 5333 0.0 KY 28 1.9 Pine Branch Mine
* Buckhorn-Breathitt County Line Road
CR 5349 0.0 KY 28 1.2 Kescoal 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 17.23
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons
Weight Limit - Bridge over Little Creek @ milepoint 18.12
TY I = 20 tons, TY II = 34 tons, TY III = 33 tons, TY IV = 60 tons
Weight Limit - Bridge over Shelby Creek @ milepoint 19.75
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 22.00
TY I = 20 tons, TY II = 30 tons, TY III = 31 tons, TY IV = 47 tons

*	New US 23	0.0 KY 1384	1.4 US 23 NW of Pikeville
[*	US 23X	2.1 KY 1384	2.3 US 23]
*	US 119	0.0 US 23	29.7 W. Va. State LN

Weight Limit - Bridge over Raccoon Creek @ milepoint 6.61
TY I = 18 tons, TY II = 20 tons, TY III = 23 tons, TY IV = 40 tons
Weight Limit - Bridge over John's Creek @ milepoint 7.94
TY I = 20 tons, TY II = 21 tons, TY III = 24 tons, TY IV = 37 tons
Weight Limit - Bridge over Bent Branch @ milepoint 9.99
TY I = 20 tons, TY II = 35 tons, TY III = 37 tons, TY IV = 60 tons
Weight Limit - Bridge over Bent Branch @ milepoint 10.23
TY I = 13 tons, TY II = 13 tons, TY III = 13 tons, TY IV = 13 tons
Weight Limit - Bridge over Bent Branch @ milepoint 10.88
TY I = 12 tons, TY II = 12 tons, TY III = 12 tons, TY IV = 12 tons
Weight Limit - Bridge over Bent Branch @ milepoint 11.25
TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 60 tons
Weight Limit - Bridge over Bent Branch @ milepoint 11.40
TY I = 20 tons, TY II = 20 tons, TY III = 23 tons, TY IV = 40 [31] tons
Weight Limit - Bridge over Bent Branch @ milepoint 11.63
TY I = 11 tons, TY II = 11 tons, TY III = 11 tons, TY IV = 11 tons
Weight Limit - Bridge over Fork of Big Creek @ milepoint 16.41
TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 60 tons
Weight Limit - Bridge over Big Creek @ milepoint 17.06
TY I = 20 tons, TY II = 23 tons, TY III = 24 tons, TY IV = 27 tons
Weight Limit - Bridge over Reed Fork @ milepoint 18.48
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons
Weight Limit - Bridge over Big Creek @ milepoint 20.13
TY I = 20 tons, TY II = 24 tons, TY III = 28 tons, TY IV = 47 tons
Weight Limit - Bridge over Tug River @ West Virginia State Line @ milepoint 29.7
TY I = 20 tons, TY II = 45 tons, TY III = 45 tons, TY IV = 52 tons

*	Old US 119		
		0.0 US 23	2.8 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]
		3.3 Arnold Fork Road Mine	10.4 US 23

Weight Limit - Bridge over Robinson Creek @ milepoint 6.75
TY I = 20 tons, TY II = 36 tons, TY III = 37 tons, TY IV = 53 tons
Weight Limit - Bridge over Bear Fork north of Jones Chapel @ milepoint 8.28
TY I = 20 tons, TY II = 36 [38] tons, TY III = 39 [38] tons, TY IV = 60 tons

*	KY 194	0.0 Floyd CO LN	16.8 US 119 (South)
		16.8 US 119 (North)	41.3 Kyber Coal [27.8] Mine

Weight Limit - Bridge over John's Creek @ milepiont 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 H K Corp Mine	55.7 KY 632 @ Phelps
	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 Brushy Branch @ milepoint 3.27		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
	Weight Limit - Bridge over Wolf Pit Branch @ milepoint 9.93		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
	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	5.6 Fountain Blue Mine [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 8129		
	TY I = 20 tons, TY II = 39 [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 IV = 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 (South)
		4.8 US 119 (North)	12.7 Martin CO LN
*	KY 319	3.8 KY 1056 @ Nampa [(East)]	12.3 US 119 [5.8 Hatfield BR 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
	Weight Limit - Bridge over Beefhide Creek @ Myra @ milepoint 1.60		
	TY I = 20 tons, TY II = 38 tons, TY III = 39 tons, TY IV = 60 tons		
		8.0 Virgie Tipple	8.9 KY 122
	Weight Limit - Bridge over Long Fork @ milepoint 8.08		
	TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 53 tons		
*	KY 611	0.0 KY 195	3.5 Henry Clay Mine [6.0 US 23]
		4.3 Little Fork-Left Fork RD	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 = 60 [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 881	0.0 US 119	3.0 Brushy Fork Road
*	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 6.52		
	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
	Weight Limit - Bridge over Tug Fork Big Sandy River @ milepoint 10.10		
	TY I = 20 tons, TY II = 44 tons, TY III = 45 tons, TY IV = 53 tons		
*	KY 1373	4.8 Card Creek-Card Knob Road	6.7 US 460
*	KY 1384	[0.0 US 23	7.7 US 23X]
		0.2 Peter Fork #2 Tipple	3.8 Dog Fork-Hurricane CR RD
		6.0 Clark Elkhorn Mine	7.3 New US 23
*	KY 1426	0.0 US 23	4.9 Floyd CO LN
			[3.5 Hoopwood Branch RD]
*	KY 1441	4.4 Standard Elkhorn Mine	10.1 US 119
	Weight Limit - Bridge over Raccoon Creek @ milepoint 4.79		
	TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Raccoon Creek @ milepoint 6.04		
	TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons		
	Weight Limit - Bridge over Raccoon Creek @ milepoint 7.96		
	TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Burning Fork [Raccoon] Creek @ milepoint 10.00		
	TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 58 tons		
*	KY 1469	6.0 KY Elkhorn 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
* 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 Hawkeye Mine
Weight Limit - Bridge over Cowpen Creek @ milepoint 0.81			
TY I = 20 tons, TY II = 39 [20] tons, TY III = 41 [21] tons, TY IV = 60 [36] tons			
* KY 2062	0.0 KY 194		3.1 KY 194
[* KY 2552	0.0 US 23		0.3 Shelbiana 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 Branson Coleman Mine
* Winn Branch Road			
CR 5011	0.0 US 119		1.3 Chloe Creek Dev 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		0.4 Utility Tipple
* Meathouse Fork Road			
CR 5022	0.0 KY 194		1.3 Rockhouse FK-Pigeon CR RD
* Rockhouse Fork-Pigeon Creek Road			
CR 5024	0.0 Meathouse FK RD		1.0 Ridgeway Coals [1.9] Mine
* Meathouse Branch Road			
CR 5025	0.0 KY 3154		3.2 Ember and K-Line Mines
[* 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 Eastern Coal Mine [Entrance]
* Goody-Aflex-Burnwell Road			
CR 5050	0.0 KY 292		1.1 Harbour Marine Mine
			[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 Coal Mac Mine [Entrance]
* Bent Branch Road			
CR 5074	0.0 KY 468		1.1 Gex Tipple
Weight Limit - Bridge over Big Creek			
TY I = 18 [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 H Mar/Island Mines [Entrance]
Weight Limit - Bridge over Big Creek			
TY I = 3 ton, TY II = 3 ton, TY III = 3 ton, TY IV = 3 ton			
* Halfway Branch Road			
CR 5077	0.0 KY 468		0.5 Island Creek Mine [Entrance]
* Rockhouse Fork Road			
CR 5078	0.0 KY 468		0.4 Island Creek Mine
			[0.3 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			
* Brushy Fork Road			
CR 5095	0.0 KY 881		0.5 Addington Mine
Weight Limit - Bridge over Left Fork of Brushy Fork			
TY I = 20 tons, TY II = 26 tons, TY III = 26 tons, TY IV = 26 tons			
* Big Branch/Meathouse Creek Road			
CR 5111	0.0 Martin CO LN		2.7 Little Fork 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 Liberty 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 Jex Big Hill Mine [Entrance]

* Fishtrap Ridgeline Road
CR 5160 0.0 KY 194 2.7 Hurricane Creek Road

* Hurricane Creek Road
CR 5162 2.5 Wellmore Mine 3.7 Fishtrap Ridgeline RD

* Dicks Fork Road
CR 5163 0.0 KY 194 0.6 Big Fist #4 Mine

* Lane Branch Road
CR 5168 0.0 KY 632 1.2 McCoy Elkhorn Mine [Entrance]

* Mullen Fork Road
CR 5191 0.0 KY 199 2.1 St Johnsbury 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 Blackberry CR Mine [Entrance]

* Left Fork/Blackberry Road
CR 5213 0.0 KY 1056 1.5 H Mar/Eastern Mines [ENT]
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 Blackberry CR 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 1.2 [0.2] Majestic Mine [Tipple]

* Lower Elk Creek Road
CR 5241 0.0 KY 2059 0.6 Race Fork Mine [Entrance]

* Prater Branch Road
CR 5253 0.0 KY 194 0.8 Majestic 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]

* Old Mouth Card-Feds Creek Road
CR 5282 0.0 US 460 0.3 Flannary Branch RD

* Flannary Branch Road
CR 5283 0.0 Old Mouth Card-Feds CR RD 0.2 Mouth Card Mines

* Card Creek-Card Knob Road
CR 5285 0.0 KY 1373 0.7 Clark Elkhorn Mine
1.6 Wellmore Mine [Entrance] 4.6 US 460

* Island Creek Road
CR 5287 0.0 Bane Tipple 0.6 Island Creek-Grapevine RD [CR 5288]

* Island Creek-Grapevine Road
CR 5288 0.0 Island Creek Road [CR 5287] 1.8 Millers CR RD [0.5 CR 5289]

* Left Fork/Island Creek Road
CR 5289 0.0 Island Creek-Grapevine RD [CR 5288] 0.2 Flannary Coal Mine [Entrance]

* Millers Branch Road
CR 5290 0.0 Island Creek-Grapevine RD 2.4 Flannary Coal Mine

* Hopkins Creek Road
CR 5322 0.0 US 460 1.0 Hopkins Creek Tipple
Weight Limit - Bridge over Levisa Fork
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons

[* Daniel Branch Road
CR 5326 0.0 US 460 0.4 Mine Entrance]

* Harless Creek Road
CR 5330 0.0 US 460 1.5 Wellmore Mine [Entrance]

[* Dog Branch Road
CR 5332 0.0 KY 195 0.4 Mine Entrance]

* Left Fork Wolfpit Branch Road
CR 5333 0.0 Wolf Branch-Gardner Fork Road 0.8 Wellmore Mine

[* 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]

* Jimmie Creek Road
CR 5341 0.0 US 460 0.6 Wellmore Mine

* Old US 460 Loop #2 Road
CR 5353 0.3 Potter Coal Mine 0.8 US 460

* Shortridge Fork Road
CR 5355 0.4 Wellmore Mine [0.0 CR 5285] 0.9 Wellmore Private RD [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
* John Moore Branch Road		
CR 5363	0.0 KY 197	0.9 Federal Tipple
* Jackson Branch Road		
CR 5371	0.0 KY 197	1.7 C & D Coal Mine
* Brushy Branch Road		
CR 5379	0.0 KY 195	0.8 Ratliff Elkhorn Mine
* Marrowbone Creek Road		
CR 5381	0.0 KY 195	2.1 Lad/Prospect [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 Henry Clay 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 Henry Clay 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		
* Wolfpit Branch-Gardner Fork Road		
CR 5433	0.0 KY 195	0.9 Left Fork Wolfpit BR RD
Weight Limit - Bridge over Wolfpit Branch		
TY I = 3 tons, TY II = 3 tons, TY III = 3 tons, TY IV = 3 tons		
Weight Limit - Bridge over Wolfpit Creek		
TY I = 3 tons, TY II = 3 tons, TY III = 3 tons, TY IV = 3 tons		
* Wolfpen Branch Road		
CR 5444	0.0 KY 80	0.8 Wellmore 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 Wellmore 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
* Tollage Creek Road		
CR 5496	0.0 US 23	1.0 Coal Run Mine
* Harmond Branch Road		
CR 5505	0.0 US 23	0.9 Amber #9 Mine
* Dog Fork/Hurricane Creek Road		
CR 5522	0.0 KY 1384	1.3 Peter Fork Joline 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	0.7 Stillhouse [0.5] Mine
* Raccoon Branch Road		
CR 5531	0.0 KY 1426	1.3 Jet/Cimaron Mine
* Billy Compton Road		
CR 5534	0.0 Island Creek RD	1.2 Horn Const Mine [0.2 RD BR/Sookeys CR RD]
* Island Creek Road		
CR 5535	0.0 KY 1426	4.0 Corbin Coal 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 Pace Energies 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 Apache Mining Mine

* Robinson Creek Road
CR 5554 0.0 KY 122 4.1 Apache Mining 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
* Arnold Fork Road
CR 5555 0.0 KY 122 0.3 Apache Mining Mine
* Burk Branch Road
CR 5578 0.0 KY 610 0.9 Beth Energy Mine
* Lizzie Fork Road
CR 5590 0.4 Beth Energy Mine [0.0 US 23] 1.4 US 23 [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 = 28 [27] tons, TY III = 37 [35] tons, TY IV = 40 tons
Weight Limit - Bridge over Pitman Creek @ milepoint 10.06
TY I = 20 tons, TY II = 39 tons, TY III = 38 tons, TY IV = 59 tons

*	KY 80	21.6 KY 80 Bypass [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 = 28 [22] tons, TY III = 37 [35] tons, TY IV = 40 tons

*	KY 192	0.0 KY 80 Bypass	18.6 Laurel CO LN [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]
*	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	Ikerd Bandy 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]
*	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	Wash Ridge 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
[*	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	0.0	Crittenden CO LN [1.4 KY 109]	5.7	KY 109 in Sturgis
	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 (West)
		1.5	US 60 (East)	4.9	KY 492 [3.2 KY 1508]
*	KY 360	0.5	KY 871 (South)	6.6	Island Creek Mine
*	KY 492	1.9	Davis Mine RD	2.5	KY 109
*	KY 871	0.0	KY 360 (South)	2.4	Hite Speece RD
*	KY 1508	0.0	KY 109	2.7	Pyro Dock
		5.3	Canipe Dock	6.0	Private Haul Road
	Weight Limit - Bridge over Unnamed Stream @ milepoint 5.61				
	TY I = 20 tons, TY II = 34 tons, TY III = 36 tons, TY IV = 59 tons				
*	Davis Mine Road				
	CR 5227	0.0	KY 109	0.3	Private Haul Road
*	Hite Speece Road				
	CR 5314	0.0	KY 871	0.2	Hamilton Mine Road
*	Hamilton Mine Road				
	CR 5317	0.0	Hite Speece Road	0.5	Mine and Prep Plant

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	7.5 KY 790 [9.2 Denny Creek RD]	9.8 Brammer Hill Ridge RD
*	KY 790	1.3 KY 776 [5.0 Brammer Hill-Delta RD]	10.5 Pulaski CO LN

Weight Limit - Bridge over Sinking Creek @ milepoint 2.02
TY I = 20 tons, TY II = 30 tons, TY III = 31 tons, TY IV = 41 tons

*	Brammer Hill Ridge Road CR 5023	0.0 KY 776	2.2 [4.2] Mine
*	Denny Creek Road CR 5024	0.0 KY 776	1.7 [0.4] Sizemore RD
*	Brammer Hill-Delta Road CR 5030	0.0 KY 790	2.2 [2.4] Brammer Hill Ridge RD
*	Sizemore Road CR 5155	0.0 Denny Creek RD	0.4 [1.7] Mine

WEBSTER COUNTY

	ROAD	FROM	TO
*	Pennyrile 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 (South)

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 (North)	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	0.0 Crittenden CO LN [3.6 Mine]	6.7 US 41A
*	KY 132	23.6 Mine	25.9 KY 494 [28.5 KY 56]
[*	KY 270	8.6 Mine	13.2 US 41A]
*	KY 494	0.0 KY 132	2.2 US 41
*	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]
		0.8 Black Oak-Proctor Road	32.8 US 25T

[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
Weight Limit - Bridge over Watts Creek @ milepoint 14.17
TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 51 tons
Weight Limit - Bridge over L&N RR @ milepoint 14.35
TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 59 tons
Weight Limit - Bridge over I-75 South Interchange @ milepoint 16.20
TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 49 tons
Weight Limit - Bridge over South Fork of Spruce Creek @ milepoint 25.56
TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 57 tons
Weight Limit - Bridge over Spruce Creek @ milepoint 27.04
TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 59 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

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*  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 = 34 [38] tons, TY III = 36 [38] tons, TY IV = 58 [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 = 14 tons, TY II = 14 tons, TY III = 14 tons, TY IV = 14 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 = 34 tons, TY III = 36 tons, TY IV = 50 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            2.7 [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
*  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 = 10 tons, TY II = 10 tons, TY III = 10 tons, TY IV = 10 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                                1.7 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           2.2 Old Jellico RD [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]
                     2.4 Brenda Mine                                   3.6 KY 1064
[* 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                                         0.9 Daniel Bros [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 Tennessee ST LN [Skaggs RD]                   0.1 Skaggs RD [Tennessee ST LN]
*  Skaggs Branch Road
   CR 5224           0.0 Doc Siler RD                                  0.7 Bowlin Mine
*  Keswick-Gatliff Road
   CR 5227           3.3 Upper Cane Creek RD [2.0 Mine]                8.0 KY 904
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[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

	ROAD	FROM	TO
*	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
*	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]
		1.0 Wash Ridge Mine	1.5 KY 628
[*	Kensee Hollow Road		
	CR 5326	0.0 US 25W	0.8 Mine]
*	Ryans Creek Road		
	CR 5335	0.0 KY 1898	1.0 Bucks Branch Road
*	Old Jellico Road		
	CR 5337	0.0 KY 92	1.0 Gatliff Mine

Weight Limit - Bridge over Paint Creek
TY I = 16 tons, TY II = 16 tons, TY III = 16 tons, TY IV = 16 tons

*	Kidd Road		
	CR 5344	0.0 McCreary CO LN	1.5 Stansbury 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]

*	KY 15	0.0 Breathitt CO LN	10.3 KY 651 [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]

		13.9 KY 3040	14.0 KY 715
*	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	3.0 [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.

C. LESLIE DAWSON, Secretary/Commissioner
APPROVED BY AGENCY: October 14, 1987
FILED WITH LRC: October 15, 1987 at 11 a.m.

STATEMENT OF EMERGENCY

KRS 156.070 allows the State Board of Education to designate an agent to manage interscholastic athletics in the common schools, and the Kentucky High School Athletic Association has previously been designated as said agent for high school athletics. This emergency regulation, 702 KAR 7:065E, is necessary to adopt and approve the newly-received rules and regulations of KHSAA for the current school year. This emergency regulation will be replaced by an ordinary administrative regulation.

MARTHA LAYNE COLLINS, Governor
ALICE McDONALD, Superintendent

EDUCATION AND HUMANITIES CABINET
Department of Education
Office of Local Services

702 KAR 7:065E. Designation of agent to manage high school interscholastic athletics.

RELATES TO: KRS 156.070
PURSUANT TO: KRS 156.070
EFFECTIVE: October 14, 1987
NECESSITY AND FUNCTION: KRS 156.070 gives the State Board of Education the management and control of the common schools, including interscholastic athletics therein, and allows the state board to designate an agency to manage athletics pursuant to rules approved by the state board. This regulation designates such an agent for high school athletics and adopts the constitution, bylaws, and rules of said agent.

Section 1. The Kentucky High School Athletic Association (KHSAA) is hereby designated as the State Board of Education's agent to manage interscholastic athletics at the high school level in the common schools, including any private schools desiring to associate therewith and to compete with said common schools.

Section 2. The constitution, bylaws, and tournament rules of the KHSAA, 1987-88 [1986-87] are hereby approved, adopted, and incorporated herein by reference. A copy of said rules may be obtained from the Office of Local Services, Department of Education, Frankfort, Kentucky 40601.

ALICE McDONALD, Superintendent
APPROVED BY AGENCY: October 7, 1987
FILED WITH LRC: October 14, 1987 at 10 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 Health Services
Division of Maternal and Child Health

902 KAR 4:050E. Kentucky family planning program.

RELATES TO: KRS 211.180, 214.185
PURSUANT TO: KRS 194.050(1), 211.090, 211.180
EFFECTIVE: October 2, 1987
NECESSITY AND FUNCTION: P.L. 91-572, the "Family Planning Services and Population Research Act of 1970" and 42 CFR, Part 59, authorizes grants for family planning services. 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 the 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 Kentucky Family Planning Program in accordance with applicable federal laws and regulations.

Section 1. State Plan for Family Planning Services. The Cabinet for Human Resources hereby adopts the "Kentucky State Plan for Family Planning Services - Fiscal Year 1987-1988," ["Kentucky State Plan for Family Planning Services - Fiscal Year 1984-1985" and the "Kentucky State Plan for Family Planning Services - Fiscal Year 1985-1986 and the "Kentucky State Plan for Family Planning Services - Fiscal Year 1986-1987"] by reference as the Kentucky Family Planning regulation covering all phases of program operation including but not limited to program eligibility for services and provision for fee collections in accordance with federal regulations and guidelines, consent requirements, medical standards, quality assurance, and other relevant components of the program. A copy of the Kentucky State Plan for Family Planning Services - Fiscal Year 1987-88 has [1984-1985 (three (3) volumes) and the State Plan for Family Planning Services - Fiscal Year 1985-1986 (one (1) volume) and the State Plan for Family Planning Services - Fiscal Year 1986-1987 (one (1) volume) have] been filed with Region IV, Department of Health and Human Services, 101 Marietta Tower, Atlanta, GA 30323. A copy shall be on file and available for public inspection in the Office of the Commissioner for Health Services, 275 East Main Street, Frankfort, KY 40621.

C. HERNANDEZ, MD., Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY: September 24, 1987
FILED WITH LRC: October 2, 1987 at 11 a.m.

STATEMENT OF EMERGENCY

Emergency regulation 902 KAR 8:020E is necessary in order to assure availability of sufficient funds to provide local health department home health agencies with technical and management expertise; data processing services; and financial assistance for uncompensated care for health services to the indigent. An ordinary administrative regulation cannot suffice because agency policy will not be reflected in a timely manner, resulting in less than adequate revenue for centralized support services to local health departments. 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 Health Services

902 KAR 8:020E. Policies and procedures for local health department operations.

RELATES TO: KRS Chapter 212
PURSUANT TO: KRS 194.050, 211.090, 211.170, 211.180, 213.410
EFFECTIVE: September 25, 1987
NECESSITY AND FUNCTION: KRS 211.170 directs the Cabinet for Human Resources to establish policies governing the activities of local health departments. This regulation adopts various manuals setting policies and standards for health departments.

Section 1. Local Health Policy Manual. The policies complete to October July] 15, 1986, of the "Local Health Policy Manual" governing the maintenance and operation of local health departments are hereby adopted by reference.

Section 2. Financial Management Manual. The policies complete to July 1, 1987 [set forth in the July 15, 1986, edition] of the "Financial Management Manual" governing the operation of the financial management systems used by local health departments are hereby adopted by reference.

Section 3. Patient Services Reporting System Manual. The policies set forth in the May 1, 1984, edition of the "Patient Services Reporting System Manual" governing the collection of patient health/medical services delivered by local health departments are hereby adopted by reference.

Section 4. Medical Records System Policy and Procedure Manual for Local Health Departments in Kentucky. The policies and procedures set forth in the May 1, 1984, edition of the "Medical Records System Policy and Procedure Manual for Local Health Departments in Kentucky" governing the development and maintenance of medical records in local health departments are hereby adopted by reference.

Section 5. Planning Manual for Local Health Departments. The policies set forth in the July, 1986, edition of the "Planning Manual for Local Health Departments" governing the annual program planning process and procedures of local health departments are hereby adopted by reference.

Section 6. Standards Manual for Local Health Departments. The policies set forth in the July, 1986, edition of the "Standards Manual for Local Health Departments" governing the programmatic operations of local health departments are hereby adopted by reference.

Section 7. Local Health Department Environmental Data System Operational Procedures for Weekly Environmental Activity Report, Sanitation Programs Information Formulator, and Local Health Annual Data Report. The policies set forth in the September, 1982, edition of the "Local Health Department Environmental Data System Operational Procedures for Weekly Environmental Activity Report, Sanitation Programs Information Formulator, and Local Health Annual Data Report" are hereby adopted by reference.

Section 8. On-Line Environmental Health Management Information System. The policies set forth in the February 14, 1984, edition of the "On-Line Environmental Health Management Information System" manual are hereby adopted by reference.

Section 9. MCH Maternity Manual. The policies set forth in the July 1, 1985, edition of the "MCH Maternity Manual" governing the operation of the prenatal program conducted by local health departments are hereby adopted by reference.

Section 10. Sudden Infant Death Syndrome Program. The policies complete to October 15, 1986, of the "Sudden Infant Death Syndrome Program" manual governing the operation of the Sudden Infant Death Syndrome Program conducted by local health departments are hereby adopted by reference.

Section 11. Standards for Genetic Disease Testing, Counseling and Education Services Program. The policies set forth in the October 15, 1985, edition of the "Standards for Genetic Disease Testing, Counseling and Education Services Program" manual governing the operation of genetic disease testing and counseling clinics conducted by local health departments are hereby adopted by reference.

Section 12. Standards for Regional Pediatric Clinics. The policies set forth in the October 15, 1985, edition of the "Standards for Regional Pediatric Clinics" manual governing the operation of regional pediatric programs conducted by local health departments are hereby adopted by reference.

Section 13. Standards for Preventive Health Care in Children. The policies set forth in the December 15, 1985, edition of the "Standards for Preventive Health Care in Children" manual governing the operation of well child programs conducted by local health departments are hereby adopted by reference.

Section 14. Standards for Child Restraint Program. The policy set forth in the January 1, 1986, edition of the "Standards for the Child Restraint Program" manual governing the operation of safety seat loan programs conducted by local health departments are hereby adopted by reference.

Section 15. 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.

Section 16. Summary of Amendment. In relation to Section 2 of this regulation relating to the Financial Management Manual, the Manual is being revised effective July 1, 1987, to reflect an increase in the central administrative charge assessed against Medicare and Medicaid receipts received by local health department home health agencies. No central administrative charge will be made against Medicaid receipts received for waiver services. [(1) In relation to Section 1 of this regulation relating to the Local Health Policy Manual, the manual is being revised effective October 15, 1986 as follows: Local Health Policy 400-16 dated July 1, 1982, is being revised to clarify the Department for Health Services' Conflict of Interest Policy in Local Health Departments.]

[(2) In relation to Section 10 of this regulation relating to the Sudden Infant Death Syndrome (SIDS) Program Manual, strike pages 21 through 29 dated January 1, 1985. This revision will remove all reference to the APNEA Monitoring Program which is being discontinued.]

C. HERNANDEZ, Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY: September 23, 1987
FILED WITH LRC: September 25, 1987 at 10 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 Social Insurance
Division of Management & Development

904 KAR 2:015E. Supplemental programs for the aged, blind and disabled.

RELATES TO: KRS 205.245
PURSUANT TO: KRS 194.050
EFFECTIVE: October 8, 1987
NECESSITY AND FUNCTION: The Cabinet for Human Resources is responsible under Title XVI of the Social Security Act as amended by Public Law 92-603 to administer a state funded program of supplementation to all December, 1973, recipients of aid to the aged, blind and disabled, hereinafter referred to as AABD, disadvantaged by the implementation of the Supplemental Security Income Program, hereinafter referred to as SSI. KRS 205.245 provides not only for the mandatory supplementation program but also for supplementation to other needy aged, blind and disabled persons. This regulation sets forth the provisions of the supplementation program.

Section 1. Mandatory State Supplementation. Mandatory state supplementation payments must be equal to the difference between the AABD payment for the month of December, 1973, plus any other income available to the recipient as of that month and the total of the SSI payment and other income. Also included are those former aged, blind or disabled recipients ineligible for SSI due to income but whose special needs entitled them to an AABD payment as of December, 1973. Mandatory payments must continue until such time as the needs of the recipient as recognized in December, 1973, have decreased or income has increased to the December level.

(1) The mandatory payment is increased only when income as recognized in December, 1973, decreases, the SSI payment is reduced but the recipient's circumstances are unchanged, or the standard of need utilized by the department in determining optional supplementation payments for a class of recipients is increased.

(2) In cases of man and wife, living together, income changes after September, 1974, will result in increased mandatory payment only if total income of the couple is less than December, 1973, total income.

Section 2. Optional State Supplementation. Optional state supplementation is available to those persons meeting technical requirements and resource limitations of the aged, blind or disabled medically needy program as contained in 907 KAR 1:011 and 907 KAR 1:004 (except as otherwise specified herein) who require special living arrangements and who have insufficient income to meet their need for care. Special living arrangements include residence in a personal care home as defined in 902 KAR 20:036 or family care home as defined in 902 KAR 20:041 or situations in which a caretaker must be hired to provide care other than room and board. A supplemental payment is not made to or on behalf of an otherwise eligible individual when the caretaker service is provided by the spouse, parent (of an adult disabled child or a minor child), or adult child (of an aged or disabled parent) who is living with the otherwise eligible individual. When this circumstance exists and a person living outside the home is hired to provide caretaker services, the supplemental payment may be made. Application for SSI, if potential eligibility exists, is mandatory.

Section 3. Resources Considerations. In determining countable resources and the effect of resources on eligibility, the following policies are applied.

(1) The upper limit for resources for an individual and for a couple is set at $1,700 and $2,550, respectively, effective January 1, 1986;

at $1,800 and $2,700, respectively, effective January 1, 1987; at $1,900 and $2,850, respectively, effective January 1, 1988; and at $2,000 and $3,000, respectively, effective January 1, 1989.

(2) Income producing property with a net equity of $6,000 or less is excluded.

(3) The first $4,500 of equity value in an automobile is excluded; if used for employment, to obtain medical services, or if specially equipped (e.g., as for use by the handicapped) there is no upper limit on value.

(4) Burial reserves (life insurance, prepaid burial policy, etc.) up to $1,500 are excluded. The face value of life insurance is considered when determining the total value of burial reserves if the face value of the life insurance is less than $1,500. Burial spaces are excluded from consideration when computing the value of burial reserves.

(5) A homestead, household items, and personal items are excluded.

(6) Resources determined in accordance with subsections (2), (3), and (4) of this section to be in excess of excluded amounts must be considered countable resources when determining whether the individual or couple exceeds the upper limits specified in subsection (1) of this section. If resources exceed the upper limits, the individual or couple is ineligible.

Section 4. Income Considerations. In determining the amount of optional supplementation payment, total net income of the applicant or recipient, or applicant or recipient and spouse, including any payments made to a third party in behalf of an applicant or recipient, is deducted from the standard of need with the following exceptions:

(1) Income of the ineligible spouse is conserved for the needs of the ineligible, non-SSI spouse and/or minor dependent children in the amount of one-half (1/2) of the SSI standard for an individual for each person adjusted by deduction of sixty-five (65) dollars and one-half (1/2) of the remainder from monthly earnings of spouse. Income of the eligible individual is not conserved for the needs of the ineligible spouse and/or minor dependent children. When conserving for the needs of the minor dependent children, income of the children must be appropriately considered so that the amount conserved does not exceed the allowable amount. When the eligible individual and spouse each have earnings, the earnings must be combined prior to the application of the earnings disregard of sixty-five (65) dollars and one-half (1/2) of the remainder.

(2) If one (1) member of a couple is institutionalized and the SSI spouse maintains a home, income in the amount of the SSI standard for one (1) is conserved for the spouse.

Section 5. Standard of Need. (1) The standard, based on living arrangement, from which income as computed in Section 4 of this regulation is deducted to determine the amount of optional payment is as follows:

(a) Personal care home: not less than $<u>532</u> [517], effective <u>12/1/87</u> [1/1/87];

(b) Family care home: not less than $430, effective 1/1/87;

(c) Caretaker.

1. Single individual, or eligible individual with ineligible spouse (one who is not aged, blind, or disabled): not less than $369, effective 1/1/87;

2. Married couple, both eligible (aged, blind, or disabled), with one (1) requiring care: not less than $534, effective 1/1/87;

3. Married couple, both eligible and both requiring care: not less than $572, effective 1/1/87.

(2) In couple cases, both eligible, the couple's income is combined prior to comparison with the standard of need; and one-half (1/2) of the deficit is payable to each.

Section 6. Institutional Status. No aged, blind or disabled person shall be eligible for state supplementation while residing in a personal care home or family care home unless such home is licensed under KRS 216B.010 to 216B.131.

Section 7. Residency. (1) To be eligible, an applicant or recipient must be a citizen of the United States, or an alien legally admitted to this country or an alien who is residing in this country under color of law. An alien must have been admitted for permanent residence. The applicant or recipient must also be a resident of Kentucky. Generally, this means the individual must be residing in the state for other than a temporary purpose; however, there are exceptions with regard to applicants for or recipients of a state supplementary payment and institutionalized individuals. The residency criteria specified in federal regulations at 42 CFR 435.403 shall be applicable except as otherwise specified herein.

(2) Supplemental payments may be made to Kentucky residents residing outside the state only when the individual has been placed in the other state by this state. In these situations, the other requirements for eligibility shown in other sections of this regulation shall be applicable, except that with regard to the requirement shown in Section 6 of this regulation, the licensure shall be in accordance with a similar licensure act of the other state. If there is no similar licensure act in the other state, the payment may be made only if this state determines that, except for being in another state, the facility meets standards for licensure under the provisions of KRS 216B.010 to 216B.131. To be eligible for a supplemental payment while placed out-of-state the individual must require the level of care provided in the out-of-state placement, there must be no suitable placement available in Kentucky, and the placement must be pre-authorized by staff of the Department for Social Insurance.

(3) When determining residency, ability of the individual to indicate intent (to become a Kentucky resident) must be considered if the individual is institutionalized. The individual is considered incapable of indicating intent if:

(a) His/her I.Q. is forty-nine (49) or less or he/she has a mental age of seven (7) or less, based on tests acceptable to the department; or

(b) He/she is judged legally incompetent; or

(c) Medical documentation, or other documentation acceptable to the state, supports a finding that he/she is incapable of indicating intent.

(4) An individual is institutionalized if he/she is residing in a facility providing some services other than room and board. Personal care facilities are considered to be

institutions.

(5) For any non-institutionalized individual under age twenty-one (21) whose eligibility for a supplemental payment is based on blindness or disability, his/her state of residence is Kentucky if he/she is actually residing in the state.

(6) For any non-institutionalized individual age twenty-one (21) or over, his/her state of residence is Kentucky if he/she is residing in the state and has the intention to remain permanently or for an indefinite period (or, if incapable of indicating intent, is simply residing in the state).

(7) For any institutionalized individual living in Kentucky who is under age twenty-one (21) or who is age twenty-one (21) or older and became incapable of indicating intent before age twenty-one (21), the state of residence is Kentucky if:

(a) The state of residence of the individual's parents, or his/her legal guardian if one has been appointed, is Kentucky; or

(b) The state of residence of the parent applying for the supplemental payment on behalf of the individual is Kentucky, when the other parent lives in another state and there is no appointed legal guardian.

(8) For any institutionalized individual living in Kentucky who became incapable of indicating intent at or after age twenty-one (21), the state of residence is Kentucky if he/she was living in Kentucky when he/she became incapable of indicating intent. If this cannot be determined, the state of residence is Kentucky unless he/she was living in another state when he/she was first determined to be incapable of indicating intent.

(9) For individuals subject to determinations of residency pursuant to subsections (7) and (8) of this section, the state of residency is Kentucky when the individual is residing in Kentucky, and a determination of residency applying those criteria does not show the individual to be a resident of another state.

(10) For an individual subject to a determination of residency pursuant to subsections (7) and (8) of this section, the state of residence is Kentucky when Kentucky and the state which would otherwise be the individual's state of residency have entered into an interstate residency agreement providing for reciprocal residency status; i.e., when a similarly situated individual in either state would by written agreement between the states be considered a resident of the state in which he is actually residing.

(11) For other institutionalized individuals (i.e., those individuals who are both age twenty-one (21) or over and capable of indicating intent), the state of residence is Kentucky if the individual is residing in Kentucky with the intention to remain permanently or for an indefinite period.

(12) Notwithstanding subsections (3) through (11) of this section, any individual placed by the cabinet in an institution in another state may, with appropriate preauthorization, be considered a resident of Kentucky, and any individual placed in an institution in Kentucky by another state shall not be considered a resident of Kentucky.

(13) An individual receiving a mandatory state supplemental payment from Kentucky shall be considered a resident of Kentucky so long as he/she continues to reside in Kentucky. An individual receiving a mandatory or optional supplemental payment from another state shall not be considered a resident of Kentucky.

(14) An individual eligible for and receiving a supplemental payment in October, 1979, shall be considered a Kentucky resident through July 4, 1984, even if he/she does not meet the residency requirements specified in this section, so long as such individual continues to reside in Kentucky and his/her receipt of supplementary payments has not since October, 1979 been interrupted by a period of ineligibility.

(15) Notwithstanding the preceding provisions of this section, a former Kentucky resident who becomes incapable of indicating intent while residing out of this state shall be considered a Kentucky resident if he/she returns to this state and he/she has a guardian, parent or spouse residing in this state. Such individual shall not be considered a Kentucky resident on the basis of this subsection whenever, subsequent to that time, he/she leaves this state to reside in another state except when the provisions of subsection (11) of this section are met. An individual leaving the state may, however, reestablish Kentucky residency by returning to the state if he has a guardian, parent or spouse residing in this state.

MIKE ROBINSON, Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY: October 2, 1987
FILED WITH LRC: October 8, 1987 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 Social Insurance
Division of Management & Development

904 KAR 2:116E. Low income home energy assistance program.

RELATES TO: KRS 194.050
PURSUANT TO: KRS 194.050
EFFECTIVE: September 16, 1987

NECESSITY AND FUNCTION: The Cabinet for Human Resources has responsibility as prescribed by Public Law 97-35 (Title XXVI of the Omnibus Budget Reconciliation Act of 1981 as amended) to administer a program to provide assistance for eligible low income households within the Commonwealth of Kentucky to help meet the costs of home energy. KRS 194.050 provides that the secretary shall, by regulation, develop policies and operate programs concerned with the welfare

of the citizens of the Commonwealth. This regulation sets forth the eligibility and benefits criteria for each of two (2) components of energy assistance, subsidy and crisis under the Home Energy Assistance Program (HEAP).

Section 1. Application. Each household or authorized representative of the household requesting assistance shall be required to complete an application and provide such information as may be deemed necessary to determine eligibility and benefit amount in accordance with the procedural requirements prescribed by the cabinet. An "authorized representative" is that person applying on behalf of a household who presents to the cabinet or its representative a written statement signed by the appropriate household member authorizing that person to apply on the household's behalf. An application shall not be considered completed until all information necessary to determine eligibility and benefit amount is received.

Section 2. Definitions. Terms used in HEAP are defined as follows:

(1) "Principal residence" is that place where a person is living voluntarily and not on a temporary basis; the place he/she considers home; the place to which, when absent, he/she intends to return; and such place is identifiable from other residences, commercial establishments, or institutions.

(2) "Energy" is defined to include electricity, gas, and any other fuel such as coal, wood, oil, bottled gas, etc., that is used to sustain reasonable living conditions.

(3) "Household" means any individual or group of individuals who are living together in the principal residence as one (1) economic unit for whom residential energy is customarily purchased in common or who make undesignated payments for energy in the form of rent.

(4) "Economic unit" is one (1) or more persons sharing common living arrangements.

(5) "Subsidy component" is that portion of benefits reserved as energy assistance for heating.

(6) "Crisis component" is that component administered by local organizations under contract with the cabinet to provide fuel, heaters, blankets and/or sleeping bags, vouchers to purchase these items, or minor repair of the heating system to eligible households who are without heat, or will be without fuel within five (5) days, or receive a notice of disconnection of service, or require a heat system repair to obtain adequate heat.

(7) "Life threatening situation" is defined as without heat or will be without heat within forty-eight (48) hours and temperatures at a dangerous level for household members.

Section 3. Eligibility Criteria. (1) A household must meet the following conditions of eligibility for receipt of a HEAP payment under the subsidy and crisis components:

(a) For purposes of determining eligibility, the amount of continuing and noncontinuing earned and unearned gross income including lump sum payments received by the household during the calendar month preceding the month of application will be considered. Income received on an irregular basis will be prorated.

(b) Gross income for the calendar month preceding the month of application must be at or below the applicable amount shown on the income scale for the appropriate size household. Excluded from consideration as income are payments received by a household from a federal, state, or local agency designated for a special purpose and which the applicant must spend for that purpose, payments made to others on the household's behalf, loans, reimbursements for expenses, incentive payments (WIN and JTPA) normally disregarded in AFDC, federal payments or benefits which must be excluded according to federal law, and Supplemental Medical Insurance premiums.

Income Scale

Family Size	Monthly	Yearly
1	$ 504	$ 6,050
	[491	5,896]
2	678	8,140
	[664	7,964]
3	852	10,230
	[836	10,032]
4	1,027	12,320
	[1,008	12,100]
5	1,201	14,410
	[1,180	14,168]
6	1,375	16,500
	[1,353	16,236]

(c) For each household member more than six (6), the above income eligibility limitation for six (6) will be increased by $174 [172] monthly or $2,090 [2,068] yearly for each additional household member.

(d) The household must have total liquid assets at the time of application of not more than $5,000. Excluded assets are cars, household or personal belongings, principal residence, cash surrender value of insurance policies, prepaid burial policies, real property, and cash on hand or in a bank account if said cash is income considered under paragraph (a) of this subsection.

(e) Applicants for the crisis component must be without heat, or will be without fuel within five (5) days, or have received a notice of disconnection of service, or require a heat system repair to obtain adequate heat.

(2) Households are eligible to receive benefits under the subsidy component once and under the crisis component not to exceed the maximum amount of benefits.

Section 4. Benefit Levels. Payment amounts for the subsidy and crisis components are set at a level to serve a maximum number of households while providing a reasonably adequate benefit relative to energy costs. In the subsidy component, the highest level of assistance will be provided to households with lowest incomes and highest energy costs in relation to income, taking into account family size.

(1) Payments to eligible households under the subsidy component will be made for the full benefit amount based on type of energy for heating, monthly household income, and household size as specified in the following benefit scales.

Benefit Scales
Subsidy Component

Scale A.
Energy Sources: Electricity

Monthly Household Income	Payment Amount Household Size 1 and 2	Household Size 3 or More
$ 0 - $400	$123	$135
$401 - $800	$105	$117
Over $800	---	$101

Scale B.
Energy Sources: LP Gas (Propane), Fuel Oil, Kerosene, Natural Gas

Monthly Household Income	Payment Amount Household Size 1 and 2	Household Size 3 or More
$ 0 - $400	$113	$125
$401 - $800	$ 95	$107
Over $800	---	$ 88

Scale C.
Energy Sources: Coal, Wood

Monthly Household Income	Payment Amount Household Size 1 and 2	Household Size 3 or More
$ 0 - $400	$100	$112
$401 - $800	$ 82	$ 94
Over $800	---	$ 75

(2) If the cabinet receives only a percentage of the federal funds authorized by Congress, benefits to eligible households under the subsidy component may be reduced proportionately.

(3) Benefits to eligible households under the crisis component shall be in the form of fuel or other energy for heating, heaters, blankets, and/or sleeping bags, vouchers to purchase these item, or repair to a heating system to obtain adequate heat. The contracting agency will determine the type and value of assistance necessary to alleviate the crisis, not to exceed a maximum of $300 total benefit value per eligible household.

Section 5. Benefit Delivery Methods. Benefits shall be provided to eligible households as follows:

(1) Whenever feasible, payment under the subsidy component is authorized by a two (2) party check made payable to the recipient and the provider or landlord if the heating is included as an undesignated portion of rent.

(2) When a two (2) party check is not issued under the subsidy component, the recipient shall sign a statement as part of the application prior to receipt of funds affirming that benefits received under HEAP shall be utilized solely for home energy.

(3) Under the subsidy component, at the recipient's discretion, the total benefit may be made in separate authorizations to facilitate payment to more than one (1) provider (e.g., when the recipient heats with both a wood stove and electric space heaters). However, the total amount of the payments may not exceed the maximum for the primary source of energy for heating. The household will decide how to divide payment if more than one (1) provider is used.

(4) For the crisis component, no direct cash payments shall be made to the recipient. Benefits shall be provided to eligible households by the contracting agency in the amount and value determined by the contracting agency necessary to alleviate the crisis, not to exceed the maximum allowable payment. Payments under the crisis component will be authorized to the energy provider by one (1) party checks upon delivery of fuel, heaters, blankets, and/or sleeping bags, restoration or continuation of service, or upon repair of the heating system.

Section 6. Right to a Fair Hearing. Any individual has a right to request and receive a fair hearing in accordance with 904 KAR 2:055, Hearings and appeals.

Section 7. Time Standards. Under the subsidy component, the cabinet shall make an eligibility determination promptly after receipt of a completed and signed application but not to exceed thirty (30) days. Under the crisis component, completed applications will be processed such that the crisis is resolved within forty-eight (48) hours and in life threatening situations within eighteen (18) hours. Applicants under the crisis component will have no more than ten (10) working days from the date of application to provide information necessary to complete the application.

Section 8. Effective Dates. The following shall be the implementation and termination dates for HEAP:

(1) Applications for the subsidy component shall be accepted as follows:

(a) Households containing at least one (1) member who is elderly (age sixty (60) or older) or receiving benefits on the basis of 100 percent disability may apply beginning October 19, 1987 [20, 1986] and ending no later than October 30, 1987 [31, 1986].

(b) Applications shall be accepted from all households beginning November 16, 1987 [17, 1986] and ending no later than December 30, 1987 [1986].

(2) Applications for the crisis component shall be accepted beginning January 11, 1988 [5, 1987] and ending no later than April 29, 1988 [30, 1987].

(3) Applications shall be processed in the order taken until funds are expended. HEAP subsidy component shall be terminated by the secretary when actual and projected component expenditures have resulted in utilization of available funds or December 30, 1988 [1987], whichever comes first.

(4) HEAP may be reactivated after termination under the same terms and conditions as shown in this regulation should additional federal funds be made available for that purpose.

Section 9. Allocation of Funds. (1) Up to fifteen (15) percent of the total HEAP allocation shall be reserved for weatherization assistance. [Up to $47,177 of this allocation shall be reserved for the Department for Social Insurance weatherization and related conservation initiatives.]

(2) Up to $6,000,000 shall be reserved for the crisis component. Eighty-five (85) percent of the funds reserved for the crisis component

shall be allocated, by local administering agency, based upon the poverty levels of the counties served by the local administering agency in accordance with the 1980 Census. Fifteen (15) percent of the funds plus any additional funds made available from the subsidy component shall be held by the contracting agency as a contingency fund to be allocated to any local administering agency of the state chosen at the discretion of the contracting agency to provide low income home energy assistance in accordance with its contract. On February 8, 1988 [9, 1987], all unobligated allocations may be reallocated as necessary by the contracting agency with the concurrence of the Department for Social Insurance.

(3) Remaining benefit funds available under Public Law 97-35 less $25,000 reserved under subsection (5) of this section shall be reserved for the subsidy component. Fifty (50) percent of the funds available under the subsidy component shall be reserved for households eligible to apply beginning October 19, 1987 [20, 1986] and ending no later than October 30, 1987 [31, 1986]. The remaining fifty (50) percent plus any funds remaining available after October 30, 1987 [31, 1986] shall be reserved for households applying beginning November 16, 1987 [17, 1986] and ending no later than December 30, 1987 [1986]. The funds available for the households applying beginning November 16, 1987 [17, 1986] shall be allocated by area development district based upon the level of poverty in accordance with the 1980 Census. Any funds remaining available under the subsidy component after December 30, 1987 [1986] shall be made available under the crisis component contingency fund held by the contracting agency.

(4) Up to $400,000 [500,000] of the contingency fund under subsection (2) of this section shall be reserved to assure component availability until March 15, 1988 [1987] for emergency crisis assistance for households who are without heat.

(5) Up to $25,000 of the funds in Section 3 of this regulation shall be reserved for the Preventive Assistance Program administered by the Department for Social Services to assist families with an energy payment not to exceed $300 per family if the payment will prevent the removal of a child from a family or if it will assist in reuniting a child with the family.

Section 10. Energy Provider Responsibilities. Any provider accepting payment from HEAP for energy provided to eligible recipients is required to comply with the following:

(1) Reconnection of utilities and/or delivery of fuel must be accomplished upon certification for payment;

(2) The household must be charged in the normal billing process the difference between the actual cost of the home energy and the amount of payment made through this program. For balances remaining after acceptance of the HEAP payment, the customer must be offered the opportunity for a deferred payment arrangement or a level payment plan;

(3) HEAP recipients shall not be treated adversely than households not receiving benefits;

(4) The household on whose behalf benefits are paid shall not be discriminated against, either in the costs of goods supplied or the services provided; and

(5) A landlord shall not increase the rent of recipient households on the basis of receipt of this payment.

MIKE ROBINSON, Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY: September 14, 1987
FILED WITH LRC: September 16, 1987 at 11 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 Social Insurance
Division of Management & Development

904 KAR 3:010E. Definitions.

RELATES TO: KRS 194.050
PURSUANT TO: KRS 194.050
EFFECTIVE: October 2, 1987
NECESSITY AND FUNCTION: The Cabinet for Human Resources has responsibility to administer a Food Stamp Program as prescribed by the Food Stamp Act of 1977, as amended, and 7 CFR Part 270 through 280. KRS 194.050 provides that the secretary, shall by regulation, develop policies and operate programs concerned with the welfare of the citizens of the Commonwealth. This regulation sets forth definitions for terms used by the cabinet in regulations pertaining to the Food Stamp Program.

Section 1. Definition of terms utilized in regulations relating to the Food Stamp Program are as follows:

(1) "Application for participation" means the form designed or approved by Food and Nutrition Service, hereinafter referred to as FNS, which is completed by a household member or authorized representative; or for household consisting solely of public assistance recipients, it may also mean the application form used to apply for public assistance, including attachments approved by FNS, which is completed by a household member or authorized representative.

(2) "Authorization to participate card," ATP, means the document which is issued by the state agency to a certified household to show the allotment the household is authorized to receive on presentation of such document.

(3) "Authorized representative" means an individual designated by a household member to act on behalf of the household in one (1) or all of the following capacities: making application for the program, obtaining the coupons, using the coupons. Authorized representatives will be disqualified for program abuse in accordance with 7 CFR 273.1(f).

(4) "Boarder" means an individual(s) to whom a

household furnishes lodging and meals for compensation in accordance with 7 CFR 273.1(c). Boarders may participate, in accordance with 7 CFR 273.1(c), as part of the household with whom they reside but only at the household's request and provided said household meets Food Stamp Program eligibility requirements, but not as a separate household.

(5) "Certification" means the action necessary to determine eligibility of a household. Such action includes interviews, verification and decisions.

(6) "Communal dining facility" means a public or nonprofit private establishment, approved by FNS, which prepares and serves meals for elderly persons, or for supplemental security income (SSI) recipients and their spouses, a public or private nonprofit establishment (eating or otherwise) that feeds elderly persons or SSI recipients and their spouses, and federally subsidized housing for the elderly at which meals are prepared for and served to the residents. It also includes private establishments that contract with an appropriate state or local agency to offer meals at concessional prices to elderly persons or SSI recipients and their spouses.

(7) "Coupons" mean any stamp, coupon or type of certificate issued in accordance with the Food and Nutrition Service regulations for the purchase of eligible food.

(8) "Date of entry" or "date of admission" means the date established by the Immigration and Naturalization Service as the date the sponsored alien was admitted for permanent residence.

(9) "Drug addiction or alcoholic treatment and rehabilitation program" means any drug addiction or alcoholic treatment and rehabilitation program conducted by a private nonprofit organization or institution which is certified by the cabinet or agencies designated by the Governor as responsible for the administration of the state's programs for alcoholics and drug addicts.

(10) "Elderly or disabled member" means a member of a household who meets the criteria set forth in 7 CFR Part 271.2.

(11) "Eligible foods" means any of the following:

(a) Any food or food product intended for human consumption except alcoholic beverages, tobacco, and hot foods and hot food products prepared for immediate consumption;

(b) Seeds and plants to grow foods for the personal consumption of eligible households;

(c) Meals prepared and delivered by an authorized meal delivery service to households eligible to use coupons to purchase delivered meals; or meals served by a communal dining facility for the elderly, for SSI households or both, to households eligible to use coupons for communal dining;

(d) Meals prepared and served by an authorized drug addict or alcoholic treatment and rehabilitation center to eligible households;

(e) Meals prepared and served by an authorized group living arrangement facility to residents who are blind or disabled recipients of benefits under Title II or Title XVI of the Social Security Act; or

(f) Meals prepared and served by an authorized shelter for battered women and children to its eligible residents.

(g) In the case of homeless food stamp households, meals prepared for and served by an approved authorized public or private nonprofit establishment (e.g., soup kitchen, temporary shelter) that feeds homeless persons. The state shall approve these facilities based on the following criteria. The facility must:

1. Be a nonprofit establishment;

2. Be a licensed food service establishment; and

3. Provide meals to the homeless.

(12) "Excluded household member" means individuals residing with a household but excluded when determining the household's size for purposes of assigning a benefit level to the household or of comparing the household's monthly income with income eligibility standards. The excluded household member's income and resources shall be considered available to the remaining household members in accordance with 7 CFR 273.11(c). The following are excluded household members and may not participate as separate households:

(a) Ineligible aliens. Individuals not meeting citizenship or alien status requirements as set forth in 7 CFR 273.4(a).

(b) SSN disqualified. Individuals disqualified for failure to provide a social security number as set forth in 7 CFR 273.6.

(c) Intentional program violation disqualified. Individuals disqualified for intentional program violation set forth in 7 CFR 273.16.

(13) Employment and training program. A program consisting of one (1) or more work, training, education, or job search components.

(14) "Federal fiscal year" means a period of twelve (12) calendar months beginning with each October 1 and ending with September 30 of the following calendar year.

(15) "FNS" means the Food and Nutrition Service of the United States Department of Agriculture.

(16) "Food Stamp Act" means the Food Stamp Act of 1977 (Pub. L. 95-113) including any subsequent amendments thereto.

(17) "Group living arrangement" means a public or private nonprofit residential setting that serves no more than sixteen (16) residents and is appropriately certified. Residents must be blind or disabled and receiving benefits under Title II or Title XVI of the Social Security Act to be eligible for food stamps.

(18) "Head of household" is the person in whose name the application for participation is made. For the purpose of failure to comply with work registration, employment and training, and voluntary quit requirements, head of household shall be the primary wage earner as defined in 7 CFR 273.1(d)(2).

(19) "Household" means an individual(s) living alone or with others or a group of individuals living together where living quarters are shared.

(a) A household may be composed of any of the following individuals or groups of individuals, provided that such individuals or groups of individuals are not residents of an institution, residents of a commercial boarding house, or living with others and paying compensation to others for meals and lodging except as otherwise specified in subsection (4) of this section:

1. An individual living alone;

2. An individual living with others, but customarily purchasing food and preparing meals for home consumption separate and apart from the others;

3. A group of individuals living together for whom food is customarily purchased in common and for whom meals are prepared together for home consumption;

4. An individual who is sixty (60) years of age or older living with others (and the spouse of such individual) who is unable to purchase and prepare meals because he/she suffers from a disability considered permanent under the Social Security Act or suffers from a nondisease-related, severe, permanent disability, provided that the income of the others, excluding the income of said individual's spouse, with whom said individual resides does not exceed 165 percent of the federal income poverty guidelines.

(b) In no event shall separate household status or nonhousehold member status be granted to:

1. Parents and natural, adopted or stepchildren, unless at least one (1) parent is elderly or disabled as defined in subsection (10) of this section or unless three (3) generations live together and one (1) of the children has minor children and meals are prepared separately;

2. Children under eighteen (18) years of age under the parental control of an adult member of the household;

3. A spouse of a member of the household;

4. Siblings (natural, adopted, half or stepbrothers and sisters), unless at least one (1) sibling is elderly or disabled as defined in subsection (10) of this section, or one (1) sibling has minor children and meals are prepared separately.

(20) "Identification (ID) card" means a card which identifies the bearer as eligible to receive and use food coupons.

(21) "Immigration and Naturalization Service (INS)" means the Immigration and Naturalization Service, United States Department of Justice.

(22) "Institution of higher education" means any institution providing post high school education, which normally requires a high school diploma or equivalency certificate for a student to enroll, including but not limited to colleges, universities, and vocational or technical schools.

(23) "Meal delivery service" means a political subdivision, a private nonprofit organization, or a private establishment with which the cabinet has contracted for the preparation of meals at concessional prices to elderly persons and their spouses, and to the physically or mentally handicapped and persons otherwise disabled, and their spouses, such that they are unable to adequately prepare all of their meals.

(24) "Medicaid" means medical assistance under Title XIX of the Social Security Act, as amended.

(25) "Nonassistance household" hereinafter referred to as NA, means a household containing members who are not included in a public assistance household, hereinafter referred to as PA, grant.

(26) "Nonprofit cooperative food purchasing venture" means any private nonprofit association of consumers whose members pool their resources to buy food.

(27) "Nonhousehold member" means individuals residing with a household but not considered household members in determining the household's eligibility or allotment. The following are considered nonhousehold members and if otherwise eligible, may participate in the program as separate households:

(a) Roomers. Individuals to whom a household furnishes lodging, but not meals, for compensation.

(b) Live-in-attendants. Individuals who reside with a household to provide medical, housekeeping, child care or other similar personal services.

(c) Others. Other individuals who share living quarters with the household but who do not customarily purchase food and prepare meals with the household.

(d) The following are considered nonhousehold members and are ineligible to participate in the program as separate households:

1. Ineligible students. Students not meeting eligibility requirements as set forth in 7 CFR 273.5.

2. Persons disqualified for noncompliance with the work requirements of 7 CFR 273.7.

(28) "Overissuance" means the amount by which coupons issued to a household exceeds the amount such household was eligible to receive.

(29) "Public assistance" hereinafter referred to as PA, means any of the programs authorized by the Social Security Act of 1935, as amended; old age assistance, aid to families with dependent children (AFDC), including AFDC for children of unemployed parents, aid to the blind, aid to the permanently and totally disabled and aid to aged, blind or disabled.

(30) "Retrospective budgeting" means the computation of a household's food stamp allotment for an issuance month based on actual income and circumstances which existed in a previous month.

(31) "Shelter for battered women and children" means a public or private nonprofit residential facility that serves battered women and children. If such a facility serves other individuals, a portion of the facility must be set aside on a long-term basis to serve only battered women and children.

(32) "Sponsor" means a person who executed an affidavit(s) of support or similar agreement on behalf of an alien as a condition of the alien's entry/admission into the United States as a permanent resident.

(33) "Sponsored alien" means an alien lawfully admitted for permanent residence as an immigrant as defined in sections 101(a)(15) and 101(a)(20) of the Immigration and Nationality Act.

(34) "Spouse" refers to either of two (2) individuals:

(a) Who would be defined as married to each other under applicable state law; or

(b) Who are living together and are holding themselves out to the community as husband and wife by representing themselves as such to relatives, friends, neighbors, or tradespeople.

(35) "Striker" means anyone involved in a strike or other concerted stoppage of work by employees (including a stoppage by reason of expiration of a collective-bargaining agreement) and any concerted slowdown or other concerted interruption of operations by employees, unless otherwise exempt from work registration for reasons other than employment. Said exemption must have existed on the day prior to the strike in order for an individual to not be considered a striker.

(36) "Supplemental security income (SSI)" means monthly cash payments made under the authority of:

(a) Title XVI of the Social Security Act, as

amended, to the aged, blind and disabled;
(b) Section 1616(a) of the Social Security Act; or
(c) Section 212(a) of Public Law 93-66.
(37) "Thrifty food plan" means the diet required to feed a family of four (4) persons consisting of a man and a woman twenty (20) through fifty (50), a child six (6) through eight (8), and a child nine (9) through eleven (11) years of age, determined in accordance with the Secretary of United States Department of Agriculture's calculations. The cost of such diet shall be the basis for uniform allotments for all households regardless of their actual composition, except that the Secretary of the United States Department of Agriculture shall make household-size adjustment in the thrifty food plan taking into account economies of scale.
(38) "Underissuance" means the amount by which the allotment to which the household was entitled exceeds the allotment which the household received.

Section 2. Provisions contained in this regulation shall become effective October [April] 1, 1987.

MIKE ROBINSON, Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY: September 25, 1987
FILED WITH LRC: October 2, 1987 at 11 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 Social Services
Division of Family Services

905 KAR 1:220E. Standards for determination of reasonable efforts in foster care placements.

RELATES TO: KRS 620.080, 620.140, 620.180, P.L. 96-272
PURSUANT TO: KRS 194.050, 620.180
EFFECTIVE: October 15, 1987
NECESSITY AND FUNCTION: KRS 620.080 provides for a hearing within seventy-two (72) hours after emergency removal of a child from his home, and KRS 620.090 authorizes the court to grant temporary custody to the cabinet pending a disposition hearing under KRS 620.140. KRS 620.140(3) provides that before any child is committed to the cabinet or placed out of his home under the supervision of the cabinet, the court shall determine that reasonable efforts have been made by the cabinet to prevent or eliminate the need for removal and that continuation in the home would be contrary to the welfare of the child. KRS 620.180 provides that the cabinet may promulgate regulations to implement provisions of the chapter. It is necessary and desirable to provide a detailed description of the meaning of reasonable efforts to prevent or eliminate the need for placement of children in foster care. Such a regulation is beneficial both to the Cabinet for Human Resources and its employees and the courts. The Department for Social Services receives a substantial amount of federal funds under P.L. 96-272 for foster care which are dependent on judicial determination that reasonable efforts have been made to prevent or eliminate the need for removal of a child.

Section 1. Definitions. (1) "Cabinet" means the Cabinet for Human Resources.
(2) "Department" means the Department for Social Services.
(3) "Available in the community" means provided by the department, directly or by contract, or offered by other agencies in the community without cost to the department.
(4) "Reasonable efforts" means the exercise of ordinary diligence and care by the department to utilize preventive and reunification services available in the community which are necessary to enable the child to safely live at home.

Section 2. Court Responsibilities. Before any child is committed to the cabinet or placed out of his home under the supervision of the cabinet, the district court shall make a written determination that the department made reasonable efforts to provide the preventive and reunification services which are necessary to prevent or eliminate the need for removal.

Section 3. Criteria for Determination. The determination of whether reasonable efforts have been applied shall be made on a case-by-case basis considering factors such as:
(1) Length of time and circumstances available for provision of services;
(2) The services that are available, including those required by the state plan, additional services offered by the department and services offered by the local community;
(3) Department's previous experience with the family;
(4) Response of parents to the services offered;
(5) Any particular circumstances which may affect the parents' ability to utilize services, i.e., mental retardation, mental illness, physical incapacity, lack of transportation;
(6) Protection the court can afford the child by such actions as ordering an abuser out of the home or ordering a parent to attend counseling or therapy.

Section 4. Evidence. A determination of reasonable efforts shall be based on evidence on the following issues:
(1) Does maintaining the child in the home pose a serious threat of danger to the physical or mental health of the child?
(2) Can the court adequately protect the child from this threat by ordering an abuser out of the home or ordering a parent/custodian to attend counseling or therapy?
(3) What opportutnity prior to this threat of danger did the department have to prevent its occurrence, and what action was taken?

(4) Are relatives available who can care for and protect the child? Has a search been conducted?
(5) What are the preventive and reunification services available in the community through the state agency?
(6) Has a case plan been prepared and, if so, what are its provisions as to:
(a) Identification of family problems.
(b) Treatment and services to resolve these problems.
(c) Support payments and other actions required of the parents.
(d) Timetable for reunification of child with family.
(7) Will the case plan adequately protect the child now and prepare the parents to provide adequate care and protection for the child upon return to the parents' home?
(8) Are the services in the case plan actually available in the community?
(9) Is the case plan being implemented?

Section 5. Court Determination. If the evidence indicates that under the total circumstances of the case the department has offered the family reasonable preventive and reunification services which are available in the community through the state agency and necessary to enable the chid to safely live at home, the department shall be entitled to a determination that reasonable efforts were made within the meaning of KRS 620.140(3) and P.L. 96-272.

ANNA GRACE DAY, Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY: October 12, 1987
FILED WITH LRC: October 15, 1987 at 11 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 1:004E. Resource and income standard of medically needy.

RELATES TO: KRS 205.520
PURSUANT TO: KRS 194.050
EFFECTIVE: October 6, 1987
NECESSITY AND FUNCTION: The Cabinet for Human Resources has responsibility to administer the program of Medical Assistance in accordance with requirements of Title XIX of the Social Security Act. KRS 205.520(3) empowers the cabinet, by regulation, to comply with any requirement that may be imposed or opportunity presented by federal law for the provisions of medical assistance to Kentucky's indigent citizenry. This regulation sets forth the resource and income standards by which eligibility of the medically needy is determined.

Section 1. Resource Limitations and Exclusions of the Medically Needy. The following provisions are applicable with regard to computation of allowable resources:
(1) The upper limit for resources for family size of one (1) and for family size of two (2) is set at $1,700 and $3,400 respectively, effective January 1, 1986; at $1,800 and $3,600 respectively, effective January 1, 1987; at $1,900 and $3,800 respectively, effective January 1, 1988; and at $2,000 and $4,000 respectively, effective January 1, 1989, with fifty (50) dollars for each additional member.
(2) A homestead, occupied or abandoned, household equipment, and farm equipment without limitation on value are excluded from consideration.
(3) Equity of $6,000 in income-producing, nonhomestead real property, business or nonbusiness, essential for self-support, is excluded from consideration. In addition, for AFDC related MA only cases the value of otherwise countable real property (whether income producing or nonincome producing) may be excluded from consideration for six (6) months if a good faith effort is being made to dispose of the property properly; an additional three (3) months may be allowed for the disposal at the request of the recipient if efforts to dispose of the property within the six (6) month period have been unsuccessful.
(4) Equity of $4,500 in automobiles is excluded from consideration; however, if an automobile is used for employment, to obtain medical treatment of a specific or regulation medical problem, of if specially equipped (e.g., as for use by the handicapped) the total value of such automobile is excluded.
(5) Burial reserves of up to $1,500 per individual, which may be in the form of burial agreement(s) (prepaid burials or similar arrangements), trust fund(s), life insurance policies, or other identifiable funds are excluded from consideration. The cash surrender value of life insurance is considered when determining the total value of burial reserves. When burial funds are commingled with other funds, the applicant has up to thirty (30) days to separately identify the burial reserve amount. Interest or other appreciation of value of an excluded burial reserve is excluded so long as such amount is left to accumulate as a part of the burial reserve.
(6) Burial spaces, plots, vaults, crypts, mausoleums, urns, caskets, and other repositories which are customarily and traditionally used for the remains of deceased persons are excluded from consideration as a countable resource without regard to value.
(7) Resources determined in accordance with subsections (3), (4), and (5) of this section to be in excess of excluded amounts must be considered countable resources when determining whether the individual or family group exceeds the upper limits specified in subsection (1) of this section. If resources exceed the upper limits, the individual or family group is ineligible.
(8) The following exclusions are also

applicable as stated:

(a) Proceeds from the sale of a home are excluded from consideration for three (3) months from date of receipt if used to purchase another home.

(b) Resources of a blind or disabled person necessary to fulfill an approved plan for achieving self-support are excluded from consideration.

(c) Payments or benefits from federal statutes, other than Title XVI (Supplemental Security Income), are excluded from consideration (as either a resource or income) if precluded from consideration in Title XVI determinations of eligibility by the specific terms of the statute.

(d) Disaster relief assistance is excluded from consideration.

(e) Cash or in-kind replacement for repair or replacement of an excluded resource is excluded from consideration if used to repair or replace the excluded resource within nine (9) months of the date of receipt.

Section 2. Income and Resource Exemptions. Income and resources which are exempted from consideration for purposes of computing eligibility for the comparable money payment program (Aid to Families With Dependent Children and Supplemental Security Income) shall be exempted from consideration by the cabinet, except that the AFDC earned income disregard (first thirty (30) dollars and one-third (1/3) of the remainder) may not be allowed in determining eligibility for medical assistance only.

Section 3. Income Limitations of the Medically Needy. Eligibility from the standpoint of income is determined by comparing adjusted income as defined in Section 4 of this regulation, of the applicant, applicant and spouse, or applicant, spouse and minor dependent children with the following scale of income protected for basic maintenance:

Size of Family	Annual	Monthly
1	$2,400	$200
	[2,300	192]
2	2,900	242
	[2,700	225]
3	3,400	284
	[3,200	267]
4	4,100	342
	[3,900	325]
5	4,800	400
	[4,600	383]
6	5,500	459
	[5,200	433]

For each additional member, $600 annually or fifty (50) dollars monthly is added to the scale. The change shown in this section of the regulation shall be effective with regard to determinations of eligibility made on or after December 1, 1987.

Section 4. Additional Income Considerations. (1) In comparing income with the scale as contained in Section 3 of this regulation, gross income is adjusted as follows in all cases with exceptions as contained in Section 5 of this regulation:

(a) [(1)] In cases of adults and children, the standard work related expenses of adult members and out-of-school youth are deducted from gross earnings. For those with either full-time or part-time employment the standard work expense deduction is seventy-five (75) dollars per month. All earnings of an in-school child are disregarded. Full-time and part-time employment, and school attendance, shall be as defined in 904 KAR 2:016, Standards for need and amount; AFDC.

(b) [(2)] In cases of adults and children, dependent care as a work expense is allowed not to exceed $160 per child or incapacitated adult per month for full-time employment (as defined in subsection (1) of this section) or $110 per child or incapacitated adult per month for part-time employment (as defined in subsection (1) of this section). A dependent care work expense deduction is allowed only when the dependent is included in the assistance unit.

(2) The following special factors are applicable for pregnant women, infants and children eligible pursuant to Section 9401 of the Omnibus Budget Reconciliation Act of 1986 (OBRA 86):

(a) Such pregnant women and children may have family income up to, but not to exceed, 100 percent of the nonfarm income official poverty guidelines as promulgated by the Department of Health and Human Services, United States Government, and revised annually, and the updated official poverty guidelines to be used for a year will be the latest poverty guidelines available as of July 1 of the particular state fiscal year;

(b) Pregnant women, infants and children who would be eligible under the provisions of OBRA 86 except for income in excess of the allowable standard may not become eligible by spending down to the official poverty guidelines;

(c) Available liquid assets for the family may not exceed the usual upper limits specified for the medically needy, and all other resources shall be disregarded; and

(d) The Aid to Families with Dependent Children (AFDC) budgeting methodology (except for application of the AFDC earned income disregard of the first thirty (30) dollars and one-third (1/3) of the remainder) shall be used.

Section 5. Individuals in Chronic Care Institutions. For aged, blind or disabled individuals in chronic care facilities, the following requirements with respect to income limitations and treatment of income shall be applicable.

(1) In determining eligibility, the appropriate medically needy standard is used as are appropriate disregards and exclusions from income. In determining patient liability for the cost of institutional care, gross income is used as shown in subsections (2) and (3) of this section.

(2) Income protected for basic maintenance, effective July 1, 1986, is forty (40) dollars monthly in lieu of the figure shown in Section 3 of this regulation. All income in excess of forty (40) dollars is applied to the cost of care except as follows:

(a) Available income in excess of forty (40) dollars is first conserved as needed to provide for needs of the spouse and minor children up to the appropriate family size amount from the scale as shown in Section 3 of this regulation.

(b) Remaining available income is then applied to the incurred costs of medical and remedial care that are not subject to payment by a third

party, including Medicare and health insurance premiums and medical care recognized under state law but not covered under the state's Medicaid plan.

(3) The basic maintenance standard allowed the individual during the month of entrance into or exit from the long term care facility shall reasonably take into account home maintenance costs.

(4) When an individual loses eligibility for a supplementary payment due to entrance into a participating long term care facility, and the supplementary payment is not discontinued on a timely basis, the amount of any overpayment is considered as available income to offset the cost of care (to the Medical Assistance Program) if actually available for payment to the provider.

Section 6. Spend-down Provisions. No technically eligible individual or family is required to utilize protected income for medical expenses before qualifying for medical assistance. Individuals with income in excess of the basic maintenance scale as contained in Section 3 of this regulation may qualify for any part of a three (3) month period in which medical expenses incurred have utilized all excess income anticipated to be in hand during that period.

Section 7. Consideration of State Supplementary Payments. For an individual receiving state supplementary payments, that portion of the individual's income which is in excess of the basic maintenance standard is applied to the special need which results in the supplementary payment.

Section 8. Special Needs Contributions for Institutionalized Individuals. Voluntary payments made by a relative or other party on behalf of a long term care facility resident or patient shall not be considered as available income if made to obtain a special privilege, service, or item not covered by the Medical Assistance Program. Examples of such special services or items include television and telephone service, private room and/or bath, private duty nursing services, etc.

Section 9. Pass-through Cases. Increases in social security payments due to cost of living increases but for which the individual would be eligible for supplemental security income benefits or state supplementary payments, and which are received after April 1, 1977, shall be disregarded in determining eligibility for medical assistance benefits; such individuals shall remain eligible for the full scope of program benefits with no spend-down requirements. Beginning on November 1, 1986, the additional amount specified in Section 12202 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) shall be disregarded, i.e., that amount of social security benefits to which certain widows or widowers were entitled as a result of the recomputation of benefits effective January 1, 1984, and except for which (and subsequent cost of living increases) such individuals would be eligible for federal supplemental security income benefits; eligibility as a result of such disregard shall not exist prior to July 1, 1986. To be eligible, applicants must apply within fifteen (15) months of the date of the Act, i.e., by July 1, 1987.

Section 10. Relative Responsibility. For purposes of the Medical Assistance Program, spouses are considered responsible for spouses and parents are considered responsible for dependent minor children. Effective for determinations of eligibility made on or after December 1, 1987, children under age twenty-one (21) living with parents (but not including children age eighteen (18) and above who are blind or disabled) are considered dependent minor children for purposes of deeming of income and resources under the Medicaid Program even if such children are emancipated under state law. Stepparents are responsible for their stepchildren as shown in this section and Section 11 of this regulation. This responsibility, with regard to income and resources, is determined as follows:

(1) "Living with" is defined as sharing a common living arrangement or household, but not including living in the same room in a long term care facility. "Living apart" is defined as not sharing a common household, whether due to estrangement, disability, or illness. Effective July 1, 1987, a husband and wife sharing a room or comparable accommodation in a long term care facility may be considered to be "living with" each other after they have continuously shared such a room or accommodation for six (6) months, if treating such husband and wife as living apart would prevent either of them from receiving medical assistance.

(2) In cases of aged, blind, or disabled applicants or recipients living with their eligible spouse, total resources and adjusted income of the couple is considered in relation to the resource and income limitations for a family size of two (2), or if other dependents live with the couple, the appropriate family size including the dependents.

(3) In cases of aged, blind or disabled applicants or recipients living with an ineligible spouse, income from the ineligible spouse shall be deemed as available to the eligible spouse as outlined below.

(a) Determine the potential spend-down amount of the eligible individual by comparing the countable income to the Medically Needy Income Level (MNIL) for one (1) as shown in Section 3 of this regulation.

(b) Allocate to other dependents in the household from the ineligible spouse income in an amount equal to one-half (1/2) of the MNIL for a family size of one (1) for each dependent.

(c) If the ineligible spouse's income is more than one-half (1/2) of the MNIL for a family size of one (1), combine the income of the ineligible spouse with that of the eligible individual and compare that figure with the MNIL for a couple to determine the spend-down amount.

(d) Compare the amount resulting from paragraph (a) of this subsection with the result of paragraph (c) of this subsection and determine eligibility using the spend-down amount, if any, which is greater.

(e) Resources shall be considered in the same manner as for an eligible spouse.

(4) In cases of aged, blind, or disabled couples, living apart for any reason other than institutionalization, both of whom are concurrently applying for or receiving MA only, income and resources are considered in relation to resource and income limitations for a family

size of two (2), or if other dependents live with either spouse, the family size including such dependents, but only for the first six (6) months after the month of separation, that such couple lives apart; however, if mutual consideration of income and resources causes the individuals to lose eligibility as a couple, eligibility for the individuals is determined in accordance with subsection (4) of this section. If the separation is due to the institutionalization of a spouse, mutual consideration of income ceases in the month after the month of separation but resources are considered mutually available to each other the month of separation and the six (6) months following that month.

(5) In cases of an aged, blind, or disabled individual living apart from a spouse (for a reason other than institutionalization) who is not a recipient of MA only, eligibility is determined on a couple basis for the month of separation and as a single individual after the month of separation.

(6) For an individual whose case is being worked as if he/she were a single individual due to living apart from his/her spouse, as shown in Section 10(3) and (4) of this regulation, who has jointly held resources with his/her spouse, one-half (1/2) of the jointly held resource would be considered a resource; except that the entire amount of a jointly held checking or savings account is considered a resource if the resource may be accessed independently of the spouse.

(7) Total resources and adjusted income of parent(s) and children for whom application is made is considered in relation to limitations for family size. Excluded, however, is the income and/or resources of an SSI parent and the SSI essential person spouse whose medical assistance eligibility is based on inclusion in the SSI case. Resources and income of an SSI essential person, spouse or nonspouse, whose medical assistance eligibility is not based on inclusion in the SSI case must be considered.

(8) In cases of a blind or disabled child under eighteen (18) living with his/her parent(s) (including stepparent, if applicable), total resources and adjusted income of the parent(s) is related to limitations for family size, including the applicant or recipient child and other dependent children of parent using the adult scale. The income and resources of the parent(s) shall also be considered available to such child who is aged eighteen (18) through twenty-one (21), if in school, when to do so will work to the child's benefit and the individual was aged eighteen (18) through twenty-one (21) in September, 1980, and was MA eligible at that time.

(9) Income and resources of parent(s) are not considered available to a child living apart from the parent(s), but any continuing contribution actually made is considered as income. Living apart may mean living in a medical institution, special school or in foster care and such status continues even if the child makes visits to the parent(s) home. For comparison with the resource and income limitations, the child's individual resources and/or income are considered in relation to family size of one (1).

(10) When a recipient (but not including a child) in a family case has income and resources considered in relation to family size and enters a long term care facility, his/her income and resources are considered in the same manner as previously for up to one (1) year. For such an individual, the forty (40) dollars maintenance standard is not applicable since his/her needs are considered with that of other family members. When a child in a family case is in the long term care facility, eligibility of the child is determined in the same manner for up to a year but his/her liability for the cost of care is determined by allowing to the child from his/her own income forty (40) dollars and considering the remainder available for the cost of care. (Note: in this situation any welfare payment made to the child is disregarded when determining liability for cost of care.) The eligibility of the individual, with regard to income and resources, must be determined on the basis of living apart from the other family members whenever it becomes apparent that the separation will last for more than one (1) year.

Section 11. Treatment of Income of the Stepparent or Parent/Legal Guardian of a Minor Parent/Legal Guardian (hereinafter referred to as a "Grandparent") and Effect on Eligibility of the Assistance Group. An incapacitated (as determined by the department) stepparent's income, or a grandparent's income, is considered in the same manner as for a parent if the stepparent or grandparent is included in the family case. When the stepparent or grandparent living in the home is not being included in the family case the stepparent's or grandparent's gross income is considered available to the spouse or minor parent in accordance with the policies set forth in this section.

(1) Disregards/exclusions from income. The following disregards/exclusions from income shall be applied:

(a) The first seventy-five (75) dollars of the gross earned income of the stepparent or grandparent who is employed full time or part time (with full-time and part-time employment as defined in Section 4(1) of this regulation).

(b) An amount equal to the medically needy income limitations scale as shown in Section 3 of this regulation for the appropriate family size, for the support of the stepparent or grandparent and any other individuals living in the home but whose needs are not taken into consideration in the medical assistance eligibility determination and are claimed by the stepparent or grandparent as dependents for purposes of determining his/her federal personal income tax liability.

(c) Any amount actually paid by the stepparent or grandparent to individuals not living in the home who are claimed by him/her as dependents for purposes of determining his/her personal income tax liability.

(d) Payments by the stepparent or grandparent for alimony or child support with respect to individuals not living in the household.

(e) Income of a stepparent or grandparent receiving supplemental security income.

(f) Verified medical expenses for the stepparent or grandparent and his/her dependents in the home.

(2) Determining eligibility of the children. When a stepparent or grandparent has available income remaining after disregards/exclusions are applied, such income may be deemed to the spouse (of the stepparent) or minor parent (child of the grandparent) but not to the stepchild(ren)

or grandchild(ren). Eligibility of the stepchild(ren) or grandchild(ren) is determined in the following manner in order to take this requirement into consideration.

(a) The available income deemed to the spouse or minor parent shall be the lesser of the amount available or the medically needy income level for one (1), as shown in Section 3 of this regulation.

(b) The income of the spouse or minor parent (including the amount deemed) shall be combined with that of the child(ren) and the total compared against the medically needy income level for the appropriate family size. If there is no excess income, the child is eligible. If there is an excess, the excess amount may be spent down in the usual manner.

(3) Determining eligibility of the spouse or minor parent. Available income of the stepparent or grandparent remaining after exclusions/disregards are applied must be considered fully available to the spouse or minor parent. The eligibility of the spouse or minor parent is therefore determined in the same manner as shown in subsection (2) of this section, except that the full amount available (including that portion of the available income, if any, which is in excess of the medically needy income level for one (1)) is deemed to the spouse or minor parent.

(4) When the spouse or minor parent, or both the spouse or minor parent and child(ren) has a spend-down case(s), uncovered incurred medical expenses of all members of the budget unit may be used to meet the spend-down amount(s).

Section 12. Companion Cases. When spouses or parent(s) and children living in the same household apply separately for assistance, relative responsibility must be taken into consideration.

(1) In the case of an application for assistance for a dependent child(ren), the income, resources and needs of the parent(s) must be included in the determination of need of the child(ren) even when the parent(s) applies for assistance for himself/herself on the basis of age, blindness, or disability (except as shown in subsection (3) of this section).

(2) In the case of a spouse, income and resources of both spouses are combined and compared against the medically needy income and resources limits for a family size of two (2) even though a separate determination of eligibility must be made for each individual.

(3) In the case of families with children with a parent eligible for supplemental security income (SSI), neither the income, resources, nor needs of the SSI eligible individual are to be included in the determination of eligibility of the children.

Section 13. Treatment of Lump-sum Income. The following policy is effective January 1, 1986: for adult related cases, lump-sum income is prorated over the three (3) month period following the agency's notice of receipt by the client, with any amount spent by the client prior to notification of the agency deducted from the total considered available; any portion of the income remaining available after the three (3) month period is considered in relation to resource limitations; for AFDC related cases, lump sum income is divided by the medically needy income level and prorated over the resultant number of months.

Section 14. Transferred Resources. When an applicant or recipient transfers a nonexcluded resource(s) for the purpose of becoming eligible for medical assistance, the value of the transferred resource(s) will be considered a resource to the extent provided for by this section. The provisions of this section are applicable to both family related cases and medical assistance only cases based on age, blindness, or disability.

(1) The disposal of a resource, including liquid assets, at less than fair market value shall be presumed to be for the purpose of establishing eligibility unless the individual presents convincing evidence that the disposal was exclusively for some other purpose. If the purpose of the transfer is for some other reason or if the transferred resource was considered an excluded resource at the time it was transferred, the value of the transferred resource is disregarded. If the resource was transferred for an amount equal to at least the assessed value for tax purposes, the resource will be considered as being disposed of for fair market value. Notwithstanding the preceding, if the assessed agricultural value is used for tax purposes the transfer must be for an amount equal to the fair market value.

(2) After determining that the purpose of the transfer was to become or remain eligible, the cabinet shall first add the uncompensated equity value of the transferred resource to other currently held resources to determine if retention of the property would have resulted in ineligibility. For this purpose, the resource considered available shall be the type of resource it was prior to transfer, e.g., if nonhomestead property was transferred, the uncompensated equity value of the transferred property would be counted against the permissible amount for nonhomestead property. If retention of the resource would not have resulted in ineligibility, the value of the transferred resource would thereafter be disregarded.

(3) If retention would result in ineligibility, the cabinet will consider the excess transferred resource available for up to twenty-four (24) months, subject to the following conditions:

(a) The value of the total excess resources considered available (including the uncompensated equity value of the transferred resource) shall be reduced by $500 for each month that has elapsed since the transfer, beginning with the month of transfer; except

(b) The reduction provided for in paragraph (a) shall not be applicable with regard to any month in which the individual received medical assistance but was actually ineligible due to the provisions of this section.

(4) For those recipients who were receiving assistance on February 28, 1981, this section is applicable only with respect to resources transferred subsequent to that date.

(5) The uncompensated value may be excluded from consideration when good cause exists. A waiver of consideration of the uncompensated amount will be granted subject to the following criteria:

(a) "Good cause" means that an expense (or loss) was incurred by the individual or family group due to a natural disaster, fire, flood,

storm or earthquake; or illness resulting from accident or disease; or hospitalization or death a member of the immediate family; or civil disorder or other disruption resulting in vandalism, home explosions, or theft of essential household items.

(b) The exclusion may not exceed the amount of the incurred expense or loss.

(6) If the individual is in a long term care facility, the actual cost of long term care (rather than the $500) may be deducted from the uncompensated value excess on a monthly basis.

Section 15. Special Provisions for AIS/MR Recipients. Effective April 1, 1983, medical assistance eligibility for participants in the program of alternative intermediate services for the mentally retarded (AIS/MR) shall be determined taking into consideration the special provisions contained in this section.

(1) The income and resources of the parent(s) and/or spouse shall not be considered available to the AIS/MR participant.

(2) Income protected for basic maintenance of the AIS/MR participant shall be the standard for the federal supplemental security income program.

(3) When eligibility is determined for a spend-down case, the attributed cost of care against which monthly available income of the AIS/MR participant shall be applied shall be the projected annual average cost of care for all participants divided by twelve (12) and rounded to the nearest dollar.

(4) Eligibility shall continue on the same monthly basis as for an institutionalized individual when the cost of care is greater than the recipient's monthly income or the recipient is eligible based on the special income level of 300 percent of the SSI level as specified in 907 KAR 1:011, Technical eligibility requirements.

(5) Determinations of eligibility for medical assistance of the AIS/MR participant's parent(s), spouse, and/or dependent children shall be made on the same basis as if the participant was institutionalized.

Section 16. Special Provisions for Hospice Recipients. Effective October 1, 1986, medical assistance eligibility for participants under the Medicaid hospice benefit shall be determined (when necessary to establish eligibility for medical assistance benefits for cases with income in excess of the usual basic maintenance standard) taking into consideration the special provisions contained in this section.

(1) Income protected for basic maintenance of the hospice participant shall be the standard for the federal supplemental security income (SSI) program.

(2) When eligibility is determined for a spend-down case, the attributed cost of care against which monthly available income of the hospice participant shall be applied shall be the hospice routine home care per diem (for the hospice providing care) as established by the Medicare program.

(3) Eligibility shall continue on the same monthly basis as for an institutionalized individual when the cost of care is greater than the recipient's monthly income or the recipient is eligible based on the special income level of 300 percent of the SSI level as specified in 907 KAR 1:011, Technical eligibility requirements.

(4) A hospice participant may be eligible for benefits based on this section only if he/she has elected coverage under the Medicaid hospice benefit rather than the regular Medicaid program.

Section 17. Special Provisions for Recipients Participating in the Home and Community Based Services Waiver Program. Effective January 1, 1987, medical assistance eligibility for participants under the home and community based (HCB) services waiver program shall be determined (when necessary to establish eligibility for medical assistance benefits for cases with income in excess of the usual basic maintenance standard) taking into consideration the special provisions contained in this section.

(1) Income protected for basic maintenance of HCB services program participants who are eligible under the special income level shown in this section shall be the standard used for an individual in the federal supplemental security income (SSI) program.

(2) HCB services program participants with income not in excess of 300 percent of the SSI standard for an individual shall be determined to be eligible as categorically needy under a special income level (i.e., the special income level is 300 percent of the SSI standard).

(3) Patient liability and relative responsibility is determined in the same manner as if the HCB services program participant was institutionalized except that excess income of responsible relatives will be considered available to the HCB participant with the cost of HCB services projected.

(4) If an HCB services program participant has income in excess of 300 percent of the SSI standard, eligibility of the participant is determined in the usual manner for an individual who is institutionalized, with the cost of HCB services projected, except that the amount protected for basic maintenance is the usual medically needy standard for an individual in his own home as shown in Section 3 of this regulation.

Section 18. Treatment of Potential Payments from Medicaid Qualifying Trusts. When an individual (or his/her spouse for the individual's benefit) creates (other than by will) a trust (or similar legal device) with amounts payable to the same individual, such trust shall be considered a "Medicaid qualifying trust" if the trustee(s) of the trust are permitted to exercise discretion as to the amount of the payments from the trust to be paid to the individual. In this circumstance the amount considered available to the trust beneficiary shall be the maximum amount the trustee(s) may (using the trustee's discretion) pay in accordance with the terms of the trust, regardless of the amount actually paid. The cabinet may, however, consider as available only that amount actually paid if to do otherwise would create an undue hardship upon the individual; the criteria for determining "undue hardship" shall be established by the cabinet.

Section 19. Implementation. The amendments to this regulation will be effective <u>with regard to determinations of eligibility made on or after October</u> [on June] 1, 1987 except as otherwise specified herein.

R. HUGHES WALKER, Commissioner
MIKE ROBINSON, Commissioner
E. AUSTIN, JR., Secretary

APPROVED BY AGENCY: September 30, 1987
FILED WITH LRC: October 6, 1987 at 2 p.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 1:011E. Technical eligibility requirements.

RELATES TO: KRS 205.520
PURSUANT TO: KRS 194.050
EFFECTIVE: October 2, 1987
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, hereinafter referred to as MA, to Kentucky's indigent citizenry. This regulation sets forth the technical eligibility requirements of the MA Program.

Section 1. The Categorically Needy. All individuals receiving Aid to Families with Dependent Children, Title IV-E benefits, Supplemental Security Income or Optional or Mandatory State Supplementation are eligible for MA as categorically needy individuals. In addition, the following classifications of needy persons are included in the program as categorically needy and thus eligible for MA participation.

(1) Children in foster family care or private nonprofit child caring institutions dependent in whole or in part on a governmental or private agency;

(2) Children in psychiatric hospitals or medical institutions for the mentally retarded;

(3) Pregnant women;

(4) Children of unemployed parents;

(5) Children in subsidized adoptions dependent in whole or in part on a governmental agency;

(6) Families terminated from the Aid to Families with Dependent Children (AFDC) program because of increased earnings or hours of employment;

(7) Children (but not their parents) who meet the income and resource requirements of the Aid to Families with Dependent Children program, who were born after September 30, 1983 and who are under the age of five (5); and effective July 1, 1987, children (but not their parents) who meet the income and resource requirements of the Aid to Families with Dependent Children Program, who are under eighteen (18) years of age (or under age nineteen (19) if a full-time student in a secondary school or the equivalent level of vocational or technical training and if expected to complete the program before age nineteen (19));

(8) A child(ren) born to a woman eligible for and receiving medical assistance, so long as the child(ren) has not reached his/her first birthday, resides in the household of the woman, and the woman remains eligible for such assistance. In this situation, an application is deemed to have been made and the child found eligible for MA as of the date of birth;

(9) Effective June 1, 1987, individuals in institutions meeting appropriate patient status criteria who (if not institutionalized) would not be eligible for supplemental security income (SSI) or optional state supplementation benefits due to income, may be eligible under a special income level which is set at 300 percent of the SSI benefit amount payable for an individual with no income. Eligibility for similar hospice participants and similar participants in the waiver projects of home and community based services for the mentally retarded and the aged, blind or disabled may also be determined under this provision. Eligibility of an individual whose gross income exceeds 300 percent of the previously specified SSI benefit amount may not be determined in accordance with this provision;

(10) Effective July 1, 1987, qualified severely impaired individuals as specified in Section 9404 of P.L. 99-509 and Sections 2, 3 and 4 of P.L. 99-643 (to the extent such coverage is mandatory in this state); [and]

(11) Effective July 1, 1987, individuals who lose SSI eligibility but would be eligible for SSI benefits except for entitlement to or an increase in child's insurance benefits based on disability as specified in Section 6 of P.L. 99-643; and

(12) Effective October 1, 1987, women during pregnancy (and as though pregnant through the end of the month containing the 60th day of a period beginning on the last day of pregnancy), and infants and children under two (2) years of age, as permitted by Section 9401 of the Omnibus Budget Reconciliation Act of 1986, subject to the following:

(a) Such pregnant women, infants and children are required to meet the income and resource requirements for this eligibility group as specified in 907 KAR 1:004, Resource and income standard of medically needy; and

(b) When an infant or child eligible under this provision is receiving covered inpatient services on a birthday which will make him/her ineligible due to age, the infant or child will remain eligible until the end of the stay for which the covered inpatient services are furnished so long as the infant or child remains otherwise eligible except for age.

Section 2. The Medically Needy. Other individuals (including children as shown in Section 1(7) of this regulation), and pregnant women meeting income and resource standards of the medically needy program), meeting technical requirements comparable to the categorically needy group, but with sufficient income to meet their basic maintenance needs may apply for MA with need determined in accordance with income and resource standards prescribed by regulation

of the Cabinet for Human Resources. Included within the medically needy eligible groups are pregnant women during the course of their pregnancy; a woman who, while pregnant, is eligible for, has applied for, and has received medical assistance, shall continue to be eligible as though she were pregnant until the end of the month containing the 60th day of a period beginning on the last day of her pregnancy (i.e., the day on which her child is born or the pregnancy is otherwise terminated). For individuals covered on January 1, 1985 pursuant to this section, the usual three (3) month rule on retroactivity (as shown in Section 3(15)) will apply.

Section 3. Technical Eligibility Requirements. Technical eligibility factors of families and individuals included as categorically needy under Section 1(1) through (6) of this regulation, or as medically needy under Section 2 of this regulation are:

(1) Children in foster care, private institutions, psychiatric hospitals or mental retardation institutions must be under eighteen (18) years of age (or under age nineteen (19) if a full-time student in a secondary school or the equivalent level of vocational or technical training and if expected to complete the program before age nineteen (19));

(2) Pregnant women are eligible only upon medical proof of pregnancy, except as otherwise specified in Section 2 of this regulation;

(3) Unemployment relating to eligibility of both parents and children is defined as:

(a) Employment of less than 100 hours per month, except that the hours may exceed that standard for a particular month if the work is intermittent and the excess is of a temporary nature as evidenced by the fact that the individual was under the 100 hour standard for the prior two (2) months and is expected to be under the standard during the next month;

(b) The individual has prior labor market attachment consisting of earned income of at least fifty (50) dollars during six (6) or more calendar quarters ending on March 31, June 30, September 30, or December 31, within any thirteen (13) calendar quarter period ending within one (1) year of application, or the individual within twelve (12) months prior to application received unemployment compensation;

(c) The individual is currently receiving or has been found ineligible for unemployment compensation;

(d) The individual is currently registered for employment at the state employment office, and available for full-time employment;

(e) The unemployed parent must not have refused suitable employment without good cause as determined in accordance with 45 CFR Section 233.100(a)(3)(ii);

(f) The unemployed parent must meet the requirements for independent employment search as specified herein. That is:

1. The unemployed parent must make not less than twenty-four (24) contacts with prospective employers in each three (3) month period following an approval, reinvestigation or reapproval.

2. The unemployed parent may not contact the same prospective employer more than once in each calendar month.

3. If the unemployed parent does not meet the requirement for the minimum number of employment contacts during the three (3) month period, the parent may, prior to or upon receipt of the advance notice of proposed discontinuance, meet the requirement for the number of contacts for the prior three (3) month period. These contacts shall not offset the requirement for employer contacts during the three (3) month period following the next approval, reinvestigation or reapproval.

(4) Under the definition contained in subsection (3) of this section, a parent shall not be considered as unemployed if he is:

(a) Temporarily unemployed due to weather conditions or lack of work when it is anticipated he can return to work within thirty (30) days; or

(b) On strike, or unemployed as a result of involvement in a labor dispute when such involvement would disqualify the individual from eligibility for unemployment insurance in accordance with KRS 341.360; or

(c) Unemployed because he voluntarily quit his most recent work for the purpose of attending school; or

(d) A farm owner or tenant farmer, unless he has previously habitually required and secured outside employment and currently is unable to secure outside employment; or

(e) Self-employed and not available for full-time employment.

(5) An aged individual must be at least sixty-five (65) years of age.

(6) A blind individual must meet the definition of blindness as contained in Titles II and XVI of the Social Security Act relating to RSDI and SSI.

(7) A disabled individual must meet the definition of permanent and total disability as contained in Titles II and XVI of the Social Security Act relating to RSDI and SSI.

(8) For families losing AFDC eligibility solely because of increased earnings or hours of employment, medical assistance shall continue for four (4) months to all such family members as were included in the family grant (and children born during the four (4) month period) if the family was eligible for and received AFDC in any three (3) or more months during the six (6) month period immediately preceding the month in which it became ineligible for AFDC. The four (4) month period begins on the date AFDC is terminated. If AFDC benefits are paid erroneously for one (1) or more months in such a situation, the four (4) month period begins with the first month in which AFDC was erroneously paid, i.e., the month in which the AFDC should have been terminated.

(9) Families losing AFDC eligibility solely due to loss of the thirty (30) dollars disregard or the one-third (1/3) disregard from earnings shall be deemed AFDC eligible for nine (9) months after the termination of the disregard, and shall as a result be eligible for continued medical assistance for the nine (9) month period. The nine (9) month period begins on the date the AFDC should have been terminated. Coverage for medical assistance is extended to all family members who were included in the grant (and children born during the nine (9) month period).

(10) Families losing AFDC eligibility as a result (wholly or partly) of the collection or increased collection of child or spousal support, and who were eligible for and received AFDC in at least three (3) of the six (6) months

immediately preceding the month in which such ineligibility begins, shall be deemed AFDC eligible for Title XIX purposes for four (4) months beginning with the month in which ineligibility begins. If AFDC benefits are paid erroneously for one (1) or more months in such a situation, the four (4) month period begins with the first month in which AFDC was erroneously paid, i.e., the month in which the AFDC should have been terminated. Coverage for medical assistance is extended to all family members losing eligibility as a result of the receipt of the child or spousal support. The extended eligibility provision contained herein is applicable only with respect to families discontinued on or after July 18, 1984 and before October 1, 1988.

(11) Parents may be included for assistance in the cases of families with children including natural and adoptive parents. Other relatives who may be included in the case (one (1) only) are caretaker relatives to the same extent they may be eligible in the Aid to Families with Dependent Children Program.

(12) An applicant who is deceased may have eligibility determined in the same manner as if he was alive, in order to pay medical bills during the terminal illness.

(13) Children of the same parent, i.e., a "common" parent, residing in the same household shall be included in the same case unless this acts to preclude eligibility of an otherwise eligible household member. Effective April 1, 1986, for new approvals and at time of reinvestigation for other cases, the family unit must be determined in the same manner as is required for AFDC cases, except that if a family member(s) is pregnant the unborn child(ren) will be considered as a family member(s) for budgeting purposes.

(14) The following citizenship and/or residency requirements will be applicable:

(a) To be eligible, an applicant or recipient must be a citizen of the United States, or an alien legally admitted to this country or an alien who is residing in this country under color of law (except as specified in paragraph (b) of this subsection). An alien must have been admitted for permanent residence except as shown in paragraphs (b), (c) and (d) of this subsection. The applicant or recipient must also be a resident of Kentucky. Generally, this means the individual must be residing in the state for other than a temporary purpose; however, there are exceptions with regard to recipients of a state supplementary payment and institutionalized individuals. The conditions for determining state residency are specified in federal regulations at 42 CFR 435.403, which are hereby incorporated by reference.

(b) Effective January 1, 1987, an alien not legally admitted to this country or residing in this country under color of law may be eligible for medical assistance under the following circumstances and conditions:

1. The alien must meet all other requirements for receipt of medical assistance, however, an alien qualifying as a categorically needy recipient need not actually receive an AFDC or federal supplemental security income (SSI) cash payment so long as the alien meets the income resource and categorical requirements of the applicable cash assistance program;

2. The alien must have (or have had within the usual period for retroactive eligibility) an emergency medical condition, defined as a medical condition (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in placing the patient's health in serious jeopardy, serious impairment to bodily functions or serious dysfunction of any bodily organ or part;

3. Approval of eligibility shall be for a time limited period, with such period to include the month in which the medical emergency began and the next following month, with the added provision that the eligibility period may be extended for an appropriate period of time upon presentation to the cabinet of acceptable documentation that the medical emergency will exist for a more extended period of time than is allowed for in the time limited eligibility period; and

4. The medical assistance to which the alien shall be entitled is limited to the medical care and services (including limited followup) necessary for the treatment of the emergency medical condition of the alien.

(c) Effective May 5, 1987, select groups of aliens who are illegally residing in this country may qualify for legalization of residence status under Section 201 of P.L. 99-603 [99-613]. Such aliens are prohibited from Medicaid eligibility for a period of five (5) years (beginning on the date temporary resident status is granted) except as follows:

1. The aged, blind or disabled may be eligible;

2. Children under age eighteen (18) may be eligible;

3. Pregnant women may be eligible for pregnancy related services only; and

4. All such aliens may qualify for emergency services to the extent specified in paragraph (b) of this subsection and with the limitations shown therein.

(d) Effective June 1, 1987, aliens qualifying for legalization of status as seasonal agricultural workers under Section 302 of P.L. 99-603 [99-613] are subject to the same coverage limitations as shown in paragraph (c) of this subsection.

(15) An individual may be determined eligible for medical assistance for up to three (3) months prior to the month of application if all conditions of eligibility are met. The effective date of medical assistance is generally the first day of the month of eligibility. For individuals eligible on the basis of unemployment, eligibility may not exist for the thirty (30) day period following the starting date of the unemployment. In these cases, the effective date of eligibility may be as early as the first day following the end of the thirty (30) day period if all other conditions of eligibility are met. For individuals eligible on the basis of desertion, a period of desertion must have existed for thirty (30) days, and the effective date of eligibility may not precede the first day of the month in which the thirty (30) day period ends. For individuals eligible on the basis of utilizing their excess income for incurred medical expenses, the effective date of eligibility is the day the spend-down liability is met.

(16) "Child" means a needy dependent child under the age of eighteen (18) (or under age nineteen (19) if a full-time student in a secondary school or the equivalent level of vocational or technical training and if expected

to complete the program before the age nineteen (19)), who is not otherwise emancipated, self-supporting, married, or a member of the armed forces of the United States, and who is a recipient of or applicant for public assistance. Included within this definition is an individual(s) meeting the age requirement specified above, previously emancipated, who has returned to the home of his parents, or to the home of another relative, so long as such individual is not thereby residing with his spouse.

(17) Benefits shall be denied to any family for any month in which any legally liable caretaker relative with whom the child is living is, on the last day of such month, participating in a strike, and no individual's needs shall be considered in determining eligibility for medical assistance for the family if, on the last day of the month, such individual is participating in a strike. The definition of a strike includes a strike or other concerted stoppage of work by employees (including a stoppage by reason of expiration of a collective bargaining agreement) and any concerted slowdown or other concerted interruption of operations by employees.

(18) Effective May 1, 1987, an individual sanctioned (removed) from an AFDC case due to failure to meet an AFDC technical eligibility requirement may not be eligible for medical assistance as a medically needy individual unless such individual is separately eligible for medical assistance without regard to eligibility as a member of the group from which such individual has been sanctioned.

Section 4. Institutional Status. No individual shall be eligible for MA if a resident or inmate of a nonmedical public institution. No individual shall be eligible for MA while a patient in a state tuberculosis hospital unless he has reached age sixty-five (65). No individual shall be eligible for MA while a patient in a state institution for mental illness unless he is under age eighteen (18) (or under age nineteen (19) if a full-time student in a secondary school or the equivalent level of vocational or technical training and if expected to complete the program before age nineteen (19)) or is sixty-five (65) years of age or over.

Section 5. Emergency Shelters. Effective July 1, 1985, an individual (or family group) who is in an emergency shelter for a temporary period of time may be eligible for medical assistance even though the shelter is considered a public institution under certain conditions. These conditions are as follows:

(1) The individual (or family group) must be a resident of an emergency shelter no more than three (3) months in any twelve (12) month period.

(2) The individual (or family group) must not be in the facility serving a sentence imposed by the court, or awaiting trial.

(3) The individual (or family group) must be otherwise eligible when outside the emergency shelter; that is, eligibility must have existed immediately prior to admittance to the shelter, or it must exist immediately after leaving the shelter.

Section 6. Application for other Benefits. As a condition of eligibility for medical assistance, applicants and recipients must apply for all annuities, pensions, retirement and disability benefits to which they are entitled, unless they can show good cause for not doing so. Good cause is considered to exist when such benefits have previously been denied with no change of circumstances, or the individual does not meet all eligibility conditions. Annuities, pensions, retirement and disability benefits include, but are not limited to, veterans' compensations and pensions, retirement and survivors disability insurance benefits, railroad retirement benefits, and unemployment compensation. Notwithstanding the preceding, no applicant or recipient shall be required to apply for federal benefits when the federal law providing for such benefits shows the benefit to be optional and that the potential applicant or recipient for such benefit need not apply for such benefit when to do so would, in his opinion, act to his disadvantage.

Section 7. Assignment of Rights to Medical Support. By accepting assistance for or on behalf of a child, a recipient is deemed to have made an assignment to the Cabinet for Human Resources of any medical support owed for the child not to exceed the amount of medical assistance payments made on behalf of the recipient.

Section 8. Third Party Liability as a Condition of Eligibility. Any individual applying for or receiving medical assistance shall be required as a condition of eligibility to cooperate with the Cabinet for Human Resources in identifying, and providing information to assist the cabinet in pursuing, any third party who may be liable to pay for care or services available under the Medicaid Program unless such individual has good cause for refusing to cooperate as determined by the cabinet taking into consideration the best interests of the individuals involved. A failure of the individual to cooperate without good cause shall result in ineligibility of the individual.

Section 9. Provision of Social Security Numbers. Beginning May 1, 1985, each applicant for or recipient of medical assistance shall be required to provide a social security number as a condition of eligibility. However, no one shall be denied eligibility or discontinued from eligibility due to a delay in receipt of a social security number from the Social Security Administration when appropriate application for such number has been made. For recipients, the requirement shall be effective with the first full reinvestigation occurring on or after May 1, 1985.

R. HUGHES WALKER, Commissioner
MIKE ROBINSON, Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY: September 30, 1987
FILED WITH LRC: October 2, 1987 at 11 a.m.

AS AMENDED

GENERAL GOVERNMENT CABINET
Board of Dentistry
(As Amended)

201 KAR 8:006. Advertising of dental services.

RELATES TO: KRS 313.220
PURSUANT TO: KRS 313.400, 313.410
EFFECTIVE: October 2, 1987
NECESSITY AND FUNCTION: This regulation sets forth the manner in which dentists licensed in Kentucky may advertise dental services.

Section 1. No licensed dentist shall hold himself out to the public as being especially qualified in any branch of dentistry by announcing through the press, sign, card, letterhead or printed matter, or any means of public advertising using such terms as "specialist," or inserting the name of the specialty, or using other phrases customarily used by qualified specialists that would imply to the public that he is so qualified, without first securing a specialist's license for same as provided in KRS Chapter 313 and these regulations.

Section 2. A general dentist who advertises using words or phrases customarily used by a specialist shall not be deemed to have violated Section 1 of this regulation if such advertising contains the name of the general dentist immediately followed by the phrase "general dentist" or "general dentistry" **or "family dentist" or "family dentistry"** [in print **of a size equal to or greater** [at least one (1) point larger] than any other portion of the advertisement.

Section 3. A general dentist who advertises through radio, television, or any other means of public address and who uses words or phrases customarily used by a specialist shall not be deemed to have violated Section 1 of this regulation if such advertising commences and ends with the name of the general dentist immediately followed by the phrase "general dentist" or "general dentistry" **or "family dentist" or "family dentistry."**

Section 4. Any advertisement for a group practice shall contain the name of each dentist therein immediately followed by the phrase "general dentist" or "general dentistry" **or "family dentist" or "family dentistry"** or by the name of the specialty in which any member of the group practice is licensed.

Section 5. Any dentist licensed in Kentucky may submit proposed advertising to the Kentucky Board of Dentistry for prior written approval.

GREG HOLMES, General Counsel
APPROVED BY AGENCY: April 15, 1987
FILED WITH LRC: April 15, 1987, at noon

AMENDED AFTER HEARING

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

401 KAR 47:040. Sanitary landfills.

RELATES TO: KRS 224.835, 224.842, 224.855
PURSUANT TO: KRS 13A.210, 224.017, 224.033(24)
NECESSITY AND FUNCTION: KRS 224.033 and the waste management provisions of KRS Chapter 224 require the cabinet to adopt regulations for the management of solid waste. This chapter establishes standards for solid waste sites or facilities. This regulation sets forth the permit application requirements and general design and operating requirements for solid waste sites or facilities which are sanitary landfills as defined in 401 KAR 30:010. Sections 1, 2 and 3 apply to inert landfills. Sections 1 through 6 apply to residential landfills. Sections 1 through 9 apply to contained landfills. Sections 10 through 12 apply to residual landfills.

Section 1. Contents of Permit Applications for Inert Landfills. A person or state or federal agency desiring a landfill permit shall submit a complete application to the cabinet. The application shall be on a form and presented in a manner as prescribed by the cabinet, and shall include, but not be limited to, the following:

(1) Name, address, and phone number of applicant. If applicant is a government agency, corporation, company or partnership, include the name and address and phone number of process agent or other contact individual.

(2) Written certification from the county judge/executive or chairman of the local planning and zoning board that the site meets all local planning and zoning requirements.

(3) Approval of the local KRS Chapter 109 District Board (if one exists for the county in which the site is proposed).

(4) Name, address and phone number of the landowner.

(5) A copy of the deed to the property and a copy of a lease showing a two (2) year right of re-entry following final closure of the facility if the landowner is not the applicant.

(6) A geological report of the site including but not limited to:

(a) A description of all soils at the site, in detail, including their suitability for the proposed site;

(b) A description of the surface and subsurface geology of the site, including an assessment of such geologic hazards as: seismic activity, stability, and karstic weathering; and

(c) A description of the hydrologic characteristics of the site, including surface and groundwater current use, potential use and flow.

(7) An original current U.S.G.S. topographic map that has the boundaries of the site clearly and accurately marked thereon.

(8) Plans drawn to scale for the site which shall bear the seal of a professional engineer registered in Kentucky, and shall include the following:

(a) Initial and proposed final contour intervals sufficient to reveal the character of the site.

(b) Existing roads, surface drainage, buildings and other man-made features, on-site fire protection equipment, and property lines.

(c) A buffer zone between the property line and the outer limits of the fill area, and a buffer zone between the fill and any existing residence or blue-line streams.

(d) The location of all-weather on-site roads sufficient to handle anticipated traffic.

(e) Site access controls including lockable entrance ways.

(f) Appropriate cross-sections and baseline profiles which shall include: existing surface, bedrock, seasonal high water table, limits of excavation, final waste cells, final surface elevations, volume[s of airspace] available for waste disposal in cubic yards, and other subsurface and surface features including but not limited to shafts, roads and drainage.

(g) A typical lift cross-section showing details of the final cover, length and depth of cells, width of cell walls, and depth of waste.

(h) A diagram illustrating the sequence of the areas to be filled [referenced to the cross section and baseline profile] (with methods to be used).

(i) A typical section detail of site roadways, showing base, wearing surface, side slopes, drainage, width, and other information relevant to roadway design.

(9) The complete application narrative which shall include:

(a) A written description of the location of the site using roads or highways.

(b) A description of the sequence of operation.

(c) A list of all types of wastes which will be disposed at the landfill, the sources which generate the waste identified by location [(area(s) of solid waste generation)], the chemical and physical characteristics of industrial or special wastes, and the anticipated quantity [volume] of each category of waste for each source [area of solid waste generation]. Source means the solid waste management areas, or persons who operate solid waste management facilities.

(d) The source and availability of equipment including back-up equipment and fire protection equipment.

(e) An engineering statement of the site flood frequency exposure.

(f) The number of acres to be filled and the total number of acres to be permitted, including buffer zone.

(g) A brief safety and communication plan, including certification of fire protection from the appropriate fire marshal or local official and method of emergency communication.

(h) A description of the access controls.

(i) A description of the covering program including frequency of cover, total volume and source of borrow material available, and total estimated volume and source of cover required (final, daily and interim).

(j) The proposed revegetation program, including provisions for liming, fertilization, seed types and seeding schedule, erosion control during early growth period, and interim cover vegetation program.

(k) A final cover maintenance program covering the entire site and lasting two (2) years beyond closure, to include erosion control, reseeding, refertilization and growth control [and surface and groundwater monitoring].

(l) A detailed plan for closure of the landfill in accordance with KRS 224.846 along with an estimate of closure costs.

(m) The estimated life of the site in volume and number of years.

(n) A description of the method to be used for compaction of waste and cover material including the placement of waste and direction of compaction, the placement of cover material and direction of compaction, and the ground pressure developed by the equipment used for compaction.

(o) Map(s) showing the sources which generate the waste [area(s) of solid waste generation].

(p) Such additional information as the cabinet deems necessary for a determination regarding issuance of the permit.

Section 2. General Design Requirements for Inert Landfills. (1) Landfills in the 100-year flood plain shall be designed and operated to prevent the washout of wastes. Further, they shall not restrict the flow of the 100-year flood or significantly reduce the temporary water storage capacity of the flood plain. Where available, empirical data shall be used to determine the frequency of flood exposure. Where data is not available, the frequency of flood exposure shall be established by the unit hydrograph technique.

(2) Landfills subject to a high seasonal water table shall be restricted to sites which provide greater than two (2) feet of compacted earth between deposited waste and the maximum water table, and include measures to prevent contamination of groundwater.

(3) The bottom of the waste in the landfill shall be at least two (2) feet above bedrock, sand or gravel, excluding any sand or gravel used in a leachate collection system.

(4) Landfill locations shall conform to applicable local zoning laws pursuant to KRS Chapter 100.

(5) Surface contours shall minimize surface water running onto or through the operational or completed fill area. Surface storm water features shall be designed for the maximum flows occurring up to a 100-year, twenty-four (24) hour storm flows. Surface water sediment basins shall be designed to detain ten (10) year, twenty-four (24) hour storms with emergency spillway flows of 100-year, twenty-four (24) hour storms.

(6) Disposal of wastes presenting special handling problems shall be separately considered in design of the landfill.

(7) A 100-foot minimum buffer zone between the fill area and the property line, a 200-foot minimum buffer zone between the fill and a blue-line stream, and a 250-foot minimum buffer zone between the fill and existing residences shall be provided.

(8) Adequate cover material shall be available to cover solid wastes at intervals sufficient to prevent fire hazards, unsightly appearance, disease vectors and for interim and final cover.

(9) Sufficient equipment shall be available to

comply with the requirements of this chapter. This equipment is not required on-site at all times.

(10) Other requirements may be stipulated by the cabinet.

Section 3. General Operating Requirements for Inert Landfills. (1) The owner/operator of a landfill shall operate the facility in accordance with the requirements of KRS Chapter 224 and the regulations promulgated pursuant thereto, the conditions of the solid waste facility permit issued by the cabinet, and the approved operational plan filed with the cabinet.

(2) Landfill operators shall not permit or engage in open burning of waste. Any open burning shall be immediately extinguished. Wastes which are burning or smoldering shall not be deposited in the fill. Such materials shall be deposited at a location safely removed from the normal fill area.

(3) No liquids or hazardous wastes shall be discharged to or placed in a landfill without obtaining a permit modification or a written variance from the cabinet. In considering such requests the cabinet shall use the standards specified in KRS 224.866.

(4) The grounds in and about a landfill shall not be allowed to become a nuisance. When necessary, interior fences may be required to prevent litter from blowing from the landfill. The permitted area shall be policed on a routine basis to collect all scattered material.

(5) Scavenging is prohibited. Salvage and recycling operations shall not be allowed in conjunction with a landfill unless conducted in a sanitary manner.

(6) Landfill operators shall not allow uncontrolled public access which would expose the public to potential health and safety hazards. Days and time of operation shall be clearly posted.

(7)(a) Landfill operators shall not allow a discharge of fill material, erosion sediment, leachate or other pollutants into waters of the Commonwealth that is in violation of the requirements of the National Pollutant Discharge Elimination System (NPDES) under Section 402 of the Clean Water Act or the Kentucky Pollutant Discharge Elimination System program approved by the U.S. EPA or that exceeds the water quality standards for surface waters established in 401 KAR 5:031.

(b) Landfill operators shall not allow a discharge of pollutants into the air in violation of the Clean Air Act or the Kentucky Air Pollution Control Regulations.

(8) Final cover and closure.

(a) Those areas of a landfill that will receive no additional deposits of solid waste within 365 days of the last placement of waste shall receive final cover. A minimum final cover of two (2) feet shall be required in addition to any daily and interim cover required.

(b) Before earth-moving equipment is removed from the site, an inspection of the entire site shall be made by an authorized representative of the cabinet to determine compliance with approved plans and specifications. The owner/operator shall submit a closure schedule based on the approved closure plan thirty (30) days prior to the last intended use of a solid waste facility.

(c) Final cover shall be graded as provided in the approved closure plan in a manner to prevent ponding. For a period of two (2) years, the surface of final cover shall be maintained at the proper elevation.

(d) Final cover shall be revegetated. After grading, final cover shall be fertilized, as necessary, seeded, and/or planted with legumes, perennial grasses or other vegetation according to the approved closure plan. The owner/operator may be required to repeat this process until adequate vegetation is obtained to insure soil stabilization.

(e) Other necessary corrective work required by the cabinet, if any, shall be performed before the landfill is accepted as closed and financial responsibility funds released.

Section 4. Additional Contents of Permit Application for a Residential Landfill. In addition to the requirements of Contents of Permit Application for Inert Landfills, Section 1 of this regulation, the complete application for residential landfills shall include but not be limited to the following additional information:

(1) A leachate contingency plan and specifications for collecting and treating or other control of leachate generated at the site.

(2) A methane gas contingency control plan and specifications shall be given for all sites within 500 feet of a residential, farm, commercial or industrial building.

(3) The plans shall include grades for proper drainage of each lift and a typical cross-section of each lift. Identical lift plans need not be repeated.

(4) The site plan shall show locations of personnel structures; toilet facilities; equipment maintenance areas; emergency communication devices; operating scales, when required; and all other structures within 1000 feet of the site.

(5) A groundwater monitoring plan to include location and specifications of wells, and monitoring parameters and schedules may be required by the cabinet upon examination of geological aspects and other relevant factors. The monitoring system shall be capable of detecting any contamination of the uppermost aquifer beneath the site.

(6) A surface water monitoring plan shall include location of sampling points, monitoring parameters and schedule. The monitoring system shall be capable of detecting contamination of surface waters leaving the site and verifying the proper performance of systems used to protect surface waters from contamination. [For new sanitary landfills this plan will include sampling to occur prior to any construction activity.]

(7) The narrative shall specify the method to be used to determine the **quantity** [volume] of waste received on a daily basis. At a minimum, the plans must reflect that actual weight data shall be collected four (4) times each year for all wastes received over a period of one (1) week. These **weight data** [determinations] shall be **collected** [made] in the months of February, May, August, and November.

(8) The narrative shall identify a system of recordkeeping that includes:

(a) **Documentation** of construction requirements such as liners, hydrologic systems, and leachate collection systems;

(b) Daily quantity [volume] of solid waste

received;

(c) Compliance with soil cover requirements;

(d) Utilization of landfill volume [airspace];

(e) Permit modification waste received in accordance with Section 6(2) of 401 KAR 47:020; and

(f) Environmental monitoring, and other permit conditions.

(9) The narrative shall include a complete analysis of the waste management laws, regulations, ordinances and agency[ies] provisions for compliance with these laws from each source [area of solid waste generation] in a format which compares these laws and regulations to 401 KAR Chapter 31, 401 KAR 32:030, and 401 KAR 47:040. [This analysis should provide sufficient information to ensure that hazardous wastes are excluded from the solid waste consistent with the laws of Kentucky.]

Section 5. Residential Landfill Design Requirements. In addition to the requirements in General Design Requirements for Inert Landfills, Section 2 of this regulation, residential landfills shall meet the following design requirements:

(1) Residential landfills shall not be located in the ten (10) year flood plain.

(2) A personnel shelter shall be designed to provide all-weather protection for site operating personnel.

(3) Leachate and methane gas contingency plans shall contain long-term plans for post-closure maintenance if not self-maintaining by design. If long-term maintenance is necessary, a performance bond may be required by the cabinet before the release of financial responsibility closure funds can be approved.

(4) Groundwater monitoring, if required, shall contain a minimum of one (1) upgradient monitoring well and two (2) downgradient wells designed to detect the influence of the site on underground drinking water sources.

(5) The concentration of methane generated by a residential landfill shall not exceed twenty-five (25) percent of the lower explosive limit for methane in facility structures (excluding gas control or recovery system components), and shall not exceed the lower explosive limit for methane at the property boundary.

(6) The landfill shall be designed to keep surface water flows and leachate separate.

(7) A minimum of four (4) soil boring holes for the first ten (10) acres, and one (1) for each five (5) additional acres shall be required. The "K" test results from a falling head permeability test or other approved permeability test shall be shown on the boring records. There shall be available sufficient material to provide a layer of at least twelve (12) inches of 1 x 10-7 cm/sec. permeability or its equivalent under the waste and to provide a cap above the completed waste cells of six (6) inches of 1 x 10-7 cm/sec. permeability or its equivalent during final closure. An artificial liner or a greater thickness of more permeable material may be judged "equivalent" to twelve (12) inches of 1 x 10-7 cm/sec.

(8) For sanitary landfills that dispose of an average of [with] greater than 200 tons of solid waste per day [average daily capacity], scales to measure the quantity [volume] of waste received. The quantity of waste disposed per day shall be determined by dividing the total waste received in one (1) year by 365 calendar days.

Section 6. Residential Landfill Operating Requirements. In addition to the requirements in General Operating Requirements for Inert Landfills, Section 3 of this regulation, residential landfills shall meet the following operating requirements:

(1) The following improvements shall be made before a residential landfill site is placed in operation.

(a) All-weather roads shall be provided within the site for vehicular movement. Separate areas within the site may be provided to allow for wet or dry weather operation and access. When necessary to prevent a dust nuisance, roads within the site shall be surfaced or treated.

(b) A shelter shall be provided which is accessible to operating personnel. The shelter shall be screened and provided with heating facilities and adequate lighting. Safe drinking water, sanitary hand washing and toilet facilities shall be available at or near the site.

(c) Arrangements shall be made for fire protection services. A fire protection district or other public fire protection service is acceptable. When such a service is not available, alternate arrangements shall be made.

(d) Adequate communication facilities shall be provided for emergency purposes.

(e) Operating equipment shall be on-site, capable of spreading and compacting the volume of waste received at the site, and capable of handling the daily and interim earthwork requirements. Back-up equipment shall be available within twenty-four (24) hours of primary equipment breakdown.

(2) Residential landfill operations shall be in accordance with approved plans and the following additional requirements:

(a) Access to the site shall be permitted only when operating personnel are on the site.

(b) Dumping of solid waste on the site shall be confined to the smallest practical area.

(c) Unloading shall be supervised.

(d) Disease vector control measures in addition to daily cover shall be required by the cabinet when necessary.

(e) Solid waste shall be spread within two (2) hours of depositing at the site, in shallow layers not to exceed two (2) feet in depth and compacted with appropriate equipment to the maximum practical density. The completed cell shall consist of the solid waste admitted and compacted during one (1) working day, regardless of overall height and volume. Unless excluded from the site, large bulky items shall be deposited in a manner approved by the cabinet.

(f) A compacted layer of at least six (6) inches of soil shall be used to cover all exposed solid waste at the end of each working day. Surfaces that will not receive an additional depth of refuse or final cover within sixty (60) days shall receive, in addition to daily cover, an interim layer of compacted cover of at least one (1) foot total. All daily and interim cover depths shall be maintained until the landfill is closed.

(g) The entire site including the area of the landfill being actively worked shall be maintained as necessary to prevent erosion or

washing of the fill, and graded as necessary to drain rain water from the fill area and to prevent standing water. No surface water shall drain to the fill area.

(3) Records shall be maintained at the landfill as specified by the recordkeeping system established in accordance with Section 4(8) of this regulation. A quarterly report shall be submitted to the cabinet on a form approved [specified] by the cabinet no later than the 15th of the month following the end of each quarter year. The report shall contain the operating data required by Section 4(7) and (8) of this regulation. The quarters shall end on March 31, June 30, September 30 and December 31 of each year. [determination as specified in Section 4(7) of this regulation.]

(4) For sanitary landfills which receive more than an average of [with a] fifty (50) tons of solid waste per day [or larger average daily capacity], an annual survey shall be conducted by the owner or operator to determine [airspace] remaining landfill volume which may be used for waste disposal [and waste volume filled]. The quantity of waste disposed per day shall be determined by dividing the total waste received in one (1) year by 365 calendar days. The survey shall be conducted annually and the results shall be submitted to the cabinet no later than fifteen (15) days following the actual survey. This survey shall be certified by the individual conducting the survey. The owner or operator shall notify the cabinet no less than fifteen (15) calendar days prior to the date the survey will be conducted. The first survey shall be a baseline survey showing existing conditions.

[(5) The owner or operator of a solid waste site or facility shall not exceed the average daily capacity as established in accordance with Sections 3(5) and 6(1)(b) of 401 KAR 47:020.]

(5) [(6)] The owner/operator of a residential landfill must record a notice that will in perpetuity notify any potential purchaser of the property of the location and time of operation of the facility, and a statement that future disturbance of this area should only occur after an examination of potential gas or leachate migration problems. Such notice shall be recorded in accordance with state property law prior to acceptance of final closure of the landfill.

Section 7. Additional Contents of Permit Applications for Contained Landfills. In addition to the requirements in Contents of Permit Application for Inert Landfills, Section 1 of this regulation, and Additional Contents of Permit Applications for a Residential Landfill, Section 4 of this regulation, the complete application for a contained landfill shall include but not be limited to the following:

(1) A description and specifications of an in-place groundwater monitoring system shall be given in the site plan and the narrative.

(2) A description and details of an in-place leachate collection and treatment system shall be given in the site plan and the narrative.

Section 8. Contained Landfill Design Requirements. In addition to the requirements in General Design Requirements for Inert Landfills, Section 2 of this regulation, and Residential Landfill Design Requirements, Section 5 of this regulation, contained landfills shall meet the following requirements:

(1) A groundwater monitoring system approved by the cabinet shall be in place. The monitoring plan shall consist of a minimum of one (1) upgradient and three (3) downgradient wells, and a monitoring schedule.

(2) A leachate collection and treatment or other control system approved by the cabinet shall be in place.

(3) The design and specifications for special areas, if any, which will receive exempt hazardous waste, spill residues and other sludges and residual solid waste shall be approved by the cabinet.

Section 9. Contained Landfill Operating Requirements. In addition to the requirements in General Operating Requirements for Inert Landfills, Section 3 of this regulation, and Residential Landfill Operating Requirements, Section 6 of this regulation, contained landfills shall meet the following operation standards:

(1) The owner/operator of a contained landfill shall keep permanent records of the source, amount, characteristics and disposal location of any spill residues or small generator exclusion waste, and records as to the source and quantity of all other wastes disposed of at the contained landfill. This record shall be available for cabinet inspection and shall be summarized in a report and submitted to the cabinet with the request for permit renewal.

(2) Receipt of exempt hazardous waste shall be limited to those wastes which meet the characteristics for hazardous waste but are not regulated by the state hazardous waste program because they are generated in small quantities (or otherwise exempted) having been determined as not harmful to public health or the environment consistent with the federal Resource Conservation and Recovery Act, as amended.

Section 10. Contents of Permit Application for Residual Landfills. This section applies to owners and operators of residual landfills that require solid waste site or facility permits. A person or state or federal agency desiring a residual landfill permit shall submit a complete application to the cabinet. The application shall be on a form and presented in a manner as prescribed by the cabinet, and shall include but not be limited to the following:

(1) Name, address, and phone number of applicant. If applicant is a government agency, corporation, company or partnership, include the name and address and phone number of process agent or other contact individual.

(2) Written certification from the County Judge/Executive or chairman of the local planning and zoning board that the site meets all local planning and zoning requirements.

(3) Approval of the local KRS Chapter 109 District Board (if one exists for the county in which the site is proposed).

(4) Name, address and phone number of the land owner.

(5) A copy of the deed to the property or copy of a lease showing a two (2) year right of re-entry following final closure of the facility if the landowner is not the applicant.

(6) A geological report of the site including but not limited to:

(a) A description of all soils at the site, in detail, including their suitability for the

proposed site;
(b) A description of the surface and subsurface geology of the site, including an assessment of such geologic hazards as: seismic activity, stability, and karstic weathering; and
(c) A description of the hydrologic characteristics of the site, including surface and groundwater current use, potential use and flow.
(7) An original current U.S.G.S. topographic map that has the boundaries of the site clearly and accurately marked.
(8) The plans drawn to scale including a closure plan for the site which shall bear the seal of a professional engineer registered in Kentucky.
(9) The complete application narrative which shall include:
(a) A written description of the location of the site.
(b) A description of the sequence of operation.
(c) A list of all types of wastes which will be disposed at the landfill, the sources which generate the waste, the chemical and physical characteristics of industrial or special wastes, and the anticipated volume of each category of waste.
(d) The number of acres to be filled and the total number of acres to be permitted.
(e) A closure plan.
(10) Draft permit conditions for the duration of the facility to assurance compliance with the applicable environmental performance standards in 401 KAR 30:030.

Section 11. Residual Landfill Design Requirements. Residual landfills shall meet the following design requirements:
(1) The engineering design must demonstrate compliance with the environmental performance standards in 401 KAR 30:030 and reflect a consideration of:
(a) The physical and chemical characteristics of the waste, including compatibility, to be disposed of at the facility;
(b) Volume of waste;
(c) The climatic conditions in the area;
(d) The permeability of the liner material;
(e) The properties of the soil underlying the facility;
(f) Hydrogeological characteristics of the facility including quality, quantity, current use and direction of groundwater flow;
(g) The design of the facility leachate control system, runoff control system, and gas migration control, if required, must consider the physical and chemical characteristics of the waste. The climatic condition of the specific location, the volume of leachate or contaminated runoff that could be produced and available options for managing leachate or contaminated runoff collected at the facility must be considered; and
(h) The proximity to surface water.
(2) Residual landfill locations shall conform to applicable local zoning laws pursuant to KRS Chapter 100.
(3) The closure plan shall specify the function and design of the final cover for the facility. The closure design should assure compliance with the applicable environmental performance standards in 401 KAR 30:030 and must reflect consideration of:
(a) The type and amount of waste in the facility;
(b) The mobility and expected rates of migration of the waste;
(c) The site location, topography and surrounding land use, and final site use;
(d) The climatic conditions in the area;
(e) The characteristics of the cover material including erodibility, slope stability, final surface contours, thickness, porosity, permeability, slope, length of run of slope, and type of vegetation on the cover; and
(f) The geological and soil profiles and surface and subsurface hydrology of the site.

Section 12. Residual Landfill Operating Requirements. Residual landfills shall meet the following operational standards:
(1) The owner/operator of a residual landfill shall operate the facility in accordance with the requirements of KRS Chapter 224 and the regulations promulgated pursuant thereto, the conditions of the facility permit issued by the cabinet, and the operational plan filed with and approved by the cabinet.
(2) The owner/operator of a residual landfill shall operate the facility in such a manner as to assure compliance with the applicable environmental performance standards in 401 KAR 30:030.
(3) The owner/operator of the facility must inspect the site and operation at a sufficient frequency to assure compliance with the applicable environmental performance standards in 401 KAR 30:030.
(4) Closure of the residual landfill.
(a) A residual landfill must be closed in a manner that will assure compliance with the applicable environmental performance standards in 401 KAR 30:030. The closure shall include the placement of a final cover over the facility as specified in the approved design of the site.
(b) Any necessary corrective work required by the cabinet shall be performed before the residual landfill is accepted as closed and financial responsibility funds released.
(c) The owner/operator of a residual landfill must record a notice that will in perpetuity notify any potential purchaser of the property of the location, and time of the operation of the facility and nature of the waste placed in the site and a caution against future disturbance of the area. Such notice shall be recorded in accordance with state property law prior to acceptance of final closure of the landfill.
(5) Post-closure maintenance. A residual landfill shall be maintained for two (2) years following the closure of the site in a manner that complies with the applicable environmental performance standards in 401 KAR 30:030 and in accordance with any approved post-closure monitoring and maintenance plan approved by the cabinet.
(6) The cabinet may place additional requirements on the owner/operator of a residual landfill in addition to those stated where necessary to insure compliance with the applicable environmental performance standards in 401 KAR 30:030.

Section 13. Implementation. [(1)] The owner or operator of a proposed or existing solid waste site or facility shall, upon the date of promulgation of this regulation: [comply with the requirements as specified in Section 6(5) of this regulation.]

(1) Submit a revised application to the cabinet within sixty (60) days of promulgation of this regulation when the sources are not as shown on the current approved application on file with the cabinet. The revised application shall contain sources which generate the waste as required by Section 1(9)(c) of this regulation as of the date of promulgation of this regulation.

[(2) The requirements as specified in Section 1(9)(c) and (o) of this regulation shall be determined as of the date of promulgation of this regulation and shall be reported to the cabinet within sixty (60) days of the date of promulgation of this regulation.]

(2) [(3)] Submit an amendment to the permit application containing the requirements as specified in Sections 4(6), (7), (8), (9), 6(3) and (4) of this regulation shall be met by March 31, 1988.

(3) [(4)] Submit an amendment to the permit application containing the requirements as specified in Sections 1(8)(f), (9)(k), and 4(4) of this regulation and the requirements as specified in Section 5(8) of this regulation shall be met by September 1, 1988.

(4) Comply with data collection requirements of Section 6(3) and (4) of this regulation by July 1, 1988.

[(5) The requirements as specified in Section 1(8)(h) of this regulation shall be met upon the specified renewal date for the permit.]

MARY HELEN MILLER, Secretary
APPROVED BY AGENCY: October 8, 1987
FILED WITH LRC: October 9, 1987 at 10 a.m.

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

401 KAR 49:030. Designation as a solid waste management area.

RELATES TO: KRS 109.011 to 109.280, 224.835, 224.842, 224.887, 224.888
PURSUANT TO: KRS 224.033, 224.887
NECESSITY AND FUNCTION: KRS 224.887 requires the cabinet to promulgate regulations for counties and waste management districts in creating solid waste management areas. This chapter established the requirements for solid waste planning. This regulation identifies the criteria for receiving designation as a solid waste management area. This regulation neither prohibits nor discourages the participation of the private sector in any solid waste activity. Moreover, it is preferable for solid waste activities to be performed by the private sector when such is in the best interests of the public and conforms with the policies and provisions set forth in KRS Chapter 109.

Section 1. Application for Designation as a Solid Waste Management Area. All counties shall apply to the cabinet for designation as a solid waste management area. The application may be made by a single county, two (2) or more counties or a waste management district and shall be on a form provided by the cabinet. The application shall include:

(1) Name of the proposed area;
(2) Name and address of the primary agency responsible for area plan development;
(3) Name, address and telephone number of the individual identified as the contact person for the primary agency;
(4) Copies of actions of each fiscal court approving the waste management plan and a resolution to apply as a solid waste management area;
(5) The agreement or contract establishing the proposed area, if applicable;
(6) The proposed rules, regulations or bylaws governing the proposed area;
(7) A list of the members of the fiscal court or board of directors, or, in the case of an urban-county government, the body in which legislative power is vested, and their titles, if appropriate;
(8) A map of the proposed area drawn to scale, of at least 1:125,000;
(9) A copy of the public notice required under Section 4(1) of this regulation for area plan adoption;
(10) A description of the general administrative process to implement the plan which shall include when applicable budgeting, enforcement, plan review, public information, management and operation of the waste management activities or facilities proposed and shall identify agencies or persons charged with overseeing plan implementation;
(11) The area plan prepared in accordance with 401 KAR 49:020, Submission of area plan; and
(12) A resolution approving the plan from those city legislative bodies in the proposed area that have participated in and provided financial assistance in plan development.

Section 2. Designation as a Solid Waste Management Area. (1) Approval of the application. The cabinet shall review the information submitted pursuant to Section 1 of this regulation to determine whether the application and area plan are consistent with the Kentucky Waste Management Plan and in compliance with all applicable state laws and regulations. If the information is in compliance, the cabinet will approve the application in writing within thirty (30) days.
(2) Rejection of the application. Rejection of the application shall be in writing and accompanied by a list of deficiencies which, if corrected, would justify approval of a revised area plan. If the deficiencies in the area plan are substantial or significant, the cabinet may, in addition to a list of deficiencies, present a suggested course of action to the fiscal court, board of directors or, in the case of an urban-county government, the body in which legislative power is vested, or the assigned office or agency, which could expedite the submission of an acceptable area plan.

Section 3. Duration of Designation. Unless otherwise specified as a condition for designation as a solid waste management area, designation as a solid waste management area will be for a term not to exceed five (5) years. Redesignation as a solid waste management area shall be based upon the review conducted in accordance with Section 5 of 401 KAR 49:020 and Section 2 of this regulation, or upon a revision to the area plan in accordance with Section 4 of this regulation. If the county, counties or

waste management district of a designated area amends, modifies, or dissolves the agreement establishing the area, the cabinet shall be notified in writing no later than thirty (30) days after such action. Each county or counties from a dissolved solid waste management area shall submit a revised proposed area plan, approved by the fiscal court of the county or counties within the proposed area or, in the case of an urban-county government, the body in which legislative power is vested, within six (6) months of the date of dissolution of the area. The cabinet will review the notification of amendment or modification of an agreement and make a written determination as to whether the county or counties shall submit a revised area plan. Failure to comply with the provisions of this section regarding revision of the area plan shall be grounds for revocation of area designation.

Section 4. Area Plan Adoption and Revision. Prior to applying for designation as a solid waste management area, the fiscal court of each county in the proposed area or, in the case of an urban-county government, the body in which legislative power is vested, shall issue a public notice indicating their intent to apply for designation as a solid waste management area and that a solid waste management plan is available for public review.

(1) Public hearings. If a public hearing is requested as a result of this public notice, the fiscal court of each county in the proposed area shall hold at least one (1) public hearing prior to adopting or approving the application for designation as a solid waste management area. The cabinet recommends that each comment received be evaluated and that a written response be prepared. A transcript or a summary of the comments received and the consideration of comments, if prepared, shall be made available to the members of the fiscal court of each county in the proposed area and the board of directors, if applicable, prior to adoption or approval of the application for designation as a solid waste management area or area plan. Copies of the comments and any consideration of comments shall be made available to the public through public libraries, public offices, individual copies, or any similar means, and shall be available to the cabinet upon request.

(2) Each fiscal court in the proposed area prior to adopting the area solid waste management plan shall <u>or substantial revision thereto</u>:

(a) Notify each city which is located within the county of the availability of the proposed area plan; and

(b) Allow adequate time to receive and review comments from the cities.

(3) Approval by the county. The fiscal court of each county in the proposed area or, in the case of an urban-county government, the body in which legislative power is vested, shall approve the application for designation as a solid waste management area and the area plan. Approval shall not take place prior to a public hearing or meeting on the application for designation as a solid waste management area, the proposed area plan or substantial revision as required by subsection (1) of this section. Approval of an application for designation as a solid waste management area, proposed area plan or revision shall be by resolution and shall state concurrence with the following:

(a) The objectives set forth in the area plan;

(b) The schedule for implementation of the program;

(c) Procedures to obtain financing for the recommended public program through the short-term planning period; and

(d) The duties and responsibilities of the county identified in the area plan.

(4) Updates and revisions to the area plan. Updates and revisions shall be made:

(a) If the cabinet determines that the approved area plan or any part thereof is inadequate based on new or revised information, conditions or circumstances. The cabinet will notify the solid waste management area in writing that an amendment or revision to the area plan is required.

(b) If a solid waste management area determines that the approved plan or any part thereof is inadequate based on new or revised information, conditions or circumstances. The area may amend, modify or revise the approved plan and the revised plan shall be approved by the fiscal court of each county within the area or, in the case of an urban-county government, the body in which legislative power is vested, and submitted to the cabinet for review and approval.

(c) All area plans shall be updated and readopted in accordance with the provisions of this section at least every four (4) years. The updated plan shall use current data and shall assure compliance with the Kentucky Waste Management Plan and all applicable laws and regulations.

<u>(d) The applicant of a solid waste management area will publish a public notice in the areas affected by any substantial revision to a solid waste management plan prior to approval.</u>

Section 5. City Government and Private Sector Roles in Solid Waste Management. (1) No city shall be authorized to prepare an area plan or apply for designation as a solid waste management area unless the county or waste management district delegates responsibility for area plan development to the city. Area plans prepared by a city shall address solid waste management problems and activities at both the city and county levels.

(2) If a county fails to submit an area plan by June 30, 1986, a city may provide solid waste services and shall have all the powers and restrictions set forth for counties in KRS 109.041, 109.056, 109.059, and 109.062.

(3) As provided in KRS 109.011(8), it is preferable for solid waste activities to be performed by the private sector when such is in the best interests of the public and conforms with the policies and provisions set forth in KRS Chapter 109. An area as authorized by KRS 109.041(7) may provide for the delivery of solid waste activities through use of a public agency, or a franchise, contract, or lease. In areas where it can be demonstrated that the private sector can adequately deliver solid waste management services without public agency involvement, the area plan shall address itself to what steps the proposed area could take, if any, to assure that such services will be provided.

Section 6. Area Submission. (1) Submission date. The application for designation as a solid

waste management area and area plan shall be submitted to the cabinet by December 30, 1985. One (1) six (6) month extension may be granted by the cabinet, if the county, city, or waste management district has demonstrated, in the cabinet's judgment, a good faith effort to develop an area plan. Should a county, counties or waste management district find a six (6) month extension necessary, the fiscal court(s), board of directors, or, in the case of an urban-county government, the body in which legislative authority is vested, or other duly delegated office or agency shall submit a request in writing to the cabinet which details the extent of plan development accomplished and cites the need for an extension of the deadline date.

(2) Copies required. The county, counties or waste management district shall submit one (1) copy of the application for designation as a solid waste management area and at least three (3) copies of the area plan. Copies must be eight and one-half (8 1/2) inches by eleven (11) inches and each page shall be securely bound in a notebook, folder or a similar means designed to keep pages in order. Pages shall be numbered and a table of contents provided. A title sheet or transmittal letter identifying the plan and the agency or office which developed the plan shall be placed at the beginning of the area plan package.

Section 7. Enforcement. (1) Failure to prepare an area solid waste management plan by December 30, 1985, or if an extension is granted by June 30, 1986, will subject a county to the penalty provisions contained within KRS 224.994.

(2) Citizen petition. If a fiscal court or, in the case of an urban-county government, the body in which legislative authority is vested, fails to establish a solid waste management plan by December 30, 1985, the citizens of the county may petition the county judge/executive or, in the case of an urban-county government, the official in whom chief executive power is vested, to request preparation of an area plan. The petition shall be signed by a number of citizens equal to ten (10) percent of the votes cast in the county for the office receiving the greatest total votes in the last general election. The petition shall be filed with the county judge/executive or, in the case of an urban-county government, the official in whom chief executive power is vested, asking that the proposition whether to develop a plan be placed on the ballot of the next general election.

(3) Implementation deficiencies. If the cabinet determines that an area solid waste management plan is not being implemented as approved, it will notify the solid waste management area in writing of implementation deficiencies. The solid waste management area shall within forty-five (45) days respond in writing demonstrating the action taken or planned to correct the implementation deficiencies, or request a revision to the approved plan in accordance with Section 4 of this regulation. If amendments or revisions to the plan are not made, the cabinet may conduct a public hearing or meeting to determine whether the approved plan should be revised or revoked. If the cabinet determines that a plan is not capable of being implemented, area designation shall be revoked and the cabinet shall require the county or counties to submit a new proposed area plan. Designation of a county, counties, urban-county government or waste management district, as a solid waste management area shall also be revoked until such time as a new plan is approved.

(4) Permit application and compliance with area plan. Where new solid waste sites or facility or expansions to existing solid waste sites or facilities are proposed in areas with approved plans, the cabinet will review the area plan. [to insure that the proposed facility complies and is consistent with the area plan before a permit is issued. In reviewing the application for a new facility,] The cabinet will consult with the solid waste management area(s) to determine if the proposed solid waste site or facility or expansion to an existing solid waste site or facility is consistent with the approved area solid waste management plan(s). If the proposed facility is not consistent or in compliance with the approved area(s) plan, the cabinet may deny the permit application for the new solid waste site or facility or expansion unless a revision to the plan(s) is requested by the solid waste management area and approved by the cabinet. If the proposed solid waste site or facility is consistent and in compliance with the area plan(s) and other applicable laws and regulations, cabinet review will follow KRS 224.855.

(5) When an [a proposed] application for a modification to a solid waste site or facility pursuant to Section 6 of 401 KAR 47:020 is for an increase in the quantity [volume] of waste, the cabinet may deny the application when the additional quantity [volume] will reduce the available volume to less than [adversely affect] the midterm requirements for disposal [of solid waste] in areas with approved solid waste management [area] plans that designate[d] the facility as a disposal site. For any application for a modification to a solid waste site or facility which will reduce the capacity of the site or facility to less than five (5) years, the cabinet will notify the affected solid waste management areas.

Section 8. Severability. If any section, paragraph, phrase, sentence or clause of this chapter is declared invalid or unconstitutional for any reason, the remainder of this chapter shall not be affected thereby.

MARY HELEN MILLER, Secretary
APPROVED BY AGENCY: October 8, 1987
FILED WITH LRC: October 9, 1987 at 10 a.m.

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

401 KAR 49:050. Establishment of fees.

RELATES TO: KRS 109.011 through 109.280, 224.835, 224.842, 224.887, 224.888

PURSUANT TO: KRS 13A.210, 109.041(8), 224.033, 224.887

NECESSITY AND FUNCTION: KRS 109.041(8) authorizes counties to charge a reasonable fee to haulers for the handling of their waste at a solid waste management facility approved by the

cabinet. This regulation establishes more detailed procedures and mechanisms to implement this authority.

Section 1. Applicability. If a county or waste management district has been approved as a solid waste management area and has had its solid waste management plan amended and approved incorporating a fee system [accordingly], it may charge a reasonable fee to solid waste haulers for the handling of their waste at any solid waste management facility which has been approved by the cabinet.

Section 2. Basis of Fee. The fee charged pursuant to Section 1 of this regulation may be based on one (1) or a combination of the following:

[(1) The distance between the farthest source of any waste in a vehicle and the waste management facility. Using this factor, a fixed amount per mile would be adopted. Distance may be measured in actual miles traveled or as straight-line distance between the facility and the source.]

[(2) The zone from which the solid waste is transported. Concentric zones are created with radii of multiples of fifty (50) miles from the solid waste management facility. A fee is established which escalates as the distance from the solid waste management facility increases. For example, for vehicles from the first zone a fee of X per vehicle or unit of other means of transport might be assessed. For vehicles or units of other means of transport from the next zone, a fee of two (2) X per vehicle might be assessed; and from the next zone, five (5) X per vehicle or unit of other means of transport might be assessed.]

(1) [(3)] A fixed or variable fee per vehicle or unit of other means of transport considering size, weight, volume, means of transport or other similar considerations.

(2) [(4)] A fixed or variable fee per the number of vehicles or units of other means of transport per a unit of time as determined by the county or district. For example, a county or district could set a fixed fee per vehicle for a hauler who has one (1) - two (2) vehicles per unit of time and a higher fixed fee per vehicle for a hauler who has three (3) to five (5) vehicles per unit of time.

(3) A fixed or variable fee based on the quantity of waste delivered to the facility.

Section 3. Requirements. Any fee charged pursuant to Section 2 shall meet the following requirements:

(1) The fee shall be based on a fair approximation of use or privilege for use by waste haulers and fairly related to the cost of services provided by the county for such use or privilege including but not limited to roads and solid waste management activities.

(2) The fee shall not unreasonably discriminate against interstate commerce.

(3) The fee shall be applied uniformly to haulers of the same type as determined by the criteria established in Section 2 of this regulation.

Section 4. Exclusions. This regulation does not authorize a county to charge a fee to haulers where the waste hauled is generated by the person who is also the permitted owner or operator of the solid waste management facility to which the waste is hauled.

MARY HELEN MILLER, Secretary
APPROVED BY AGENCY: October 8, 1987
FILED WITH LRC: October 9, 1987 at 10 a.m.

TRANSPORTATION CABINET
Department of Highways
(Amended After Hearing)

601 KAR 1:020. Permit for hauling industrial materials; fee; bond.

RELATES TO: KRS 189.221, 189.222, 189.271
PURSUANT TO: KRS 174.080, 189.271
NECESSITY AND FUNCTION: KRS 189.271 empowers the Transportation Cabinet to adopt [rules and] regulations to implement the provisions as set forth therein for the issuance of a special permit to the owner, operator, or lessee of a motor vehicle for the purpose of hauling industrial materials whose gross weight, or dimensions, including vehicle and load, exceeds the limits set forth in or fails to comply with the requirements of KRS Chapter 189.

Section 1. All applications for an industrial materials permit authorized by KRS 189.271 shall be on forms prescribed and furnished by the Transportation Cabinet. Such forms are available at any highway district office. An application for an industrial materials permit shall be submitted to the chief district engineer having jurisdiction over the major portion of the proposed haul routes and shall be accompanied by a transportation plan. The transportation plan, in addition to such other information as may be required by the cabinet, shall indicate the portions of the state primary road system which the applicant intends to utilize in the transportation of industrial materials and [,] the identities of the highways and bridges on the state primary road system over which the applicant proposes to transport industrial materials[, and the specification of weight and dimensional limits on such highways and bridges. In the event an industrial materials permit is obtained, any deviation from the transportation plan shall be sufficient cause for the cabinet to revoke the industrial materials permit].

Section 2. [Upon receipt of the transportation plan and upon proper application upon forms approved by the cabinet, the applicant may be issued, for the sum of twenty (20) dollars,] An industrial materials permit [which] shall be valid [good] for not more than one (1) year from the date of issuance. A separate permit shall be required [issued] for each vehicle proposed to be operated by the applicant. A twenty (20) dollar fee shall be required for each permit which is issued.

Section 3. The industrial materials permit shall be for the transportation of a specified material and shall allow the applicant to transport divisible or indivisible loads which a motor vehicle would transport in the usual and ordinary course of business. Said loads may [shall] include, but shall not be limited to, minerals or natural resources.

Section 4. Any industrial materials permit

issued by the cabinet shall not allow a vehicle to exceed the gross weight [or width] for a vehicle as provided for in KRS 189.222.

Section 5. Any industrial materials permit issued by the cabinet allowing for a variance in either height, width or length dimensions from the provisions [, as provided for] in KRS 189.222, shall be restricted to use on the roads set forth in 603 KAR 5:070 [comply with 23 CFR 658] and shall meet all safety requirements of the Transportation Cabinet and shall be subject to such other terms and conditions as the cabinet may impose.

Section 6. Any applicant convicted under the provisions of KRS 189.990(2)(a) two (2) or more times within a five (5) year period shall be required to give bond to the cabinet with an approved surety in an amount to be determined by the cabinet, said amount shall not exceed $6,000 per vehicle. Additionally, upon conviction under KRS 189.990(2)(a) two (2) or more times within a five (5) year period, the cabinet may revoke the applicant's permit to transport industrial materials. Any deviation from the approved transportation plan shall be sufficient cause for the cabinet to revoke an industrial materials permit.

Section 7. In the event the applicant is required to give a bond by the cabinet, the applicant shall be the principal obligor on the bond and the Commonwealth shall be the obligee. The bond may not exceed $6,000 per vehicle and the applicant may file a corporate bond or a cash bond which bond may be conditioned upon compliance with the terms of any transportation plan and/or industrial materials permit issued by the cabinet. In the event the applicant's liability is discharged upon a bond, the cabinet may require the filing of a new bond.

Section 8. The Transportation Cabinet may at its discretion require a maintenance agreement with the applicant to insure upkeep of the highways or bridges which may become damaged by loads transported under authority of an industrial materials permit. Any maintenance agreement entered into shall not be in lieu of, but shall be in addition to, any bond which might be required.

C. LESLIE DAWSON, Secretary/Commissioner
APPROVED BY AGENCY: October 7, 1987
FILED WITH LRC: October 7, 1987 at 11 a.m.

PROPOSED AMENDMENTS

PERSONNEL BOARD
(Proposed Amendment)

101 KAR 1:325. Initial probationary periods in excess of six (6) months.

RELATES TO: KRS 18A.0751, 18A.111
PURSUANT TO: KRS Chapter 13A, 18A.0751
NECESSITY AND FUNCTION: KRS 18A.111 provides that specified job classifications may require an initial probationary period in excess of six (6) months. KRS 18A.0751 provides that initial probationary periods in excess of six (6) months be established by administrative regulation. This regulation is to implement these statutory provisions.

Section 1. Initial Probationary Periods for Specific Job Classifications. The following job classifications shall require an initial probationary period in excess of six (6) months, as specified:

TITLE CODE	JOB CLASSIFICATION	LENGTH OF INITIAL PROBATIONARY PERIOD
2001	Fish and Wildlife Law Enforcement Officer Trainee	12 months
2112	DES Duty Officer	12 months
2113	DES Duty Officer Senior	12 months
2410	MVE Officer Trainee	12 months
2435	MVE Inspector Trainee	12 months
2480	Water Patrol Officer Second Class	12 months
2481	Water Patrol Officer First Class	12 months
5105	Vocational Education Instructor	12 months
5108	Industrial and Trade Instructor	12 months
5110	MSHA Instructor	12 months
5126	Teacher of Blind and/or Visually Impaired Rank III	12 months
5127	Teacher of Blind and/or Visually Impaired Rank II	12 months
5128	Teacher of Blind and/or Visually Impaired Rank I	12 months
5131	Teacher of Deaf and/or Hearing Impaired Rank III	12 months
5132	Teacher of Deaf and/or Hearing Impaired Rank II	12 months
5133	Teacher of Deaf and/or Hearing Impaired Rank I	12 months
5141	Education Teacher Rank III	12 months
5142	Education Teacher Rank II	12 months
5143	Education Teacher Rank I	12 months
7203	Forest Guard	12 months
7205	Forest Ranger	12 months
7207	Forest Ranger Unit	12 months
7209	Forest Ranger District	12 months
7213	Forestry District Equipment Supervisor	12 months
7215	Nursery Foreman	12 months
7217	Nursery Superintendent	12 months
7221	Forester	12 months
7222	Forester Senior	12 months
7224	Forester Chief	12 months
7226	Forester District	12 months
7228	Forester Regional	12 months
7231	Rural Fire Suppression Technical Advisor	12 months
7232	Forestry Program Specialist	12 months
7233	Forestry Program Coordinator	12 months
7235	Forestry Program Manager	12 months

Section 2. Other Provisions. (1) Except for the length of the initial probationary period, the provisions of 101 KAR 1:320 shall apply to an employee appointed to a job classification

specified in Section 1 of this regulation.
(2) If the length of the initial probationary period for a job classification is changed, an employee serving an initial probationary period on the effective date of the change shall be required to serve the shorter of the initial probationary periods.

ARTHUR HATTERICK, JR., Secretary
APPROVED BY AGENCY: October 2, 1987
FILED WITH LRC: October 6, 1987 at 3 p.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation is scheduled for November 30, 1987 at 9:30 a.m., in Room 360 of the Capitol Annex Building. Those interested in attending please contact: Commonwealth of Kentucky, Personnel Board, Room 372, Capitol Annex Building, Frankfort, Kentucky 40601.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Arthur Hatterick, Jr.
(1) Type and number of entities affected: All state agencies with classified employees.
(a) Direct and indirect costs or savings to those affected: No appreciable change.
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:
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: 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: 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. This regulation must apply equally to all classified employees and all state agencies with classified employees.

DEPARTMENT OF PERSONNEL
(Proposed Amendment)

101 KAR 2:040. Applications and examinations.

RELATES TO: KRS 18A.030, 18A.110, 18A.120
PURSUANT TO: KRS Chapter 13A, 18A.030, 18A.110, 18A.150
NECESSITY AND FUNCTION: KRS 18A.110 requires the Commissioner of Personnel to promulgate comprehensive administrative regulations, consistent with the provisions of KRS Chapter 18A, which govern open competitive exams to test the relative fitness of applicants and for the rejection of candidates or eligibles who fail to meet reasonable requirements of the commissioner. This regulation is necessary to implement these statutory requirements and to assure uniformity in administering exams.

Section 1. Notices of Examinations. Examinations for entrance to the classified service shall be conducted on an open-competitive basis. For those job classifications in which there is expected to be a considerable and recurring need of eligibles, the commissioner shall establish a recruitment program which shall be both positive and continuous. Under such plan, applications may be accepted at any time and examinations held whenever and wherever the commissioner deems it desirable for the service. For those job classifications for which continuous recruitment is not needed, special announcements will be used. Eligibles will be listed in rank order irrespective of dates on which the examination was taken. Notice of examinations shall be announced publicly fifteen (15) days prior to opening and may be distributed to public officials, employment service offices, newspapers, radio stations, educational institutions, professional and vocational societies, other media and such other individuals and organizations as the commissioner may deem expedient. The public notice of examination shall specify the title and minimum salary of the job classifications; the minimum qualifications required; the final date on which application will be received; the relative weights to be assigned to different parts of the examination; and all pertinent information and requirements.

Section 2. Minimum Qualifications for Filing. Open-competitive examinations shall be open to all applicants who meet the standards or requirements fixed by the commissioner with regard to education, experience, age, physical condition, and such other factors as may be held to relate to the ability of the candidate to perform with reasonable efficiency the duties of the position.

Section 3. Previous Experience. In determining whether a state employee meets the minimum requirements for experience required for a job classification, the department shall, in counting state service experience, consider only experience gained during permanent full-time employment.

Section 4. Filing Applications. (1) All applications shall be made on forms prescribed by the commissioner. Such application may require information concerning personal characteristics, education, experience, references, and other pertinent information. When the nature of the work is such that age limits are necessary, the commissioner after consultation with the appointing authority may approve the age limits, which shall be stated in the examination announcement. All applications shall be signed and the truth of the statements contained therein certified by such signatures. Applicants must meet the minimum qualifications specified in announcements as to education and experience, but in no case shall admittance to the examinations constitute assurance of a passing grade.
(2) For those job classifications for which there is to be continuous recruitment, a

statement shall be included in the announcement to the effect that applications will be received until further notice.

(3) For those job classifications for which continuous recruitment is not needed, special announcement bulletins will be used. Applicants shall have fifteen (15) calendar days to apply for these special openings. The applications will be processed and those applicants who meet the minimum requirements will be notified of the testing dates.

Section 5. Disqualification of Applicants. The commissioner may refuse to examine an applicant, or, after examination, may disqualify such applicant, remove his name from a register, refuse to certify any eligible on a register or may consult with the appointing authority in taking steps to remove such person already appointed if:

(1) It is found that he does not meet any one of the preliminary requirements established for the examination for the class of position;

(2) He is unable to perform the duties of the class;

(3) He has made a false statement of material fact in his application;

(4) He has used or attempted to use political pressure or bribery to secure an advantage in the examination;

(5) He has directly or indirectly obtained information regarding the examination to which, as an applicant, he was not entitled;

(6) He has failed to submit his application correctly or within the prescribed time limits;

(7) He has taken part in the compilation, administration, or correction of the examination for which he is an applicant;

(8) He has previously been dismissed from a position in the state service for cause or has resigned while charges for dismissal for cause of which he had knowledge were pending;

(9) He has been convicted of a felony within the preceding five (5) years and his civil rights have not been restored or he has not been pardoned by the governor;

(10) He has been convicted of a job related misdemeanor, except that convictions for violations of traffic regulations shall not constitute grounds for disqualification; or

(11) He has otherwise willfully violated the provisions of KRS Chapter 18A.

Section 6. Advance Examinations. Any applicant who does not meet minimum requirements as to education but who will meet these requirements as a result of the completion of further educational work which he has scheduled for the six (6) months following the date of receipt of application, may be allowed to take the examination at the discretion of the commissioner. An applicant taking the examination under this provision shall have his or her name entered on the register up to thirty (30) days prior to completing the educational requirements.

Section 7. Character of Examinations. Examinations shall be practical in nature, constructed to reveal the capacity of the candidate for the particular job classification for which he is competing and his general background and related knowledge, and shall be rated impartially. The commissioner may use a rating of education and experience and any test of capacity, knowledge, manual skill, character, personal traits, or physical fitness which in his judgment serves the need to discover the relative fitness of applicants.

Section 8. Conduct of Examinations. (1) Examinations shall be conducted in as many places in the Commonwealth as are found convenient for applicants and practicable for administration.

(2) The commissioner may designate monitors in various parts of the Commonwealth to take charge locally of examinations under instructions prescribed by him, provide for the compensation of such monitors, and make arrangements for the use of public buildings in which to conduct the examinations.

(3) Retest procedures.

(a) For open continuous testing an applicant may be admitted to the same exam or its alternate no more than two (2) times within a regular workweek.

(b) For open continuous testing an applicant shall not be permitted to take the same exam or its alternate more than twelve (12) times in a twelve (12) month period beginning with the original date such test is taken.

(c) Retest procedures for examinations listed on special announcements shall be stated on the bulletin.

(d) An applicant who is removed from a register under 101 KAR 2:050, Section 6(1) who fails to make himself available to an appointing authority for consideration or who declines appointment by an appointing authority shall not be allowed to retest for the job class from which removed for six (6) months from the date of removal unless he has been restored for reasons satisfactory to the commissioner or in accordance with the decision of the board on appeal.

Section 9. Rating Examinations. The commissioner shall determine the rating or standing of applicants on the register for all examinations. Such final rating shall be based upon a weighted average of the various parts of the total examination. All applicants for the same job classification shall be accorded uniform and equal treatment in all phases of the examination procedure.

Section 10. Rating Education and Experience. (1) When the rating of education and experience forms a part of the total examination, the commissioner shall determine a procedure for the evaluation of the education and experience qualifications of the applicants. The formula used in appraisal shall give due regard to recency and quality as well as quantity of experience and the pertinency of the education.

(2) The commissioner shall investigate the candidate's educational record form. The commissioner may investigate the candidate's work history. If the results of this investigation bring out information affecting the rating of education and experience, the commissioner may rate the candidate accordingly or make the necessary revision of the rating and so notify the candidate.

Section 11. Oral Examinations. When an oral examination forms a part of the total examination for a position, the commissioner shall appoint one (1) or more oral examination

panels as needed. An oral examination panel shall consist of three (3) or more members who shall be known to be interested in the improvement of public administration and in the selection of efficient government personnel of whom one (1) shall be technically familiar with the character of work in the position for which the applicants will be examined. Whenever practicable, all candidates for the same job classification who qualify for the oral examination shall be rated by the same oral examination panel. A member of an oral examination panel shall disclose each instance in which he knows the applicant personally and may refrain from rating such applicant.

Section 12. Notice of Examination Results. Each competitor shall be notified of his final rating as soon as the rating of the examination has been completed. Eligibles shall be entitled to information concerning their relative position on the register upon request and presentation of proper identification.

Section 13. Adjustment of Errors. An error in the rating of an examination, if called to the attention of the commissioner within thirty (30) days after receipt by the applicant of the notice of examination results shall be corrected by the commissioner provided, however, that such corrections shall not invalidate any certification and appointment previously made.

Section 14. Special Examinations. Except in the case of an error in the examining of an applicant, no applicant shall be given a special examination unless the board by formal recorded action finds that the applicant's failure to take or complete an examination was due to circumstances entirely beyond the control of the applicant. The board's findings and recommendations shall be recorded in its minutes. No claim for a special examination shall be allowed unless it is filed in writing with the board within fifteen (15) days after the date of the original examination. Any special examination shall be constructed on a pattern similar to, and as extensive as, the original examination. Any such special examination shall not invalidate any certification or appointment previously made.

Section 15. Examination Records. The commissioner shall be responsible for the maintenance of all records pertinent to examination programs. Applications and other necessary examination records shall be kept during the life of the register.

Section 16. Job Bank. (1) Job bank is a list of eligible state employees with merit status who wish to be considered for particular job classes. The listing shall accompany competitive register certificates to inform appointing authorities of eligible state employee candidates who are available for internal mobility.

(2) A state employee with merit status who wishes to be considered for the job bank shall submit an application to the Department of Personnel. The Department of Personnel shall review application for eligibility, minimum qualifications and testing requirements.

THOMAS C. GREENWELL, Commissioner
APPROVED BY AGENCY: October 15, 1987
FILED WITH LRC: October 15, 1987 at noon.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on November 24, 1987 at 10 a.m., Room 360 of the Capitol Annex in Frankfort, Kentucky. However, this hearing will be cancelled unless interested persons notify the following office in writing by November 19, 1987 of their desire to appear and testify at the hearing: Thomas C. Greenwell, Commissioner, Department of Personnel, Room 373, Capitol Annex, Frankfort, Kentucky 40601.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Anne E. Keating
(1) Type and number of entities affected: State employees in executive branch.
(a) Direct and indirect costs or savings to those affected: N/A
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: Minimal
(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: Minimal; interested employees are listed on register certificates for job classes for which they are eligible.
(3) Assessment of anticipated effect on state and local revenues: None
(4) Assessment of alternative methods; reasons why alternatives were rejected: To list names of state employees who are interested in internal mobility on register certificates appears to be the most efficient means available.
(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: None
(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. This applies to all state employees in the executive branch.

DEPARTMENT OF PERSONNEL
(Proposed Amendment)

101 KAR 2:050. Registers.

RELATES TO: KRS 18A.005, 18A.110, 18A.120
PURSUANT TO: KRS Chapter 13A, 18A.030, 18A.040, 18A.110
NECESSITY AND FUNCTION: KRS 18A.110 requires the Commissioner of Personnel to promulgate comprehensive administrative regulations, consistent with the provisions of KRS Chapter 18A, which govern the establishment of eligible lists for appointment and for the rejection of candidates or eligibles who do not meet reasonable selection requirements of the commissioner. This regulation is necessary to comply with these statutory requirements.

Section 1. Responsibility for Maintenance of Registers. It shall be the duty of the appointing authorities to notify the commissioner as far in advance as possible of vacancies in full-time or part-time classified positions which may occur in the agencies. The commissioner shall be responsible for the establishment and maintenance of appropriate registers for all full-time or part-time classified positions and for the determination of the adequacy of existing registers.

Section 2. Open-competitive Registers. After each open-competitive examination, the commissioner shall prepare a register of persons with passing grades seeking employment in a full-time or part-time classified position. The names of such persons shall be placed on the register in the order of their final ratings, starting with the highest. Registers for job classifications listed on the special announcement bulletins shall be filled no sooner than five (5) days after the final testing date.

Section 3. Use of Related Registers. If a full-time or part-time vacancy exists in a job classification for which there is no appropriate register, the commissioner may prepare a full-time or part-time register for the job classification from one (1) or more existing related registers. The commissioner shall select registers from job classifications for which the minimum qualifications are comparable to or higher than those required for the job classification in which the vacancy exists. The commissioner may, if appropriate, rerate training and experience on the basis of the minimum qualification required for the job classification in which the vacancy exists.

Section 4. Duration of Registers. (1) A register shall expire automatically at the end of two (2) years from the time of its establishment unless the register is extended by the commissioner for a period not to exceed one (1) additional year or terminated by the commissioner.

(2) The life of registers for job classifications for which continuous recruitment and examination is conducted shall be indefinite but may be terminated by the commissioner. The names of eligibles shall be added to and removed from such registers on a continuous basis. Normally, the name of an eligible shall not remain on a register for a job classification in the continuous program for longer than two (2) years from the date of its entry on the register. Whenever the name of an eligible is removed from a register, the eligible shall be notified in writing.

(3) When a register becomes so depleted that the preparation of usable certificates for a major portion of the imminent vacancies of the job classification is impracticable, the register will be considered exhausted. The register which has become exhausted shall be considered expired upon the administration of a superseding examination and the establishment of a register on the basis of that examination. When a register becomes exhausted, the commissioner shall send to each eligible remaining on such register a notification prior to the administration of a superseding examination.

Section 5. Replenishment of Registers. If the commissioner determines that a register, although not exhausted, is inadequate for the filling of anticipated vacancies, he may announce an open competitive examination for the purpose of replenishing such register.

Section 6. Removal of Names from the Register. (1) Reasons for removal. The commissioner may, on receipt of authoritative information, remove the name of an eligible from the appropriate full-time or part-time register:

(a) If the eligible cannot be located by postal authorities at the last address provided by the eligible;

(b) If the eligible responds in writing that he no longer desires consideration for position in that class;

(c) If the eligible declines an offer of probationary appointment to the class for which the register was established;

(d) If it is shown that the eligible is not qualified or is unsuitable for appointment to the class for which the register is established;

(e) If the eligible fails to reply within a period of ten (10) calendar days of the receipt of the written request of the appointing authority for an interview, or fails to appear for an interview which he has scheduled with the appointing authority without good cause;

(f) If the eligible accepts an appointment and fails to present himself for duty at the time and place agreed to without giving reasons for the delay satisfactory to the appointing authority; or

(g) If the eligible states in writing that he is not available for appointment or does not wish to be considered for appointment.

(2) An applicant who is removed from a register under Section 6(1) of this regulation who fails to make himself available to an appointing authority for consideration or who declines appointment by an appointing authority shall not be allowed to be restored to the register for the job class from which removed for six (6) months from the date of removal unless he has been restored for reasons satisfactory to the commissioner or in accordance with the decision of the board on appeal.

(3) The names of eligibles who have been considered for a probationary full-time or part-time appointment three (3) times by any one (1) or more appointing authorities and have not been offered employment may be removed from a full-time or part-time register if it is determined they would not be suited to the type of work found in the class for which the register is established.

(4) When the Department of Personnel is authoritatively notified that an eligible has accepted a bona fide offer of probationary appointment to any full-time or part-time classified position, effective on a specified date, his name may be removed from the registers for all classes for which the maximum salary is the same or less than that of the class to which he has been appointed.

(5) Whenever an eligible's name is removed from a full-time or part-time register for reasons cited in subsections (1), (2) and (3) of this section, the commissioner shall notify, in writing, the eligible of this action and the reasons therefor, together with his right of appeal to the board pursuant to 101 KAR 1:350. A

copy of the appeal form shall be attached to the notice. An eligible's name shall be restored to the register upon presentation of reasons satisfactory to the commissioner or in accordance with the decision of the board upon appeal.

(6) Whenever an eligible notifies the Department of Personnel in writing that he is unavailable for employment or employment consideration, the department may remove the name of that eligible from the appropriate full-time or part-time register without further notification to the person.

Section 7. Promotional Register. At the request of the appoint authority, the commissioner shall prepare a register of status employees interested in promotion to a full-time or part-time classified position who meet the minimum requirements and has obtained a passing grade on the competitive promotional examination. The names of such employees shall be placed on the register in the order of their final ratings, starting with the highest. The register shall be certified to agencies for their consideration in filling vacancies from a promotional register.

Section 8. Full-time or Part-time Reemployment Registers. The commissioner shall prepare reemployment registers in accordance with 101 KAR 1:330, Section 5.

Section 9. Job Bank. Job bank is a list of eligible state employees with merit status who wish to be considered for particular job classes. The listing shall accompany competitive register certificates to inform appointing authorities of eligible state employee candidates who are available for internal mobility.

Section 10. [9.] Cooperation with Other Merit Systems. The commissioner may cooperate with the governmental agencies of other jurisdictions whose merit systems operate in conformity with standards comparable to those contained in these regulations. The commissioner may announce and administer joint examinations and establish joint lists from which eligibles shall be certified for appointment in accordance with the provisions of these regulations.

THOMAS C. GREENWELL, Commissioner
APPROVED BY AGENCY: October 15, 1987
FILED WITH LRC: October 15, 1987 at noon.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on November 24, 1987 at 10 a.m., Room 360 of the Capitol Annex in Frankfort, Kentucky. However, this hearing will be cancelled unless interested persons notify the following office in writing by November 19, 1987 of their desire to appear and testify at the hearing: Thomas C. Greenwell, Commissioner, Department of Personnel, Room 373, Capitol Annex, Frankfort, Kentucky 40601.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Anne E. Keating
(1) Type and number of entities affected: State employees in executive branch.
(a) Direct and indirect costs or savings to those affected: N/A
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: Minimal
(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: Minimal; interested employees are listed on register certificates for job classes for which they are eligible.
(3) Assessment of anticipated effect on state and local revenues: None
(4) Assessment of alternative methods; reasons why alternatives were rejected: To list names of state employees who are interested in internal mobility on register certificates appears to be the most efficient means available.
(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: None
(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. This applies to all state employees in the executive branch.

GENERAL GOVERNMENT CABINET
Board of Medical Licensure
(Proposed Amendment)

201 KAR 9:121. Certification renewal.

RELATES TO: KRS 311.650 to 311.658, 311.990(18)
PURSUANT TO: KRS Chapter 13A, 311.654, 311.656
NECESSITY AND FUNCTION: KRS 311.654 directs the State Board of Medical Licensure to adopt rules and regulations relating to paramedics. The function of this regulation is to establish requirements for training, and renewal of paramedic certification.

Section 1. Paramedic Training Course Requirements. The training course shall:
(1) Include the U.S. Department of Transportation curriculum and such additions to the curriculum as prescribed by the board.
(2) Be of at least 500 hours duration.
(3) Be supervised by a medical advisor with such assistance of a registered nurse or certified paramedic as the medical advisor deems necessary.
(4) Have a training course faculty composed of appropriate professionals, clinical, academic, and technical instructors.
(5) Be conducted at locations approved and authorized by the board including, as part of the instruction, training at a hospital licensed to operate in this state.

Section 2. Issuance of Certification and Renewal. Certificates shall be issued by the board pursuant to the standards set forth in these regulations. A paramedic trainee shall be eligible to take the certifying examination prescribed by the board, provided that:
(1) Within thirty (30) months of the

commencement of a paramedic training course authorized and approved by the board, the paramedic trainee has successfully completed said training course; and

(2) Within thirty (30) months of commencement of such training course, the paramedic trainee has successfully completed a field clinical evaluation of at least 500 hours duration.

(3) A paramedic trainee is eligible to take the certifying examination upon the written recommendation of the medical advisor and verification that the paramedic trainee has completed the requirements of subsections (1) and (2) of this section.

(4) Within thirty (30) months of commencement of such training course, the paramedic trainee must complete the initial certification test.

Section 3. Paramedic Certification Examination. The board shall prescribe the format and content of the paramedic certification examination which shall include written, oral, and practical examination. Such examination shall be held in a manner and at times and locations prescribed by the board.

Section 4. Expiration of Certification. Upon successful completion of the certification examination, the graduate paramedic shall be issued a certificate which shall be valid for two (2) years from date of issuance.

Section 5. Renewal of Certification. In order to renew a certificate, the paramedic must obtain a minimum of sixty (60) [forty (40)] hours of approved in-service training [annually] and have successfully passed a renewal examination prescribed by the board (minimum score of eighty (80)) within thirty (30) months of issuance of his last certificate.

C. WILLIAM SCHMIDT, Executive Director
APPROVED BY AGENCY: October 14, 1987
FILED WITH LRC: October 14, 1987 at 11 a.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on Tuesday, November 24, 1987, at 10 a.m., at the offices of the Kentucky Board of Medical Licensure, The Mall Office Center, 400 Sherburn Lane, Suite 222, Louisville, Kentucky 40207. Those interested in attending or being heard at this hearing shall notify in writing not less than 5 days prior to November 24, 1987: Mr. C. William Schmidt, Executive Director, Kentucky Board of Medical Licensure, The Mall Office Center, 400 Sherburn Lane, Suite 222, Louisville, Kentucky 40207.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: C. William Schmidt
(1) Type and number of entities affected: All paramedic trainees preparing to complete the requirements to become certified paramedics.
(a) Direct and indirect costs or savings to those affected: N/A
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: Will better help the board to train and evaluate the paramedic trainees.
(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: Alternatives considered, but Board's Paramedic Advisory Committee felt this alternative was best to adequately train the Commonwealth's paramedics.
(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: The Paramedic Advisory Committee and the Board feel this amendment will help the Board in its statutory duty to establish requirements for training and renewal of paramedic certification.
TIERING: Was tiering applied? Yes

GENERAL GOVERNMENT CABINET
Board of Examiners & Registration of Architects
(Proposed Amendment)

201 KAR 19:095. Professional practice standards; violations, penalties.

RELATES TO: KRS 323.095, 323.120
PURSUANT TO: KRS 323.210
NECESSITY AND FUNCTION: To define basis for board to proceed against architects for unprofessional practice.

Section 1. Penalties for Unprofessional Practice. (1) The board may refuse to renew or may suspend for a period or revoke any license, or forbid practice by any architect for any of the following reasons:
(a) Gross incompetency or gross negligence.
(b) Unprofessional conduct or conduct tending to bring the profession into disrepute.
(c) Conviction of a felony.
(d) Fraudulent or dishonest architectural practice.
(e) Use of false evidence, or misrepresentation in an application for licensing.
(f) Signing or affixing his seal to any plans, prints, specifications for buildings, or reports which have not been prepared by him personally or by his employees under his supervision.
(2) The procedure for such action shall be in accordance with the provisions of KRS 323.130 and 323.140.

Section 2. Gross Incompetence and Gross Negligence Defined. The following acts or omissions shall be deemed to be gross incompetence or gross negligence within the meaning of the law and be cause for denial, suspension or revocation of a license:
(1) Willfully failing to use reasonable care and diligence in his professional practice, resulting in a building or structure being improperly constructed to the detriment of the occupants.
(2) Willfully failing to use reasonable care

and diligence in preparing drawings, specifications, and other documents relating to the design and construction of buildings for the protection of a client in all relationships as agent of the client.

Section 3. Unprofessional Conduct Defined. Any of the following acts by an architect shall be deemed to be "unprofessional conduct" and be cause for denial of registration, or suspension, revocation or refusal to renew a license to practice architecture:

(1) Accepting compensation for architectural services from other than his client or employer.

(2) Offering or making any payment or gift to a government official (whether elected or appointed) with intent of influencing the official judgment in connection with a prospective or existing project in which the architect is interested.

(3) Offering or making any gifts, except gifts of nominal value (including, for example, reasonable entertainment and hospitality), with intent of influencing the judgment of an existing or prospective client in connection with a project in which the architect is interested.

(4) Having a financial interest in the manufacture, sale or installation of any component or process used in a project for which he is the architect unless his client has been so advised and has waived any objection he may have had thereto.

(5) Publicly endorsing a product, system, or service, or permitting the use of his name or photograph to imply such endorsement. However, he may be identified with any product, system, or service designed or developed by him.

(6) Using paid advertising on behalf of himself, his partner, associate, or any other architect affiliated with him or his firm, containing a statement or claim which is false or tends to be misleading, deceptive, or unfair, or which makes material claims of superiority which cannot be substantiated rather than being designed to inform the public.

(a) Advertising may include the name of the architect or firm, address, telephone number, a statement of the fields of practice, and a statement of the geographical area where services are rendered, and cost of services.

(b) An architect or architectural firm which advertises a fee for specific services and accepts such employment must perform such services for the amount stated, and a statement to that effect shall be included in every advertisement.

(c) Advertisements may be by newspaper or magazine advertisements, radio or television announcements, or display advertisements in the city or telephone directories.

Section 4. Conviction of a Felony. Any conviction of a felony within the United States of America or its possessions is prima facie evidence of misconduct.

Section 5. Fraudulent or Dishonest Practice Defined. The following practices shall be deemed to be "fraudulent or dishonest practice" within the meaning of the law and be cause for denial, suspension or revocation of a license to practice architecture:

(1) Making untrue or deceitful statements in an application for examination or registration, or in any other statements or representations to the board.

(2) Affixing his seal to any drawings other than those for which he is the author. All plans must be sealed by the author or authors thereof. "Authors" is defined as those in responsible charge of the preparation of plans which are made by them personally or under their supervision.

(3) Bribing any person or persons who may influence the selection of an architect.

(4) Willfully misleading or defrauding any person or persons employing him as an architect.

(5) Willfully violating the laws of Kentucky or any other state, where such are applicable, relating to the practice of architecture; or willfully violating any rule or regulation of this board made in pursuance to law.

(6) Using, or attempting to use, or practicing under, a license that has been suspended or revoked or which has not been renewed as required by law and the regulations of the board.

Section 6. Registration While Working for Others. (1) An architect may work as the employee of another architect without affecting the status of his registration.

(2) Or he may work as an employee for any firm in which his duties are not those of any architect, without affecting the status of his registration. But if he works as an architect for, or with, an individual not an architect, or a firm or corporation not under the control of architects, then he must maintain free and unbiased judgment and unrestrained use of his professional prerogatives and services to clients; and the terms of his employment or agreement shall be compatible therewith, and such as to permit full compliance with the "obligations of practice," and these regulations.

(3) Violations of these requirements shall be cause for a license to be denied, suspended or revoked.

Section 7. Office Staffing. (1) Each office maintained for the preparation of drawings, specifications, reports and other professional work shall have a regularly employed architect duly registered with this board, in full authority and responsible charge, having direct knowledge and supervisory control of such work. [A firm, partnership, or association maintaining one (1) or more places of business in this state, except where a project office is established only for on-site supervision or inspection, shall maintain in charge of each separate place, a resident registered architect; "resident" as used in this section shall mean the architect or architects who spend the majority of the normal office hours in said place of business. The firm, partnership, or association shall inform the board of the name or names of the resident architect or architects in charge of each separate place of business.]

(2) Violations of this requirement shall be cause for a license to be denied, suspended or revoked.

GRAHAM A. RAPP, President of the Board

APPROVED BY AGENCY: September 21, 1987

FILED WITH LRC: September 29, 1987 at 11 a.m.

PUBLIC HEARING SCHEDULED: A public hearing has been scheduled on November 23, 1987 at 2 p.m. at the Office of the Board of Examiners and Registration of Architects of Kentucky, 3302

Brookhill Circle, Lexington, Kentucky 40502. Those interested in attending this hearing shall contact in writing: L. Wayne Tune, Executive Director, State Board of Examiners and Registration of Architects, P.O. Box 22097, Lexington, Kentucky 40522.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: L. Wayne Tune
(1) Type and number of entities affected: None
(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): None
(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: 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: 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: Revised Section 7 on office staffing due to Federal Trade Commission objections.
TIERING: Was tiering applied? No. N/A

TOURISM CABINET
Department of Fish and Wildlife Resources
(Proposed Amendment)

301 KAR 2:140. Seasons for wild turkey.

RELATES TO: KRS 150.010, 150.025, 150.170, 150.175, 150.305, 150.320, 150.330, 150.360, 150.365, 150.390
PURSUANT TO: KRS 13A.350, 150.025
NECESSITY AND FUNCTION: This regulation pertains to seasons and limits for wild turkey. The commissioner with the concurrence of the commission finds this regulation necessary for the continued protection and conservation of wild turkey populations and to insure a permanent and continued supply for present and future residents of the state. The function of this regulation is to provide for the prudent taking of wild turkeys within reasonable limits based upon an adequate supply. This amendment is necessary to designate currently appropriate turkey hunting seasons for specific counties and wildlife management areas.

Section 1. Seasons and Counties Open to Wild Turkey Hunting. (1) Season opens the third Wednesday in April for fourteen (14) days in Ballard, Bath, Bell south of Highway 119 and east of Highway 25E, Boyle, Bullitt, Butler east of the Green River Parkway, Caldwell south of the West Kentucky Parkway, Casey west of Highway 127, Christian, Harlan, Hopkins south of the West Kentucky Parkway, Letcher, Marion east of Highway 55, Menifee north of Highway 460, McCreary north of Highway 92, Nelson north of the Bluegrass Parkway, Pike south of Elkhorn Creek and Pulaski south of the Cumberland River. Season opens the third Wednesday in April for seven (7) days in Adair north of the Cumberland Parkway, Breckinridge south of Highway 60, Carroll west of the Kentucky River, Carter north of I-64, Franklin west of the Kentucky River, Hancock east of Highway 69, Henry south of Highway 22, Laurel west of I-75, Lewis east of Highway 59, Logan west of Highway 431, Marshall southwest of Highway 68, Ohio east of Highway 231, Taylor south of Highway 70, Todd east of Highway 181, Trigg south of Highway 68, Trimble east of Highway 421 and Webster east of Highway 41A. [April 15 through April 28 in Ballard, Bath, Pike, Letcher, Menifee north of Highway 460, Harlan, Butler east of the Green River Parkway, Boyle, Casey, Marion east of Highway 55, McCreary north of Highway 92, and Pulaski. April 15 through April 21 in Adair north of the Cumberland Parkway, Bell south of Highway 119 and east of Highway 25E, Breckinridge south of Highway 60, Bullitt, Caldwell south of West Kentucky Parkway, Carter north of I-64, Christian, Franklin west of the Kentucky River, Greenup, Henry south of Highway 22, Hopkins south of West Kentucky Parkway, Lewis east of Highway 59, Logan west of Highway 431, Marshall southwest of Highway 68, Nelson north of the Bluegrass Parkway, Taylor south of Highway 70, Todd east of Highway 181, Webster east of Highway 41A, Hancock east of Highway 69, and Ohio east of Highway 231.]
(2) All other counties and portions of counties are closed to wild turkey hunting except as specified in Section 4 of this regulation.

Section 2. Bag and Possession Limits. (1) Only one (1) turkey with visible beard per hunter per spring season may be taken, except that two (2) turkeys may be taken if one (1) is taken on Fort Knox, Fort Campbell, or Land Between the Lakes.
(2) [Effective January 1, 1987,] Only one (1) turkey may be taken in the fall by archery on areas specified in regulations pertaining to deer and turkey on special areas.
(3) No more than three (3) turkeys may be taken in any calendar year.

Section 3. Requirements and Restrictions. (1) The use of dogs is prohibited.
(2) All turkey hunters must have in their possession a valid wild turkey permit and a valid annual Kentucky hunting license, unless exempted by KRS 150.170(3), (5), (6) or (7).
(3) Turkey may be taken from one-half (1/2) hour before sunrise until 12 noon.
(4) Turkey may be taken with the aid of hand or mouth operated calls. Electronic calls are prohibited.
(5) Permitted and prohibited weapons.
(a) Firearms. Turkey may be taken with shotguns only. Shotguns must be no larger than 10 gauge or no smaller than 20 gauge. Only Number 4 [2] shot or smaller may be used. Buckshot and slugs may not be possessed while turkey hunting.
(b) Archery. Turkey may be taken with any longbows and compound bows which do not have

devices to hold an arrow at full draw without human aid. Only barbless arrows without chemical treatment or chemical attachments, with broadhead points at least seven-eighths (7/8) inch wide are permitted.

(6) Any hunter harvesting a wild turkey must have it checked at the nearest check station or by the nearest available conservation officer no later than 5 p.m. on the day the turkey is taken except as required on specified wildlife management areas. The hunter must [complete the wild turkey permit and] attach the tag portion to the turkey immediately after taking. Turkeys must be checked before being transported out of the state.

(7) Turkeys may be taken with the aid of decoys. Live turkeys may not be used as decoys.

(8) Turkeys may not be hunted on any baited area. A baited area means any area where feed, grains or any other substances capable of luring wild turkeys have been placed. Such areas shall be considered baited for ten (10) days following the complete removal of all bait. This does not prohibit hunting wild turkeys on any areas where grains, feed or other substances exist as the result of bona fide agricultural practices, or as the result of manipulating a crop for wildlife management purposes, provided that manipulation for wildlife management purposes does not include the placing or scattering of grain, feed or other substances once removed from or stored on the field where grown.

(9) Turkeys may not be hunted from boats.

(10) All hunters less than eighteen (18) years of age must be accompanied by an adult and must remain under control of that adult at all times. All turkey hunters born after 1972 must have completed a hunter safety course and must have a valid hunter safety certificate in their possession while hunting.

Section 4. Seasons and Exceptions on Wildlife Management Areas. All provisions of this regulation apply unless otherwise specified in this section.

(1) Fort Knox Wildlife Management Area located in Hardin, Bullitt and Meade Counties.

(a) Season: all Saturdays and Sundays in March and April.

(b) Weapons. Muzzle-loading rifles .32 caliber or larger are permitted and 10 gauge shotguns are prohibited. Archery equipment may be used in designated areas only.

(c) Hunters must check turkeys at building 7334 by 2 p.m. on the day harvested.

(2) Land Between the Lakes Wildlife Management Area located in Trigg and Lyon Counties.

(a) Season: April 20 [15] through May 8 [3].

(b) Wild turkey may be taken only in designated areas.

(c) All hunters must check in and out, must check any turkey before leaving Land Between the Lakes and affix an LBL tag to the carcass.

(d) Shooting hours: one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset.

(3) Pioneer Weapons Wildlife Management Area located in Bath and Menifee Counties. Muzzle-loading rifles and muzzle-loading handguns are permitted. Breech-loading shotguns are prohibited. Crossbows of at least 100 pounds pull with a working safety are permitted. Bolts must be barbless with broadhead points at least seven-eighths (7/8) inch wide.

(4) Fort Campbell Wildlife Management Area located in Christian and Trigg Counties.

(a) Season: April 9 [11] through May 2 [3] with no hunting permitted on [Mondays and] Tuesdays or Wednesdays.

(b) Permit. A post combination hunting-fishing permit is required.

(c) Shooting hours: one-half (1/2) hour before sunrise to one-half (1/2) after sunset.

(5) Blue Grass Ordnance Depot Activity located in Madison County. Third Wednesday in April for fourteen (14) days [April 15 through April 28].

(6) Ballard Wildlife Management Area in Ballard County is closed to turkey hunting, except that portion south of Terrell Landing Road.

(7) Swan Lake Wildlife Management Area in Ballard County is closed to turkey hunting.

(8) Higginson-Henry Wildlife Management Area located in Union County. Archery only. Third Wednesday in April for fourteen (14) days. Hunters must check in and check out daily.

DON R. McCORMICK, Commissioner
G. WENDELL COMBS, Secretary
CHARLES E. PALMER, JR., Chairman
APPROVED BY AGENCY: September 24, 1987
FILED WITH LRC: September 24, 1987 at 3 p.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on November 24, 1987 at 9 a.m. in the commission room of the Arnold L. Mitchell Building, #1 Game Farm Road, Frankfort, Kentucky. Those interested in attending this hearing shall contact: Mr. Lauren E. Schaaf, Director, Wildlife Division, Department of Fish and Wildlife Resources, Arnold L. Mitchell Building, #1 Game Farm Road, Frankfort, Kentucky 40601.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Don R. McCormick

(1) Type and number of entities affected: Approximately 4,000 persons will participate in the wild turkey hunting proposed by this regulation.

(a) Direct and indirect costs or savings to those affected: Direct costs involve the purchase of a state hunting license and a wild turkey permit. Indirect costs are determined by the individual hunter, depending upon his level of participation.

1. First year: Persons participating in the hunting proposed for authorization by this regulation would be required to possess a valid hunting license ($8.50 for residents) and wild turkey permit ($6.50) unless exempt by regulations.

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: None

(2) Effects on the promulgating administrative body: Requires time and effort in developing, publishing, reporting on, and enforcing the proposed regulation.

(a) Direct and indirect costs or savings: Primary costs are associated with enforcing the regulation.

1. First year: The estimated cost associated with establishing and carrying out the provisions of this regulation is $80,000.

2. Continuing costs or savings: Same as first year.

3. Additional factors increasing or decreasing costs: None

(b) Reporting and paperwork requirements: None

(3) Assessment of anticipated effect on state and local revenues: Approximately 4,500 turkey hunters may be expected to expend money for equipment, transportation, food, and lodging. The annual expenditure for these items averages $25 per day of hunting according to the 1980 National Hunting and Fishing Survey. State and local revenues can be expected to be positively affected due to the necessary expenditures for the required licenses and taxes levied upon items purchased by hunters.

(4) Assessment of alternative methods; reasons why alternatives were rejected: The only available alternative to regulated hunting is closure of the season. This alternative was rejected as contrary to the conservation ethic which is based upon the wise use of renewable resources and the fact that wild turkey populations are at levels which can sustain a regulated harvest by Kentucky sportsmen.

(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: None

TIERING: Was tiering applied? No. This type of regulation does not appear to be adaptable to the tiering process since it is specific to turkey hunters.

TOURISM CABINET
Department of Fish and Wildlife Resources
(Proposed Amendment)

301 KAR 2:230. Shoot to retrieve field trial permits and procedures.

RELATES TO: KRS 150.025, 150.170, 150.175, 150.235, 150.237, 150.305, 150.330, 150.360

PURSUANT TO: KRS Chapter 13A

NECESSITY AND FUNCTION: This regulation is necessary to control hunting seasons and conditions governing shoot to retrieve field trials on private and government-owned lands and the game bird species allowed. The function of this regulation is to provide additional hunting and dog training opportunities and to control the introduction of exotic game birds that may be detrimental to native species or the department's experimental game bird releases. It also insures that native game birds are harvested only during the regular small game hunting season.

Section 1. Definitions. [(1)] "Shoot to retrieve field trials" are those in which domestically or pen raised game birds are killed or taken by hunters or shooters participating in the event.

[(2) "Participants" are those individuals present at the event and who assume or play an active role in the event or who are present and have a vested interest in the outcome of the event.]

Section 2. Hunting Seasons and Game Birds Allowed. Domestically reared and banded quails, August 15 through May 15 inclusive, and year round for domestically reared and banded chukar, pheasant and mallard duck on private and government-owned lands under a shoot to retrieve field trial permit issued by the department. The use of other domestically reared game birds may be authorized by the department upon written request.

Section 3. Bag and Possession Limits. There are no bag and possession limits.

Section 4. Banding Requirements. All domestically reared game birds listed in Section 2 of this regulation must be leg banded prior to release, except mallards which must have a right hind toe clipped. Mallards must be tagged prior to transport. Bands or tags may be obtained at cost from the department at the time of application for the permit.

Section 5. Field Trial Permits, Applications and Fees. (1) At least fourteen (14) days in advance, application for a shoot to retrieve field trial must be made through the conservation officer in whose county the trial is to be held or through the regional supervisor. Written permission of the private landowner or appropriate government authority must be obtained and submitted with the application. The permit will be issued through the department office in Frankfort. Participants in the shoot to retrieve field trial, whether residents or nonresidents, shall not be required to possess any other license to participate in the event for which the permit was issued. The permit shall expire four (4) days after the date on which the event began.

(2) See 301 KAR 3:021 for the fee amount which must be submitted with the permit application.

(3) A permit is not required to conduct shoot to retrieve field trials on licensed shooting preserves during the appropriate season as specified in other regulation(s). All participants, however, must be licensed according to the provisions of other regulations.

[Section 6. Participant License Requirements, Applications, Fees and Effective Dates. (1) Residents and nonresidents participating in shoot to retrieve field trials as authorized by permit from the department must possess a shoot to retrieve field trial license, which shall be available to either residents or nonresidents and valid only for use in shoot to retrieve field trials, or a valid Kentucky resident or nonresident hunting license.]

[(2) See 301 KAR 3:021 for the fee amount which must be submitted with the license application.]

[(3) Shoot to retrieve field trial licenses shall be available by writing: Wildlife Division, #1 Game Farm Road, Frankfort, Kentucky 40601 at least fourteen (14) days in advance.]

[(4) Shoot to retrieve field trial licenses shall be good for one (1) year from the date of issue.]

[(5) A participant license is not required for participation in a shoot to retrieve field trial that is conducted on a licensed shooting preserve, however, all participants must be licensed according to the provisions of other appropriate regulations.]

Section 6. [7.] Transporting and Possession of

Game Birds. Birds harvested under this regulation must remain banded until prepared for cooking.

Section 7.* [8.] Rescheduling and Cancellations. A scheduled shoot to retrieve field trial date or place may be changed by notifying the conservation officer, regional supervisor or appropriate government authority on or prior to the original opening date. If the place is changed, written permission of the private landowner or appropriate government authority must be submitted to the conservation officer or regional supervisor. Fees for cancelled field trials will not be refunded.

Section 8. [9.] Bird Replacement and Out-of-Bounds Birds. (1) Unbanded quail harvested outside of the regular small game hunting season dates must be replaced at the end of the trial by releasing an equal number of live quail.

(2) Field trial game birds may be hunted only on the land described in the permit.

DON R. McCORMICK, Commissioner
G. WENDELL COMBS, Secretary
CHARLES E. PALMER, JR., Chairman

APPROVED BY AGENCY: September 24, 1987

FILED WITH LRC: September 24, 1987 at 3 p.m.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on November 24, 1987 at 11 a.m. in the commission room at the Department of Fish and Wildlife Headquarters at #1 Game Farm Road, Frankfort, Kentucky. Those interested in attending this hearing shall contact: Mr. Lauren E. Schaaf, Director, Wildlife Division, #1 Game Farm Road, Frankfort, Kentucky 40601.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Don R. McCormick

(1) Type and number of entities affected: Approximately 200 persons who normally would have purchased a "participant" license will no longer have to do so.

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

1. First year: $7 in fee savings for nonresident participants.

2. Continuing costs or savings: $7 in fee savings for nonresident participants.

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

(b) Reporting and paperwork requirements: Where as previous licensing requirements necessitated issuance of a trial permit, and possibly a "participant" permit, the change will greatly ease paperwork.

(2) Effects on the promulgating administrative body: Lessening of paperwork associated with shoot to retrieve field trials.

(a) Direct and indirect costs or savings: Postage and handling for permit issuance will remain at $40-50 per year. Other costs fixed.

1. First year: Same as 2(a).

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

3. Additional factors increasing or decreasing costs: None

(b) Reporting and paperwork requirements: None over and above those required now.

(3) Assessment of anticipated effect on state and local revenues: Likely maintain revenues to the Department of Fish and Wildlife, however, higher participation rates by nonresidents could increase income.

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

(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: None

TIERING: Was tiering applied? No. This type of regulation does not appear to be adaptable to the tiering process since it is specific to small game hunters and trappers.

TOURISM CABINET
Department of Fish and Wildlife Resources
(Proposed Amendment)

301 KAR 3:021. Hunting and fishing license fees.

RELATES TO: KRS 150.025, 150.175, 150.225, 150.237, 150.240, 150.280, 150.290, 150.525, 150.660

PURSUANT TO: KRS 13A.350, 150.025

NECESSITY AND FUNCTION: The commissioner, with the concurrence of the Fish and Wildlife Resources Commission, finds it necessary to establish the hunting and fishing license fees schedule in this regulation to generate the necessary funds to finance programs to protect, manage, and conserve the fish and wildlife resources of the state so a permanent and continued supply will be maintained for the benefit of present and future generations.

Section 1. License fees for hunting and fishing are as follows:

The following sport fishing license fees will be effective January 1, 1988:

(1) Sport fishing licenses:

Statewide fishing license (resident): $8.50

Statewide fishing license (nonresident): $20.00 [$16.00]

Joint statewide fishing license (resident): $15.30

Ohio River fishing license (resident Ohio, Indiana and Illinois only): $8.50

(3 [10] day fishing license (nonresident only): $7.50 [$10.00]

15-day fishing license (nonresident only): $12.50

Trout stamp (resident or nonresident): $3.50

(2) Commercial fishing licenses:

Commercial fishing license (resident) plus ten (10) commercial gear tags: $72.00

Commercial fishing license (nonresident) plus ten (10) nonresident commercial gear tags: $500.00

Ohio River commercial fishing license (resident Ohio, Indiana and Illinois only) plus ten (10) Ohio River commercial gear tags: $72.00

(3) Commercial fishing gear tags (not to be sold singly):

Commercial fishing gear tag (resident) blocks of 10 tags: $6.50

Commercial fishing gear tag (nonresident) blocks of 10 tags: $58.00

Ohio River commercial fishing gear tag (resident Ohio, Indiana and Illinois only) block of ten (10) tags: $21.50

(4) Special experimental commercial fishing permit: $500.00

(5) Live fish and bait dealers licenses:

Live fish and bait dealers license (resident) Separate license required for each place of business: $25.50

Live fish and bait dealers license (nonresident): $42.50

The following mussel license fees will be effective January 1, 1988:

(6) Mussel licenses:

Musseling license (resident): $100.00 [$25.50]

Musseling license (nonresident): $500.00 [$300.00]

Mussel buyer's license (resident): $100.00

Mussel buyer's license (nonresident): $300.00

(7) Hunting licenses:

Statewide hunting license (resident): $8.50

Statewide hunting license (nonresident): $75.00

Statewide hunting license, small game only (5-day nonresident): $20.00

Statewide junior hunting license (resident only): $4.00

Statewide waterfowl stamp: $5.25

(8) Hunting and fishing license (combination resident): $15.00

(9) Trapping licenses:

Trapping license (statewide resident): $11.50

Trapping license (resident landowner/tenant): $6.00

Trapping license (nonresident): $115.00

Trap tags, each (resident or nonresident): $.20

(10) Big game licenses:

Big game permit, deer (resident or nonresident): $11.50

Big game permit, turkey (resident or nonresident): $6.50

(11) Taxidermist license: $11.50

(12) Commercial guide licenses:

Commercial guide license (resident): $14.50

Commercial guide license (nonresident): $42.50

(13) Fur dealer's licenses:

Fur processor's license (resident): $150.00

Fur buyer's license (resident): $30.00

Fur buyer's license (nonresident): $230.00

(14) Special nonresident hunting preserve license valid only for preserve issued (not required if hunter has valid hunting license): $8.50

(15) Kentucky regulated shooting preserve permit: $35.00

(16) Commercial fox hound training enclosure permit: $250.00

(17) Pet and propagation permit for game and fish:

Pet and propagation permit for game and fish, noncommercial: $6.00

Pet and propagation permit for game and fish, commercial: $30.00

(18) Scientific fish and wildlife collecting permit:

Scientific fish and wildlife collecting permit, educational: $3.00

Scientific fish and wildlife collecting permit, scientific: $115.00

(19) Food permits:

Food permit for selling bobwhite quail from propagation farms only: $150.00

Retail food permit for propagated quail: $2.50

(20) Commercial waterfowl shooting permit (operator's license): $40.00

(21) Falconry permit (birds of prey): $12.00

(22) Pay lake license (minimum $50 for first two (2) acres or less; $10 per additional acre or part thereof, up to maximum of $100

(23) Shoot to retrieve field trial permit (per trial): $50.00 [$5.00]

(24) Bird dog training device: $2.50

[(25) Shoot to retrieve field trial participant license: $7.00]

Section 2. The kind of license or tags authorized by this regulation shall not be changed, altered, or defaced in any manner, except the trout stamp and waterfowl stamp, which must carry the licensee's signature in ink across the face of stamp and be attached to the back of the proper fishing or hunting license. All licenses, permits, tags, and stamps are nontransferable.

DON R. McCORMICK, Commissioner
G. WENDELL COMBS, Secretary
CHARLES E. PALMER, JR., Chairman

APPROVED BY AGENCY: September 24, 1987

FILED WITH LRC: September 24, 1987 at 3 p.m.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on November 24, 1987 at 2 p.m. in the commission room of the Department of Fish and Wildlife Resources, #1 Game Farm Road, Frankfort, Kentucky. Those interested in attending this hearing shall contact: Mr. Lauren E. Schaaf, Director, Wildlife Division, Department of Fish and Wildlife Resources, Arnold L. Mitchell Building, #1 Game Farm Road, Frankfort, Kentucky 40601.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Don R. McCormick

(1) Type and number of entities affected: Approximately 200 persons who normally would have purchased a "participant" license for shoot to retrieve field trials will no longer have to do so. Approximately 450 mussel license holders will be effected by the fee changes for that license. Approximately 138,000 nonresident fishing license holders will be effected by changes in the license fee structure.

(a) Direct and indirect costs to those affected:

1. First year: $7 in fee savings for nonresident participants in shoot to retrieve field trials. Each resident's mussel license fee will increase by $74.50 and each nonresident license will increase by $200.00. An additional nonresident fishing license is being added. The increased number of options available to the fisherman will not likely increase or decrease participation, therefore, overall individual costs should not change.

2. Continuing costs or savings: $7 in fee savings for nonresident participants. Each resident's mussel license fee will cost $74.50 more than now and each nonresident license will cost $200 more. See item one above for continuing costs or savings regarding fee changes in fishing licenses.

3. Additional factors increasing or decreasing costs (note any effects upon competition): None for changes in field trial or musseling license structure changes, however, the additon of the new fishing licenses will require the printing of a new license at a cost of approximately $3,000.

(b) Reporting and paperwork requirements: Where previous licensing requirements

necessitated issuance of a trial permit and possibly a "participant" permit, the change will greatly ease paperwork. Otherwise, no changes are anticipated.

(2) Effects on the promulgating administrative body: Lessening of paperwork associated with shoot to retrieve field trials. Aside from the cost of designing the new license mentioned above, there will be no effects.

(a) Direct and indirect costs or savings: Postage and handling for field trial permit and mussel license issuance will remain at $80-100 per year. Other costs fixed.

1. First year: Same as 2(a).

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

3. Additional factors increasing or decreasing costs: None

(b) Reporting and paperwork requirements: None over and above those now required.

(3) Assessment of anticipated effect on state and local revenues: The new license structure for shoot to retrieve field trials will likely maintain revenues to the Department of Fish and Wildlife, however, higher participation rates by nonresidents could increase income. Revenues from sale of musseling licenses under the new fee structure will increase approximately $45,000. There will be no change in revenues due to the change in fishing license structure changes.

(4) Assessment of alternative methods; reasons why alternatives were rejected: None undertaken for field trial license change. None undertaken for mussel license change as this action was part and parcel to actions which would limit participation in musseling due to conflicts with other resource users. Assessments of the fee structure change for nonresident fishing licenses occurred in the past year. It was perceived by many outside of the Department of Fish and Wildlife that the absence of the three day permit option was decreasing participation by out of state fishermen, thus it has been reinstated and other fees brought in line with sister states.

(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. This type of regulation does not appear to be adaptable to the tiering process since it is specific to small game hunters and trappers.

DEPARTMENT OF AGRICULTURE
(Proposed Amendment)

302 KAR 20:040. Entry into Kentucky.

RELATES TO: KRS Chapter 257

PURSUANT TO: KRS 257.030

NECESSITY AND FUNCTION: To specify health requirements for admission of all livestock and animals into Kentucky.

Section 1. General Provisions. (1) All animals, except as noted, shall be accompanied by an approved health certificate. Health certificates means a legible record covering the requirements of the state of destination accomplished on an official form of a standard size from the state of origin or an equivalent form of the Animal and Plant Health Inspection Service, Veterinary Services, United States Department of Agriculture, that is prepared and issued by a licensed, accredited veterinarian. An approved health certificate means an official health certificate approved by the the chief livestock sanitary official of the state of origin.

(2) If animals are from tuberculosis accredited or brucellosis certified herds, health certificates shall show accreditation and certification number with date of last herd test for tuberculosis and brucellosis.

(3) Cattle entering Kentucky shall be vaccinated, tested, or branded [against brucellosis] as required in 302 KAR 20:055.

(4) Cattle may enter approved state-federal livestock markets in Kentucky without permits. Upon entry to the market these cattle shall comply with the specific provisions of this regulation for subsequent movement to a premise in Kentucky or shall comply with other state of destination requirements.

Section 2. Cattle. (1) Brucellosis.

(a) Negative results from an approved state-federal laboratory.

(b) Official vaccinate. A female bovine animal vaccinated with an approved reduced dosage Brucella vaccine while four (4) through ten (10) months of age permanently identified as a vaccinate. Date of birth and date of vaccination shall be recorded on the health certificate.

(c) Import requirements for cattle originating in Class "C" states and areas: [Modified certified state. Thirty (30) day tube or card test of individual. Cattle six (6) months of age or older for dairy and breeding purposes, except official vaccinates of the beef breeds under twenty-four (24) months of age and dairy breeds under twenty (20) months of age may be imported into the Commonwealth of Kentucky provided they have passed a negative brucellosis tube or card test within thirty (30) days of date of entry, or originate directly and immediately from a certified herd provided the animals to be imported have qualified as negative members of the certified herd on the last annual certification test.]

1. Sexually intact heifers for feeding and/or grazing.

a. Prior entry permit required.

b. Heifers must be less than twelve (12) months of age.

(i) No long tailed heifers.

(ii) Must not weigh more than 500 pounds.

c. Heifers must be branded with the letter "F" on the right or left side of the tail head, or hip. If on the tail head, the brand must be placed between the fourth and seventh coccygeal vertebrae. The brand size must be a minimum of two (2) inches by three (3) inches in size.

d. The heifers must be individually identified on an official certificate of veterinary examination or "health certificate." The "F" brand alone will not suffice as the means of identification.

e. All "F" branded heifers will be quarantined on arrival on Kentucky premises approved by the state veterinarian for feeding purposes only. The "F" branded heifers may then move only to

slaughter when accompanied by proper movement permits.

2. Sexually intact cattle for breeding and/or dairy purposes must comply with one (1) of the following:

a. Originate from a brucellosis certified free herd and be accompanied by an official certificate of veterinary examination or "health certificate" showing the date of the last herd test.

b. Originate from a nonbrucellosis quarantined herd that had a complete negative brucellosis herd test of all eligible cattle within the past twelve (12) months. The individual cattle being shipped must have had a negative brucellosis test within thirty (30) days of shipment.

c. A prior permit is also required and should be recorded on the certificate of veterinary examination or the "health certificate."

3. All sexually intact cattle for breeding and dairy purposes will be quarantined on arrival and retested for brucellosis sixty (60) to 120 days after arrival in Kentucky.

4. Prior permits may be obtained by calling 502/564-3956, 57, 58, 59 on weekdays from 8 a.m. to 4:30 p.m. and 502/564-3956, recording evenings and weekends.

(d) Import requirements for cattle originating in Class "B" states and areas. [Bison six (6) months of age or older except official vaccinated twenty-four (24) months and under shall be negative to tube or card test within thirty (30) days of date of entry.]

1. Sexually intact heifers for feeding and/or grazing purposes.

a. Prior entry permit required.

b. Heifers must be less than twelve (12) months of age.

(i) No long tailed heifers.

(ii) Must not weigh more than 500 pounds.

c. Heifers must be branded with the letter "F" on the right or left side of the tail or hip. If on the tail head, the brand must be placed between the fourth and seventh coccygeal vertebrae. The brand size must be a minimum of two (2) inches by three (3) inches.

d. The heifers must be individually identified on an official certificate of veterinary examination or "health certificate." The "F" brand alone will not suffice as the means of identification.

e. All "F" branded heifers will be quarantined on arrival in Kentucky on premises approved by the state veterinarian for feeding purposes only. The "F" branded heifers may then move only to slaughter when accompanied by proper movement permits.

2. Sexually intact cattle for breeding and/or dairy purposes must comply with one (1) of the following:

a. Originate from a brucellosis certified free herd and be accompanied by an official certificate of veterinary examination or "health certificate" showing the date of the last herd test.

b. Originate from a nonbrucellosis quarantined herd that had a complete negative brucellosis herd test of all eligible cattle within the past twelve (12) months. The individual cattle being shipped must have had a negative brucellosis test within thirty (30) days of shipment.

c. A prior permit is also required and must be recorded on the certificate of veterinary examination or "health certificate."

3. All sexually intact cattle, except vaccinates from brucellosis certified free herds, will be quarantined on arrival and retested for brucellosis sixty (60) to 120 days after arriving in Kentucky.

4. Prior permits may be obtained by calling 502/564-3956, 57, 58, 59 on weekdays from 8 a.m. to 4:30 p.m. and 502/564-3956, recording evenings and weekends.

(e) Import requirements for cattle originating in Class "A" states or areas. [State not modified certified: Permit shall be obtained prior to movement for all cattle for breeding and dairy purposes. These cattle must comply with federal regulations.]

1. Sexually intact heifers for feeding and/or grazing purposes.

a. Prior entry permit required.

b. Heifers must be less than eighteen (18) months of age.

c. Heifers must be branded with the letter "F" on the right or left side of the tail head or hip. If on the tail head, the brand must be placed between the fourth and seventh coccygeal vertebrae. The brand size must be a minimum of two (2) inches by three (3) inches.

d. The heifers must be individually identified on an official certificate of veterinary examination or "health certificate." The "F" brand alone will not suffice as the means of identification.

e. The "F" branded heifers may enter only premises approved by the state veterinarian for feeding purposes. The "F" branded heifers may then move only to slaughter when accompanied by proper movement permits.

2. Sexually intact cattle for breeding and/or dairy purposes must comply with one (1) of the following:

a. Originate from a brucellosis certified free herd and be accompanied by an official certificate of veterinary examination or "health certificate" showing the date of the last herd test.

b. All cattle except the above must have a negative brucellosis test within thirty (30) days of shipment.

c. A prior permit is also required and must be recorded on the certificate of veterinary examination or "health certificate."

3. All sexually intact cattle, except vaccinates from brucellosis certified free herds, will be quarantined on arrival and retested for brucellosis sixty (60) to 120 days after arriving in Kentucky.

4. Prior permits may be obtained by calling 502/564-3956, 57, 58, 59 on weekdays from 8 a.m. to 4:30 p.m. and 502/564-3956, recording evenings and weekends.

(f) Import requirements for cattle originating in Class "Free" states or areas, same as for class "A" states.

(g) Import requirements for intact males. Bulls of all ages must meet the import requirements of intact female cattle of their respective states, in accord with the above state classification requirements as listed for "C," "B," "A," or "Free."

(h) Intact female cattle under four (4) months of age.

1. No female cattle (intact) under 120 days of age, can enter the Commonwealth of Kentucky from states or areas classed as "C" or "B," except calves nursing cows which enter Kentucky from certified free herds. Such calves must then comply (under quarantine from "C" states) with

the vaccination requirement in the Kentucky regulation, 302 KAR 20:055 at four (4) months of age.

2. Female cattle (intact) under 120 days of age, from states or areas classed as "A" or "Free" may enter the Commonwealth of Kentucky, upon entry, they will be quarantined to the farm of destination and later comply with the vaccination or branding requirement as defined in 302 KAR 20:055. Release of the quarantine will be effected with documentation of satisfactory compliance with this aforementioned regulation.

(i) Spayed heifers. Female cattle, having been ovariectomized, and properly identified with an "open spade" brand, may move without restriction into Kentucky, as do steers, when accompanied by the required certificate of veterinary examination or "health certificate."

(j) Bison. Bison shall have the same requirements as do bovines.

(2) Tuberculosis.

(a) Cattle six (6) months of age or older for dairy and breeding purposes shall be negative to an official tuberculin test within sixty (60) days of date of entry, or originate directly and immediately from:

1. Accredited herd, or
2. Eradicated free state.

(b) Cattle classified as suspects or cattle originating from a quarantined herd shall not be imported.

(c) Reciprocal agreements with adjoining states may be effective in lieu of specific requirements.

(d) Bison six (6) months of age or older negative within sixty (60) days of entry.

(3) Other disease requirements.

(a) Scabies. No cattle affected with or exposed to scabies or from an area quarantined because of scabies shall be imported, shipped, driven or otherwise moved into Kentucky except in accordance with regulations of the Animal and Plant Health Inspection Service, Veterinary Services, United States Department of Agriculture, and only then after first securing written permit from the chief livestock sanitary official or his authorized representative.

(b) Ticks. No cattle infested with ticks (Margarophus Annulatus) or exposed to tick infestation shall be shipped, trailed, driven or otherwise moved into Kentucky for any purpose.

(c) No cattle from a state-federal tick quarantined area shall be shipped, trailed, driven or otherwise moved into Kentucky except in accordance with regulations of the Animal and Plant Health Inspection Service, Veterinary Services, United States Department of Agriculture, and only then after first securing written permit from the chief livestock sanitary official or his authorized representative.

(d) Cattle infected with warts, ringworm or any infectious or communicable disease are not eligible for entry.

(4) Other movements.

(a) Feeder cattle. Feeder cattle are defined as nonpregnant heifers of the beef breeds under eighteen (18) months of age, spayed heifers, and steers of all breeds. Feeder cattle from "TB Free" states or areas only are exempt from testing requirements. [Feeder cattle as defined (nonpregnant heifers, steers and bulls under two (2) years of age) may be imported without brucellosis and tuberculosis tests from herds or areas not under quarantine if accompanied by approved health certificate or written permit or both for movement to a feed lot with valid feeding permit or to a state-federal approved stockyard or public stockyard for reconsignment to a valid feed lost where they shall be maintained separately and apart from all dairy and breeding cattle. Feeder cattle from nonmodified certified areas are not eligible for entry except from qualified herds.]

(b) Slaughter cattle. Cattle consigned for immediate slaughter may be imported without official test for brucellosis or tuberculosis provided such cattle are consigned for immediate slaughter to a recognized slaughtering center under state, federal or municipal inspection or to an approved state-federal stockyard or federal stockyard for reconsignment directly to a recognized slaughtering center. Any animal or animals diverted enroute will be in violation of this regulation.

[(c) Calves six (6) months of age and under. No restriction if accompanied by an approved health certificate provided such imports are in compliance to general provisions as specified. Exception: Calves from nonmodified certified area must originate from a herd known not to be infected with brucellosis.]

(5) Exhibition.

(a) Brucellosis.

1. Breeding cattle six (6) months of age and older, except official vaccinates under eighteen (18) months of age, shall be negative to an official serological test for brucellosis within thirty (30) days of entry or originate directly and immediately from a certified free herd. [Breeding cattle six (6) months of age or older, except official female brucellosis vaccinates of the beef breeds under twenty-four (24) months of age and dairy breeds under twenty (20) months of age, shall be negative to an official tube or card test for brucellosis within thirty (30) days of entry or originate directly and immediately from a certified herd, provided cattle for exhibition have qualified as negative members of certified herd on last annual certification test.]

2. Steers and heifers for carcass classes shall be positively identified but shall not be required to be brucellosis tested if accompanied by an approved health certificate.

(b) Tuberculosis.

1. Cattle six (6) months of age or older shall be negative to an official tuberculin test within sixty (60) days of entry or originate directly and immediately from an accredited herd or a tuberculosis eradicated free state.

2. Reciprocal agreements with adjoining states may be effective in lieu of specific requirements.

3. Steers and heifers for carcass classes shall be positively identified but shall not be required to be tuberculosis tested if accompanied by approved health certificate.

Section 3. Horses. (1) All horses entering Kentucky, except unweaned foals, and other equidae, for any purpose other than for immediate slaughter shall be accompanied by an official health certificate of state of origin issued by a state, federal or licensed accredited veterinarian and such certificate shall include:

(a) Veterinarian's statement that examination was made within the past thirty (30) days and revealed the animal to be free from symptoms of

any infectious disease or exposure thereto; and

(b) Have attached thereto a copy of certificate of report from a laboratory approved by the USDA showing the animal(s) to be negative to AGID test for equine infectious anemia within the past six (6) months.

(2) All horses past six (6) months of age and other equidae offered for public sale shall be negative to AGID test within past six (6) months. Only horses offered for sale for slaughter only shall be exempt from this requirement.

(3) All horses and other equidae offered for entry into fairgrounds, livestock showgrounds, public boarding stables and for trail rides or racing shall be negative to test for AGID within twelve (12) months and shall be accompanied by certificate of report from a laboratory approved by the USDA.

(4) All reactors to AGID test for equine infectious anemia shall be officially, permanently identified using numbers and letter 61A with a brand on left neck region.

(5) All reactors not slaughtered or euthanized shall be isolated and quarantined. This isolation shall include stabling in a stall that is screened to preclude entry and exit of mosquitoes, stable flies and horse flies during those seasons of the year when such insects are prevalent. These animals will also be kept at least 200 yards from all other horses.

(6) The movement of any quarantined reactor shall be done only on permission of representative of the Department of Agriculture.

(7) All horses in a herd in which a reactor is found shall be quarantined pending a negative test of all horses.

Section 4. Swine. (1) General requirements.

(a) A permit shall be obtained prior to movement for all swine entering for breeding and feeding purposes.

(b) All swine must have a permanent means of identification.

(c) If animals are from validated and qualified herds, the certificate of veterinary examination shall show validation and qualification number with date of last herd test for brucellosis and pseudorabies.

(2) [(1)] Specific diseases.

(a) Garbage fed swine. Swine fed raw garbage shall not be imported for any purpose. Swine fed properly cooked garbage are eligible for import directly to a state or federal inspected slaughtering establishment only.

(b) Brucellosis. All swine for breeding purposes six (6) months of age or older shall be negative to an official test for brucellosis within thirty (30) days of date of entry or [of] originate directly and immediately from a validated herd [provided animals to be imported were tested on last validation herd test]. No agglutination in dilution of 1-50 shall be accepted unless the individual or individuals to be imported are negative to an official card test. On entry, animals must be quarantined for no less than thirty (30) days and must show a negative post movement brucellosis test within thirty (30) to sixty (60) days of entry.

(c) Hog cholera.

1. No treatment required or allowed.

2. Permit. A permit is required from the state veterinarian's office before entry on breeding and feeding swine in the event of an emergency disease outbreak.

3. All feeding and breeding swine to be held in isolation and under quarantine for a minimum of thirty (30) days.

4. All swine for feeding and breeding purposes must be identified by ear tag or ear notch to the farm of origin.

(d) Pseudorabies. All swine imported for [feeding and] breeding purposes six (6) months of age or older shall be negative to an official (approved) blood [the serum neutralization] test within thirty (30) days of date of entry or originate directly and immediately from a qualified herd, and originate from a farm free of pseudorabies for the past six (6) months as evidenced on the certificate of veterinary examination. On entry, animals must be quarantined for no less than thirty (30) days and must show a negative post movement pseudorabies test within thirty (30) to sixty (60) days of entry. [health certificate.]

(e) Feeder pigs. All feeder pigs must comply with 302 KAR 20:210, Pseudorabies surveillance.

(3) [(2)] Other movements.

(a) Registered feedlots. Not applicable.

(b) Salesyards and markets. No vaccination or treatment if consigned to recognized slaughtering center or to public stockyard or approved stockyard for reconsignment to recognized slaughtering center within ten (10) days of date of entry.

(c) Farm premises. Identity to the farm of origin must be maintained on all breeding and feeding swine imported from farm premises to an approved stockyard or farm of destination.

(d) Exhibition. Certificate of veterinary examination within [Approved health certificate in last] thirty (30) days of entry. See subsection (2)[(1)](b), (c), and (d) of this section.

Section 5. Sheep. (1) Specific diseases.

(a) Scrapie. No sheep or lambs shall be imported that originated from or are known to be exposed to flocks under surveillance for scrapie.

(b) Scabies. All sheep or lambs for breeding or feeding purposes imported from a farm, ranch or like premises shall be accompanied by an approved health certificate indicating such sheep and lambs originated directly and immediately from an official scabies eradicated free area.

(c) Sore mouth. Any sheep or lambs showing lesions of contagious exythma shall not be imported.

(2) Other movements.

(a) Apparently healthy sheep and lambs may be imported into Kentucky for immediate slaughter when consigned directly to a recognized slaughtering center approved by the chief livestock sanitary official of Kentucky or to a public stockyard, a state-federal approved stockyard, concentration point or public stockyard when reconsigned from that point direct to immediate slaughter.

(b) Exhibitions and shows. All sheep and lambs for exhibition shall be in compliance to requirements noted above as specified for sheep and in addition shall be identified individually by ear tattoo or ear tag. Such identification shall be entered on an approved health certificate.

Section 6. Goats. (1) Specific diseases.

(a) Scabies. All goats must originate from a scab-free area.

(b) Scrapie. No goats from a herd under surveillance for scrapie or those that are known to have been exposed to or that are progency shall be imported.

(2) Exhibition and sale.

(a) Brucellosis. Animals six (6) months of age or older shall have negative tube or card test in last thirty (30) days or originate directly and immediately from a certified herd.

(b) Tuberculosis. Animals six (6) months of age or older shall have negative tuberculin test in last sixty (60) days or originate directly and immediately from accredited herd.

Section 7. Poultry. (1) Specific diseases.

(a) Pullorum. Negative agglutination test within thirty (30) days of date of entry.

(b) Chicks and hatching eggs shall originate from a flock under the National Poultry and/or National Turkey Improvement Plan.

(2) Entry and/or exhibition. Approved health certificate stating compliance with above requirements and in addition thereto all poultry shall be inspected prior to exhibition for evidence of any infectious, contagious or communicable disease of poultry. Any evidence of any communicable, infectious or contagious disease shall be justification for the elimination of said poultry from exhibition and/or sale at no expense to the Commonwealth of Kentucky.

Section 8. Psittacine Birds. As regulated by Title 9, Part 82 Code of Federal Regulations, filed herein by reference.

Section 9. Dogs and Cats. (1) All dogs over four (4) months of age for sale or exhibition shall be accompanied by a health certificate signed by a licensed, accredited veterinarian stating that they are free from all infectious diseases, did not originate within an area under quarantine for rabies or from an area where rabies is known to exist and has not been exposed to rabies. All dogs over four (4) months of age shall be vaccinated against rabies not less than fourteen (14) days nor more than twelve (12) months prior to date of consignment if killed virus vaccine is used. Any vaccine approved for three (3) year immunity by the "Compendium of Animal Rabies Vaccines" prepared by the Association of State Public Health Veterinarians, (Inc.); qualifies dog if it is one (1) year of age when vaccinated: provided, show or performing dogs to be within the state temporarily for a period of ten (10) days shall not be required to furnish an approved health certificate.

(2) All cats shall be in compliance to above requirements for dogs provided the animals are vaccinated for rabies if four (4) months of age or older not less than fourteen (14) days nor more than twelve (12) months prior to date of consignment with a vaccine approved by the state veterinarian and the Bureau for Health Services, Kentucky Cabinet for Human Resources.

Section 10. Fur Bearing Animals, Domesticated Wild Animals and Zoo Animals. Wild and semiwild animals under domestication or in custody may be imported into the state if accompanied by a permit and health certificate and provided that a report of the number of animals is made to the chief livestock sanitary official of Kentucky within ten (10) days and that immediate opportunity for examination is afforded a representative of the Division of Livestock Sanitation, Kentucky Department of Agriculture, to determine the health status of such animal or animals and the imports are presented for the administration of all laboratory procedures and tests deemed necessary by the chief livestock sanitary official of Kentucky. Transportation permit required on wild, game animals, birds and fish. Permit to be obtained from Department of Fish and Wildlife Resources, Arnold L. Mitchell Building, No. 1 Game Farm Road, Frankfort, Kentucky 40601 (telephone 502-564-3400).

DAVID E. BOSWELL, Commissioner

APPROVED BY AGENCY: September 29, 1987

FILED WITH LRC: October 8, 1987 at 3 p.m.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on November 24, 1987 at 10 a.m. in the Ground Floor Auditorium 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 days before the hearing date, the hearing may be cancelled.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Michael McDonald, DVM, State Veterinarian

(1) Type and number of entities affected: All livestock industries and individuals shipping animals into Kentucky are affected by this regulation. Changes from the previous regulation only involve cattle and swine. The changes will effectively place Kentucky in accord with other states with regard to testing for contagious and infectious diseases of livestock prior to being moved interstate. The changes will enable proper enforcement to be accomplished in Kentucky and thus prevent the introduction of brucellosis and other diseases in cattle, swine.

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

1. First year: The more stringent restrictions on the movement of cattle into Kentucky from states of high incidence of brucellosis will prevent such animal shipments without additional testing and costs by the originating producer. The quarantines and second tests required by the changes in the regulation will be a small additional cost to the producer the cattle are consigned to in Kentucky. Swine, for breeding purposes, imported into Kentucky will also be quarantined for postmovement testing which will require an additional testing expense for Kentucky producers.

The savings by the producers in Kentucky are incalculable. The cost savings to farmers in the Commonwealth by preventing the introduction of brucellosis into their cattle herds, and thus, the prevention of the spread of the disease in the neighborhood is understandably impossible to project into a dollar figure. The same is true of the associated species and diseases, involved with this regulation.

The regulatory cost savings will be very significant, both in the state and federal agencies in Kentucky which are responsible for animal health. The regulatory costs alone in Kentucky now run as high as $5,000 per infected

herd of cattle with brucellosis (i.e., testing, veterinarian fees, laboratory costs, personnel, state and federal, vehicular costs, office staff, protracted quarantines, phone, etc.). The savings in depopulation funding will be incalculable as well. State and federal depopulation funds now spent in Kentucky are in the millions of dollars. Prevention of disease is always less expensive than treatment and depopulation.

2. Continuing costs or savings: The continuing costs to the individuals shipping livestock into Kentucky and to Kentucky farmers and producers receiving the livestock will not increase annually after the first year. However, the savings impact will magnify with the expected mathematical progression, consistent with otherwise unchecked spread of livestock diseases (i.e., again impossible to calculate).

3. Additional factors increasing or decreasing costs (note any effects upon competition): The most significant factor increasing the savings to Kentucky farmers by promulgation of these regulatory changes will be the speed with which Kentucky will attain "Free" status with regard to the degree of brucellosis infection in cattle. Kentucky is now classed as a "B" state by the USDA, which signifies a relatively high rate of brucellosis infection in cattle. Kentucky farmers face a federal quarantine in October 1990 unless a major improvement in our eradication effort occurs. These changes will best enable our accelerated eradicated program to advance Kentucky quickly toward "A" and then "Free" status. Kentucky farmers today are severely handicapped in the cattle marketplace by our present classification. The costs to Kentucky's dairy industry alone is enormous, with severe restrictions now in place by the federal government placed on the movement into and out of Kentucky of nonvaccinated cattle. Other states now, and more so in the future, place harsh restrictions on the movement of cattle from high incidence states, such as Kentucky.

(b) Reporting and paperwork requirements: There will be additional permit requirements for livestock being shipped to Kentucky and the associated paperwork. Routine, additional quarantines for retesting will entail additional office staff time and paperwork. Recent computer enhancement of division programs will easily enable the additional activities to be accomplished.

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings:

1. First year: The first year cost to the division will be minimal, primarily resulting from permits and quarantines. The savings in prevention of disease introduction and spread to the administrative body are infinite and incalculable.

2. Continuing costs or savings: The ongoing costs will be stationary and primarily accomplished by computer technology and the long range savings magnify as stated above.

3. Additional factors increasing or decreasing costs: By the earliest possible reclassification of Kentucky to the "A" and "Free" status, we can lessen the cost at the division level of all brucellosis related programs. Other states will, after Kentucky is upgraded, lessen their entry constraints on our cattle, thereby lessening the cost to the promulgating body.

(b) Reporting and paperwork requirements: As per above.

(3) Assessment of anticipated effect on state and local revenues: The economic infrastructure throughout the state as associated with a viable and healthy cattle industry, both at the state and local level, can only be greatly enhanced by improving the animal health programs. All the associated industries will reap the rewards of improved animal health programs in Kentucky, which will affect every Kentuckian directly or indirectly.

(4) Assessment of alternative methods; reasons why alternatives were rejected: No viable alternatives were available. The regulation changes protect Kentucky's boundaries from the introduction of diseased livestock. These actions are consistent with what other states have promulgated to protect their livestock populations. In a word, this regulation was outdated and ineffective.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: This regulation is consistent with the following: 302 KAR 20:065, Sale and exhibition of livestock in Kentucky; 302 KAR 20:070, Stockyards; and 302 KAR 20:055, Brucellosis vaccination, testing and branding requirements.

(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. Because the regulation will apply evenly to the entire related industries.

FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate: The amendments to this regulation have not been filed in accordance with a federal mandate, per se. The Kentucky Department of Agriculture has, for a long period of time, been a party in a cooperative agreement with the United States Department of Agriculture to eradicate brucellosis. This cooperative agreement provides funds to assist the Department in its eradication effort. All federal funding for brucellosis eradication in Kentucky will be withdrawn in 1990. The withdrawal of federal funds emphasizes the need to increase our enforcement effort but is not a mandate. 9 CFR 1, through 9 CFR 199 apply to the movement of livestock but deal primarily with interstate movement. State regulations like 302 KAR 20:040 deal primarily with intrastate movement. Since standards for state brucellosis eradication are left primarily to state enforcement authorities a comparison of state and federal standards cannot really be made.

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 stricter standards than those required by a federal mandate. The standards for brucellosis eradication in Kentucky are matters of state law primarily and not matters of federal law.

3. If the proposed regulation imposes

additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: N/A

DEPARTMENT OF AGRICULTURE
(Proposed Amendment)

302 KAR 20:055. Brucellosis vaccination, testing and branding requirements.

RELATES TO: KRS Chapter 257, 257.020, 257.030, 257.040, 257.060, 257.070, 257.115
PURSUANT TO: KRS 257.020, 257.030
NECESSITY AND FUNCTION: To specify the requirements for vaccination against the disease brucellosis, and to define the requirements for testing and/or branding for eligible heifers not vaccinated. [brucellosis of eligible calves in Kentucky.]

Section 1. General Provisions. (1) All eligible animals as defined in Section 2 of this regulation shall be handled according to the procedural requirements outlined in Section 3 of this regulation. [All eligible female animals shall be vaccinated with an approved Brucella vaccine following the vaccination protocol set forth by the State Veterinarian's Office.]

(2) All eligible female animals which comply by vaccination with this regulation shall be vaccinated with an approved Brucella vaccine, following the vaccination protocol set forth by the state veterinarian's office.

(3) [(2)] Note that Section 3[(1)] of this regulation requires that all eligible animals that are vaccinated as defined in Section 2 of this regulation must be vaccinated between four (4) and ten (10) months of age.

Section 2. Eligible Animals. (1) Female bovine animals born after July 1, 1985 and four (4) months of age or older, which enter the Commonwealth of Kentucky for feeding or breeding purposes. Animals going to one (1) [a] state or federally approved livestock market, or to an approved livestock assembly facility or directly to slaughter or spayed animals that have been branded with "open [a] spade" brand or animals for exhibition purposes only are exempt. Eligible female animals entering the state shall move to only one (1) market or approved livestock assembly facility for the purposes of complying with this regulation and the Kentucky entry regulation, 302 KAR 20:040, when said animals are to remain in Kentucky. If the eligible female animals are to move out of state the animals shall comply with the specific entry requirements of their ultimate state of destination.

(2) Female bovine animals, born after July 1, 1985 and four (4) months of age or older, purchased at a Kentucky livestock market, [. These animals] must be vaccinated, "F" branded on the hip or tail head or tested at the market with a quarantine for retest at sixty (60) to 120 days afterward, to move [return] to a farm in Kentucky. Females, born after July 1, 1985, younger than four (4) months of age, may, if in compliance with Kentucky entry regulation above, move to a farm in Kentucky under quarantine pending compliance with this regulation at four (4) months of age.

(3) Female bovine animals, born after July 1, 1985 and four (4) months of age or older, which are presented for change of ownership by private treaty must comply with one of the listed vaccination, testing, or branding procedural requirements as outlined in Section 3 of this regulation. The farm of origin, with the individual animal identification ear tag number must appear on the forms (vaccination, branding, or testing) utilized to effect compliance with the state of destination requirements. The above shall be completed prior to the animals being moved from the seller's premise and no animals shall be moved without permanent ear tag identification. The above requirements are the seller's responsibility. Eligible females under four (4) months of age may move to the purchaser's premise in Kentucky and comply under quarantine at four (4) months of age. Eligible female animals changing ownership to be moved out of state must meet the entry requirements of the state of destination and must be accompanied by a certificate of veterinary examination or "health certificate" verifying compliance. This shall be the purchaser's responsibility.

Section 3. Procedural Requirements. [Procedures.] (1) Eligible animals which are vaccinated must be officially vaccinated between four (4) and ten (10) months of age and identified by a vaccination tattoo in the ear and an official vaccination ear tag, or, in the case of registered cattle, by an identification tattoo.

(a) A vaccination tattoo in the ear shall legibly identify the quarter of the year, shield and the calendar year of vaccination.

(b) An official vaccination ear tag shall identify the animal according to the state of origin, official vaccinate status and individual identification number.

(2) Eligible animals must be vaccinated, "F" branded, or tested [and identified] by a licensed, accredited veterinarian or an authorized agent [representative] of the board (i.e., includes "S" branding) [Department of Agriculture].

(3) Official documentations of the above listed procedures will be promptly conveyed to the office of the state veterinarian on appropriate forms provided by same. [Vaccinations shall be reported when administered to the appropriate state agency on official "Brucellosis Calfhood Vaccination Record" as provided.]

(4) Animals on Kentucky farms or changing ownership on a Kentucky farm can be vaccinated with funds appropriated by the Commonwealth of Kentucky if available. The cost of vaccination at a livestock market is the responsibility of the purchaser [or seller].

(5) No person shall tamper with the vaccination tattoo or official vaccination ear tag, and no person shall retattoo any animal unless approval is first obtained from the Division of Livestock Sanitation. No person shall tamper with an official brand, ear tag or other individual animal identification device.

(6) All female bovines, born after July 1, 1985, must be back tagged, identified as to farm and state of origin and age, when entering a Kentucky livestock market. Appropriate documents and forms will be supplied by the department. This will be the responsibility of the livestock market. [All animals exported from Kentucky shall meet the requirements of the state of destination.]

(7) All female bovines, born after July 1, 1985, purchased at a livestock market, must meet the entry requirements of the state of destination. This will be the responsibility of the purchaser. The options for heifers to remain in Kentucky are:

(a) Heifers four (4) to ten (10) months of age, may be vaccinated or "F" branded on hip or tail head;

(b) Heifers eleven (11) to eighteen (18) months of age, may be tested, "F" branded or "S" branded;

(8) All female bovines in addition to complying with subsection (7)(a) and (b) of this section must be ear tagged and recorded as to individual identification, including back tag number, age and ear tag number, prior to release from the market. This will be the purchaser's responsibility.

(9) Heifers, fattened, intended for slaughter only, and consigned directly to a slaughter facility may move directly to slaughter following back tagging, with farm and state of origin documentation, to avoid the requirement to test at the market and/or be ear tagged.

(10) All cattle, including heifers, may not be removed from Kentucky markets unless accompanied by an official release form signed by the market veterinarian or an agent of the board. All cattle must meet the state of destination's requirements and all cattle moving out of state must be accompanied by a certificate of veterinary examination.

(11) Eligible female bovines eighteen (18) months of age or older. To effect compliance with this regulation when entering Kentucky, being purchased at a Kentucky livestock market, or being offered for sale, these cattle must:

(a) Be properly tested for brucellosis both vaccinates and nonvaccinates; or

(b) Be "S" branded for slaughter only; such animals may move to states which approve "S" branded cattle movements to specific quarantined feedlots; or

(c) Be in compliance with subsection (9) of this section.

Note: testing of eligible females eighteen (18) months of age and older complies with Kentucky's first point testing law and payment is made through funds appropriated by state-federal cooperative agreements.

(12) Eighteen (18) month age determination. This age is apparent upon the emergence of the first pair of permanent incisor teeth (i.e., the nippers).

(13) Movement of "F" branded heifers. Such heifers may move to approved farms in Kentucky only and may not be used for breeding purposes. Specific farms will be approved by the state veterinarian for feeding purposes, and those premises will be routinely checked by division field personnel.

(14) Movement of "S" branded cattle. Such cattle must move directly to recognized slaughter facilities, or to designated quarantined feedlots in states approving such movement.

(15) "F" branded cattle which become pregnant. It shall be considered a violation of this regulation to breed or to otherwise cause any "F" branded female to become pregnant or to keep any "F" branded female which is pregnant.

(16) Spayed heifers: may move freely in Kentucky, as do steers when in compliance with appropriate movement certification. Such heifers are identified with an "open spade" brand.

(17) Location of brands: "F" on the face or hip, "S" on the hip, "open spade" on the hip.

(18) Minimum size of the "F" brand: two (2) inches by three (3) inches.

(19) Movement of Kentucky origin, nonvaccinates back to another farm in Kentucky after purchase at a livestock market or following private purchase. These animals will be moved under quarantine to the Kentucky premise for a second brucellosis test. Quarantines will be released upon the results of the sixty (60) to 120 day negative serology results and shall be paid for by the purchaser. It is strongly recommended that recipients of Kentucky origin vaccinates also not commingle these animals with their established herds until a second negative test is accomplished sixty (60) to 120 days after purchase.

(20) All animals exported from Kentucky shall meet the requirements of the state of destination.

(21) The procedures of vaccination, testing, branding and individual animal identification shall be accomplished by a licensed, accredited veterinarian and at Kentucky livestock markets by the official market veterinarian approved by the Department of Agriculture.

(22) Approved livestock assembly facility. As listed in Section 2 of this regulation, these facilities will be approved by the Department of Agriculture and be designated only for cattle assemblage. Vaccination and/or branding requirements must be met upon entry to these facilities, and records of state and farm or origins must be kept by the operators. Animals remaining in Kentucky after entering an approved livestock assembly facility must meet Kentucky's entry requirements in accord with the state of origin, 302 KAR 20:040. Kentucky origin nonvaccinates remaining in Kentucky must be tested for brucellosis by the designated veterinarian (owner expense) and remain at the facility until the results are known negative. Such animals may enter a Kentucky premise under quarantine, pending a sixty (60) to 120 day release upon demonstration of negative results of the second negative brucellosis test.

DAVID E. BOSWELL, Commissioner
APPROVED BY AGENCY: September 29, 1987
FILED WITH LRC: October 8, 1987 at 3 p.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on November 24, 1987 at 10 a.m. in the Ground Floor Auditorium 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 days before the hearing date, the hearing may be cancelled.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Michael McDonald, DVM, State Veterinarian

(1) Type and number of entities affected: Producers and farmers involved in the cattle industry who: a) Move female bovines, born after July 1, 1985 into the Commonwealth, or b) Purchase female bovines, born after July 1, 1985, at livestock markets in Kentucky, or c)

Offer female bovines, born after July 1, 1985 for private sale, will be affected by the proposed changes in this regulation. The regulation will require that one of several optional procedures be accomplished with the eligible female cattle. Brucellosis vaccination, testing for the disease, or "F" branding for heifers for feeding purposes only will be required. The many farmers in Kentucky who raise heifers for exportation to other states will be affected. Farmers in Kentucky who purchase heifers for feeding purposes at livestock markets will be affected. The many individuals in other states who ship heifers and cattle into the Commonwealth will be affected. The changes in this regulation are urgently needed to correct the many deficiencies with the present regulation. These include:

a. The present regulation does not differentiate between breeding heifers and feeding heifers.

b. The present regulation does not mandate that the burden of compliance rest with the original producer of the heifers.

c. The regulation was apparently written for the purpose of heifer movement, not disease control. This is the wrong reason.

d. The regulation now requires vaccination only after change of ownership and only after final destination is established.

e. The regulation results in no identification of many heifers leaving markets. Many then go from market to market and to other states to establish false "states of origin" of a higher classification than Kentucky's.

f. In essence, mandatory vaccination was not embraced by the livestock industry nationally, and thus, Kentucky's mandatory vaccination regulation is out of step with the cattle industry and marketplace.

g. Enforcement of the regulation, as is, is impossible. All a person has to say to avoid compliance is that the cattle are going to some state with no requirements or that he is taking them to another livestock market in Kentucky. Since the animals are not identified, compliance and enforcement are unattainable.

h. Mandatory vaccination to enter Kentucky has had a very serious impact on the daily industry in Kentucky. Cost estimates to follow.

i. The regulation results in large quantities of vaccine to be wasted on animals never to be used for breeding in Kentucky any many other states.

j. The regulation causes many heifers to be vaccinated which are too old to vaccinate (10 months is maximum). The heifers are vaccinated with no real knowledge of the correct ages. This causes many animals to be seropositive when later tested at 18 months of age. This results in unnecessary quarantines and lengthy testing regimes to unravel the mystery.

k. The regulation causes what is termed the "heifer syndrome." This occurs when exposed animals are later vaccinated and then travel to destinations in Kentucky and other states to establish new herds of brucellosis infected cattle. Without the vaccination, most of these animals would be tested much earlier, diagnosed and effectively removed as a disease spreading threat.

l. The need to be vaccinated has caused some people to falsify the procedure and apply fake vaccination tattoos in cattle.

m. The regulation requires that many heifers be spayed to remain in Kentucky, if not vaccinated. This is a costly surgical procedure, few veterinarians will perform the operation and it is life-threatening in some cases.

n. Many cattle movements to Kentucky cannot occur, because vaccination is not a common procedure in the majority of the "free" states, especially in the north.

o. The regulation is also impossible to enforce, because of the "buyer/seller" terminology. By not specifying who is responsible for the vaccination costs at markets, the task of enforcement is not to be achieved.

All of the above issues and more have basically rendered this regulation incapable of being an important part of a sound program, designed to achieve brucellosis freedom for Kentucky in the shortest possible period of time. More importantly, the regulation, as it is, has become an albatross or regulatory "monster" which has had a severe negative impact on the eradication efforts to date. The biggest real effect that the emphasis on vaccination has had is that it overshadowed the best tools in the eradication program; depopulation, epidemiology, sound animal husbandry on the farm, second testing of possible exposed cattle, wide testing around infected herds, lengthy quarantines, adult vaccination in selected herds, effective enforcement, education to challenge farmers to consider brucellosis as a disease not some infinite program, etc.

The persons affected with the proposed changes in this regulation will be in compliance with it, by accomplishing the proper testing, vaccination or branding procedures. The changes will effectively correct the issues as listed a. through o. above. An invaluable data base of herds of origin will enable the brucellosis eradication program in Kentucky to quickly achieve "A" and "free" status by finding and eliminating the remaining foci of brucellosis infected herds in the Commonwealth. Most of all, the changes will place the proper emphasis upon calfhood vaccination, which is only a part of a much more complex program designed to eliminate the disease from any given geographic area. We are now developing such a program in Kentucky, and this regulation change is a key to the success of the project.

Essentially, with 65,000 herds of cattle in Kentucky, the number of people affected with this regulation is enormous, not to mention the number of people shipping cattle into the state.

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

1. First year: The cost of testing heifers between 11 and 18 months of age (nonvaccinates returning to a Kentucky farm or other state requiring testing) will be a minimal additional cost to producers who chose not to take advantage of the free on the farm vaccination program which is paid for with state funds. Subsequently, it is believed that these individuals will vaccinate on the farm and thus the replacement heifers will be vaccinated. The additional costs of heifer identification has been discussed at length in the impact analysis of 302 KAR 20:070. The savings to all affected by this regulation change is again impossible to calculate. One Kentucky producer alone writes to say that in the next 20 years he will spend $50,000 on wasted vaccination and never breed a cow. The cost of "F" branding for feeding

animals will be about half that for vaccination, as a direct 50% savings in money and a 50% savings in prevented vaccine waste. It is estimated that 75-80% of all of the heifers vaccinated with state funds on Kentucky farms are actually shipped to feedlots in western states. This is a totally unacceptable waste of state funds.

Essentially, there will be minimal additional costs for the individuals affected, primarily, because the regulation is structured, as changed, to be enforceable by the livestock inspectors at the markets and in the field. Thus many more individuals will now have to comply with the regulation than in the past.

The savings, however, will be felt by all affected people directly or indirectly involved in the cattle industry in Kentucky. The dollar value to those individuals, which will occur with Kentucky's classification as a "free" state is incalculable.

2. Continuing costs or savings: The ongoing costs for testing, vaccinations, and branding will not increase significantly after the first year. Increased vaccination on the farm will equate to savings for the farmers at the market and the program will be the beneficiary of increased replacement heifer vaccinations. The regulation proposed is designed to achieve the most for the program, for the least cost. The savings to buyers and sellers of cattle, by selling and moving only disease free cattle will be incalculable. The indirect value enhancement of Kentucky cattle will equate to vast savings and increased marketability and profits for farmers and producers, as Kentucky's reputation for brucellosis eradication changes from one of inadequacy to one with effective administration, policies and enforcement. This will become an invaluable economic bonus to every Kentuckian directly or indirectly involved in the cattle industry. Kentucky farmers face a federal quarantine in October 1990 unless a major improvement occurs in our eradication effort. These changes, as proposed will best enable our accelerated eradication program to advance Kentucky to a new improved USDA classification for brucellosis incidence (i.e., "A"). Kentucky farmers are effectively handicapped in the cattle marketplace by our present "B" classification. Improvements in this regulation will greatly help in the eradication process.

3. Additional factors increasing or decreasing costs (note any effects upon competition): Other than the factors listed above, there are no additional issues which will increase or decrease costs. There will be a significant positive effect on competition at the livestock markets in Kentucky, if this regulation is signed into law as changed. The larger markets now have a distinct advantage over the smaller markets throughout the state. This is the result of the fact that the larger livestock markets attract the out of town order buyers who move the heifers to feedlots and hence avoid compliance with the present regulation. The smaller markets without the large order buyers must force vaccination on all heifers being sold (even for the feeders) at a cost of 2-3 dollars per animal. Thus many farmers take their heifers longer distances to the larger markets to avoid the cost of the sometimes unnecessary vaccinations. Therefore, the changes in the regulations will result in uniform enforcement at all markets, eliminating the obvious advantage. If a market has an advantage over another, it should not be the result of a regulation with faulty design.

(b) Reporting and paperwork requirements: Initially, these requirements will increase with those affected by this regulation followed by a decline, consistent with the eradication program.

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings:

1. First year: There will be added costs to the Division during this period of time. The primary cost increases will be involved in implementation of the additional procedural activities (vaccination-testing-branding) for the three categories of eligible animals. The increased activities of the livestock inspectors with enforcement at all three areas of involvement will no doubt increase the cost somewhat. The majority of the increased focus will, however, be at the livestock markets, and the inspectors are there anyway. The changes in this regulation will alter their function from one of helper to one of enforcement, which should not increase the personnel cost at all at markets. In time this transition in function will equate to incalculable savings to the promulgating body and to all segments of the livestock industry in Kentucky and to the countless other industries directly and indirectly related to livestock health. The new computerization equipment in the division will greatly reduce the division office staff time required to handle the increased activities resulting from adoption of the proposed regulation changes.

2. Continuing costs or savings: The ongoing costs will be gradually declining after a stationary period. As the incidence of brucellosis decreases in Kentucky, the personnel costs will significantly decline. Eradication programs in other states which have been successful, have been accompanied by significant drops in the number of field personnel required to implement disease control programs. We can expect a significant savings in the division personnel costs in Kentucky as well, when brucellosis is brought under control and eradicated. All associated costs will decline as does the disease in Kentucky.

3. Additional factors increasing or decreasing costs: By the earliest possible reclassification of Kentucky to the "A" and "Free" status, we can lessen the cost at the division level of all brucellosis related activities. Other states will, after Kentucky is upgraded, lessen the constraints on our cattle, thereby lessening the cost to the promulgating body.

(b) Reporting and paperwork requirements: As per the above, the reporting and paperwork requirements will increase initially, followed by a decline, consistent with the eradication of brucellosis in the Commonwealth.

(3) Assessment of anticipated effect on state and local revenues: The economic infrastructure throughout the state as associated with a viable and healthy cattle industry, both at the state and local level, can only be greatly enhanced by improving the animal health programs. All of the associated industries will reap rewards of improved animal health programs in Kentucky, which will affect and benefit every Kentuckian directly or indirectly. Without immediate significant improvement in Kentucky's brucellosis eradication program, the cattle

industry here faces a federal quarantine and thus disaster. This regulation, as changed, will be the key to Kentucky's accelerated brucellosis eradication program. Without this regulation change, the program will almost assuredly fail.

(4) Assessment of alternative methods; reasons why alternatives were rejected: No viable alternatives were available. The regulation, as changed, represents a result of a continuous two year study by many groups and organizations. The result, as present, is a combination of many compromises and alternatives. The result is a regulation which will accomplish all of the objectives, with the procedures done for the correct reasons, all with the most minimal cost and difficulty for the involved parties.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: This regulation is consistent and congruent with the following: 302 KAR 20:065, Sale and exhibition of livestock in Kentucky; 302 KAR 20:070, Stockyards; and 302 KAR 20:040, Entry into Kentucky.

(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 will, as stated, be the key to Kentucky's eradication program. It will be necessary to significantly alter or rescind the regulation following Kentucky's reclassification to "free" status by the USDA. Therefore, it should be considered only an instrument to achieve that specific goal and not a part of Kentucky's long range future with regard to permanent animal health regulations.

TIERING: Was tiering applied? No. Because the regulation will apply evenly to the entire related industries.

FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate: The amendments to this regulation have not been filed in accordance with a federal mandate, per se. The Kentucky Department of Agriculture has, for a long period of time, been a party in a cooperative agreement with the United States Department of Agriculture to eradicate brucellosis. This cooperative agreement provides funds to assist the Department in its eradication effort. All federal funding for brucellosis eradication in Kentucky will be withdrawn in 1990. The withdrawal of federal funds emphasizes the need to increase our enforcement effort but is not a mandate. 9 CFR 1, through 9 CFR 199 apply to the movement of livestock but deal primarily with interstate movement. State regulations like 302 KAR 20:055 deal primarily with intrastate movement. Since standards for state brucellosis eradication are left primarily to state enforcement authorities a comparison of state and federal standards cannot really be made.

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 stricter standards than those required by a federal mandate. The standards for brucellosis eradication in Kentucky are matters of state law primarily and not matters of federal law.

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

DEPARTMENT OF AGRICULTURE
(Proposed Amendment)

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

RELATES TO: KRS Chapter 257
PURSUANT TO: KRS 257.030
NECESSITY AND FUNCTION: To specify general sanitary and health requirements in relation to the sale and exhibition of Kentucky livestock in Kentucky.

Section 1. Cattle. (1) General requirements.

(a) All animals, except as noted, shall be accompanied by an approved health certificate. Health certificates shall be void 150 days after issuance for exhibition and thirty (30) days after issuance for sale.

(b) If animals are from accredited or certified herds, health certificate shall show accreditation and certification number with date of last herd test for tuberculosis and brucellosis.

(c) Blood tests for brucellosis must be conducted in a state-federal laboratory and be negative according to recommended procedures of the Uniform Methods and Rules published by APHIS, VS, USDA.

(d) Cattle presented for change of ownership must comply with 302 KAR 20:055, Brucellosis vaccination, testing and branding requirements. [Cattle changing ownership shall be vaccinated against brucellosis as required in 302 KAR 20:055.]

(2) Brucellosis.

(a) Sale. All breeding cattle [moving from one (1) premise to another premise on the change of ownership] must be tested [negative to the brucellosis test] within thirty (30) days prior to change of ownership. This will be the sellers' responsibility and the cattle may not be moved until the test results are found to be negative [movement].

(b) Exhibition. Animals six (6) months of age or older [over] shall be negative to an official test for brucellosis within 150 days of date of exhibition, unless exempt by one (1) of the following:

1. Originate directly from a certified herd.

2. Official vaccinates under eighteen (18) [twenty (20)] months of age for all breeds [the dairy breeds and twenty-four (24) months of age for the beef breeds].

3. Steers. Must be accompanied by approved health certificate showing individual identification. No brucellosis test required.

(3) Tuberculosis.

(a) Sale. Animals six (6) months of age or older shall be negative to an official tuberculin test within sixty (60) days of date of sale, unless exempt by one (1) of the following:

1. Originate directly from an accredited herd.

2. Originate directly from a herd in which all animals six (6) months of age or older are negative to an official tuberculin test within

last twelve (12) months of date of sale.
(b) Exhibition. No test required.

Section 2. Performance Bull Testing Program. (1) All animals shall be accompanied by approved health certificates.
(2) Brucellosis. Animals entered in this program shall, if six (6) months of age or older, be negative to an official brucellosis test within thirty (30) days of date of entry or originate directly and immediately from a certified herd.
(3) Tuberculosis. All animals six (6) months of age or older shall be negative to an official tuberculin test within sixty (60) days or originate directly and immediately from an accredited herd.

Section 3. Horses. (1) All horses entering Kentucky, except unweaned foals, and other equidae, for any purpose other than for immediate slaughter shall be accompanied by an official certificate of veterinary examination of state of origin issued by a state, federal or licensed accredited veterinarian and such certificate shall include:
(a) Veterinarian's statement that examination was made within the past thirty (30) days and revealed the animal to be free of symptoms of any infectious disease or exposure thereto; and
(b) Shall include any tests that have been conducted as well as all vaccinations including vaccination date and type of vaccine used; and
(c) Have attached thereto a copy of certificate of report from a laboratory approved by the USDA showing the animal(s) to be negative to AGID test for equine infectious anemia within the past six (6) months, if offered for sale.
(2) All horses being offered for sale in Kentucky shall be accompanied by a health certificate or official certificate of veterinary examination of the state of origin issued by a state, federal or licensed accredited veterinarian. This certificate shall remain as a record at the sale and will be presented to the new owner. Such certificate shall include all information required pursuant to subsection (1) of this regulation. All horses past six (6) months of age and other equidae offered for public sale shall be negative to AGID test within the past six (6) months. Only horses offered for sale for slaughter shall be exempt from this requirement.
(3) All horses and other equidae offered for entry into fairgrounds, livestock show grounds, public boarding stables, and for trail rides or racing shall be negative to tests for AGID within twelve (12) months and shall be accompanied by certificate of report from a laboratory approved by the USDA.
(4) All reactors to AGID test for equine infections anemia shall be officially, permanently identified using numbers and letter 61A with a brand on the left neck region.
(5) All reactors not slaughtered or euthanized shall be isolated and quarantined. This isolation shall include stabling in a stall that is screened to preclude entry and exit of mosquitoes, stable flies and horse flies during those seasons of the year when such insects are prevalent. These animals will also be kept at least 200 yards from all other horses.
(6) The movement of any quarantined reactor shall be done only on permission of representative of the Department of Agriculture.
(7) All horses in a herd in which a reactor is found shall be quarantined pending a negative test on all horses.

Section 4. Swine. (1) General requirements.
(a) All swine for exhibition and sale must be accompanied by a certificate of veterinary examination [an approved health certificate] which shall be void 150 days after issuance for exhibition and thirty (30) days after issuance of sale.
(b) All swine must have a permanent means of identification.
(c) If animals originate from validated and qualified herds, the certificate of veterinary examination shall show validation and qualification number with date of last herd test for brucellosis and pseudorabies.
(2) Brucellosis.
(a) Sale. All swine, except barrows, six (6) months of age or older shall have a negative thirty (30) day test in accordance with the Uniform Methods and Rules published by APHIS, VS, USDA, or originate directly and immediately from a validated herd. [Validation number and date of last herd test must be shown on the approved health certificate.]
(b) Exhibition. All swine, except barrows, six (6) months of age or older shall have a negative 150 day test in accordance with the Uniform Methods and Rules published by APHIS, VS, USDA, or originate directly and immediately from a validated herd. [Validation number and date of last herd test must be shown on the approved health certificate.]
[(3) Identification. All swine must have a permanent means of identification.]
(3) [(4)] Pseudorabies.
(a) Sale. All swine, six (6) months of age or older, shall [must] be negative to an official (approved) blood [the serum neutralization] test within thirty (30) days or originate directly and immediately from a qualified [pseudorabies negative] herd.
(b) Exhibition. All swine, six (6) months of age or older, shall [must] be negative to an official (approved) blood [the serum neutralization] test within 150 days of consignment for exhibition or originate directly and immediately from a qualified [pseudorabies negative] herd.
(c) Feeder pigs. All feeder pigs must comply with 302 KAR 20:210, Pseudorabies surveillance.

Section 5. Sheep. (1) Scrapie. No sheep or lambs shall be consigned that originated from or are known to be exposed to flocks under surveillance for scrapie.
(2) Scabies. All sheep or lambs for breeding and feeding purposes consigned from a farm, ranch or like premises shall be accompanied by an approved health certificate indicating such sheep and lambs originated directly and immediately from an official scabies-eradicated-free area.
(3) Sore mouth. Any sheep or lambs showing lesions of contagious exythma shall not be consigned.
(4) Sale. All sheep and lambs consigned shall be identified individually by ear tattoo or ear tag and entered on an approved health certificate which is good for thirty (30) days after issuance.
(5) Exhibition. All sheep and lambs consigned shall be identified individually by ear tattoo

or ear tag and entered on an approved health certificate which is good for 150 days after issuance.

Section 6. Goats. (1) Scabies. All goats must originate from a scab-free area.

(2) Scrapie. No goats from a herd under surveillance for scrapie that are known to have been exposed to or that are progeny shall be considered.

(3) Brucellosis.

(a) Sale. Animals six (6) months of age or older shall have a negative thirty (30) day test in accordance with the Uniform Methods and Rules published by APHIS, VS, USDA, as applies to the bovine test or originate directly from a certified herd and be accompanied by an approved health certificate which shall be void thirty (30) days after issuance.

(b) Exhibition. Goats six (6) months of age or older shall be negative to an official blood test for brucellosis within 150 days of exhibition or originate directly from a certified herd and be accompanied by an approved health certificate which shall be void 150 days after issuance.

(4) Tuberculosis.

(a) Sale. Animals six (6) months of age or older shall have negative tuberculin test in last sixty (60) days or originate directly and immediately from an accredited herd.

(b) Exhibition. No test required.

Section 7. Poultry. Negative pullorum agglutination test within thirty (30) days for sale and/or exhibition. Test record must accompany poultry.

Section 8. Dogs and Cats. (1) All dogs over four (4) months of age for sale or exhibition shall be accompanied by a health certificate signed by a licensed, accredited veterinarian stating that they are free from all infectious diseases, did not originate within an area under quarantine for rabies, or from an area where rabies is known to exist and has not been exposed to rabies. All dogs over four (4) months of age shall be vaccinated against rabies not less than fourteen (14) days nor more than twelve (12) months prior to date of consignment if killed virus vaccine is used. Any vaccine approved for a three (3) year immunity by the "Compendium of Animal Rabies Vaccines" prepared by the Association of State Public Health Veterinarians, (Inc.), qualifies a dog if it is one (1) year of age when vaccinated; provided, show or performing dogs to be within the state temporarily for a period of ten (10) days shall not be required to furnish an approved health certificate.

(2) All cats shall be in compliance to above requirements for dogs provided the animals are vaccinated for rabies if four (4) months of age or older not less than fourteen (14) days nor more than twelve (12) months prior to date of consignment with a vaccine approved by the state veterinarian and the Department for Health Services, Kentucky Cabinet for Human Resources.

DAVID E. BOSWELL, Commissioner

APPROVED BY AGENCY: September 29, 1987

FILED WITH LRC: October 8, 1987 at 3 p.m.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on November 24, 1987 at 10 a.m. in the Ground Floor Auditorium 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 days before the hearing date, the hearing may be cancelled.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Michael McDonald, DVM, State Veterinarian

(1) Type and number of entities affected: Producers and farmers offering cattle for private and public sale will be affected by the changes in the regulation as proposed. In essence the regulation requires that animals sold in Kentucky must be tested within 30 days of sale, if they are moved from one premise to another. The current regulation fails to say whose responsibility it is to accomplish the testing or to require the testing at all, if the cattle are not moved. The changes specify that the seller offering the cattle for sale must accomplish the testing for brucellosis and that the test results must be known to be negative prior to the movement of the cattle. The testing eligibility age for all cattle being exhibited is lowered from 20 to 24 months for dairy and beef breeds to 18 months of age.

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

1. First year: The cost of testing cattle for brucellosis is minimal, being $2.00 or less per animal. Cattle vaccinated for brucellosis, which is free to Kentucky farmers on request, will postpone the testing age to 18 months. The value of any group of cattle being offered for sale would obviously be increased by having negative brucellosis testing accomplished. The litigations which occur when cattle with brucellosis are sold unknowingly would be avoided, preventing the associated high costs involved, which frequently encompass damages incurred following purchase of diseased cattle. One recent lawsuit in another state concerned with the purchase of cattle with brucellosis and subsequent spread to commingled herds resulted in an 18 million dollar settlement for damages.

2. Continuing costs or savings: The ongoing costs for testing will be minimal and the savings to buyers and sellers of cattle, by selling and moving only disease free cattle would be incalculable. The indirect value enhancement of Kentucky cattle will equate to vast savings and increased marketability and profits for farmers and producers, as Kentucky's reputation for brucellosis eradication changes from one of inadequacy to one with effective administration, policies and enforcement.

3. Additional factors increasing or decreasing costs (note any effects upon competition): The most significant factor increasing the savings to Kentucky farmers by the promulgation of these regulatory changes will be the speed with which Kentucky will attain "free" status with regard to the degree of brucellosis infection in cattle. Kentucky is now classed as a "B" state by the USDA, which signifies a relatively high rate of brucellosis infection in cattle. Kentucky farmers face a federal quarantine in October 1990 unless a major improvement in our eradication effort occurs. These changes will

best enable our accelerated eradication program to advance Kentucky quickly toward "A" and then "Free" status. Kentucky farmers today are severely handicapped in the cattle marketplace by our present classification. The costs to Kentucky's dairy industry alone is enormous, with severe restrictions now in place by the federal government, preventing the movement into or out of Kentucky any nonvaccinated dairy animals four years of age and younger. Other states now, and increasingly in the future, are placing harsh restrictions on the movement of cattle from high incidence states, such as Kentucky. The changes in this regulation will enable our division to begin an entirely new area of activity to find the infected brucellosis herds and eliminate them, prior to the spread of the disease to new farm neighborhoods. It is estimated that half of all cattle that move, do so by private sale and the other half move through stockyards and organized sales. By far, the vast majority of all the activity our division concerns itself with is associated with stockyards and trace backs to farms of origin. Thus with the changes proposed in this regulation, we should be able to eliminate the remaining herds of brucellosis infected cattle in Kentucky twice as quickly. In other words, we should be able to improve our efficiency in eliminating brucellosis in Kentucky by 100%.

(b) Reporting and paperwork requirements: Farmers and producers offering cattle for sale would be required to accomplish testing from private veterinary practitioners and offer documentation of same to the buyers of the cattle. Some additional effort and paperwork will thus be the responsibility of the seller. The cost will be minimal, when compared to the savings individually and collectively statewide for the reasons listed above.

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings:

1. First year: The first year cost to the division will be minimal. For the information to become widely known within the cattle industry in Kentucky, some period of adjustment will occur. Farmers will in time become aware of the need to test cattle for brucellosis prior to sale. As they become informed, the cost to the promulgating body will increase. The number of infected herds found will parallel the cost to our division. In effect many more cattle will be tested sooner because of this regulation change and hence, the remaining herds of brucellosis in Kentucky will be more quickly found and eliminated. The statement that "to find the disease, you must test the cattle" is appropriate in this case. The regulation change will facilitate and expedite the testing of cattle being sold privately.

2. Continuing costs or savings: The cost and savings incurred both will increase after the first 12 months following the proposed regulation changes. The costs involved in the increased activity of the division will continue to grow as the number of infected herds of cattle are found. However as the statewide incidence of brucellosis decreases rapidly due to the many influences of the accelerated eradication program, the costs to the division will also rapidly decrease. The savings in the division, due to recent computerization of animal health programs will be significant.

3. Additional factors increasing or decreasing costs: By the earliest possible reclassification of Kentucky to the "A" and "Free" status, we can lessen the cost at the division level of all brucellosis related programs. Other states will, after Kentucky is upgraded, lessen their entry constraints on our cattle, thereby lessening the cost to the promulgating body in many ways.

(b) Reporting and paperwork requirements: As per above, the division will accomplish the added office and paperwork.

(3) Assessment of anticipated effect on state and local revenues: The economic infrastructure throughout the state as associated with a viable and healthy cattle industry, both at the state and local level, can only be greatly enhanced by improving the animal health programs, especially the brucellosis eradication program. All the associated industries will reap the rewards of improved animal health programs in Kentucky, which will affect every Kentuckian, either directly or indirectly.

(4) Assessment of alternative methods; reasons why alternatives were rejected: No viable alternatives were available. The regulation, as it was, without the designated responsible person, was in effect, inert. These actions are consistent with what other states have promulgated to protect their livestock populations. The changes will allow enforcement to be accomplished.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: This regulation is consistent and congruent with the following: 302 KAR 20:070, Stockyards; and 302 KAR 20:055, Brucellosis vaccination, testing and branding requirements; 302 KAR 20:040, Entry into Kentucky.

(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. Because the regulation will apply evenly to the entire related industries.

FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate: The amendments to this regulation have not been filed in accordance with a federal mandate, per se. The Kentucky Department of Agriculture has, for a long period of time, been a party in a cooperative agreement with the United States Department of Agriculture to eradicate brucellosis. This cooperative agreement provides funds to assist the Department in its eradication effort. All federal funding for brucellosis eradication in Kentucky will be withdrawn in 1990. The withdrawal of federal funds emphasizes the need to increase our enforcement effort but is not a mandate. 9 CFR 1, through 9 CFR 199 apply to the movement of livestock but deal primarily with interstate movement. State regulations like 302 KAR 20:065 deal primarily with intrastate movement. Since standards for state brucellosis eradication are left primarily to state enforcement authorities a comparison of state and federal standards cannot really be made.

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 stricter standards than those required by a federal mandate. The standards for brucellosis eradication in Kentucky are matters of state law primarily and not matters of federal law.

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

DEPARTMENT OF AGRICULTURE
(Proposed Amendment)

302 KAR 20:070. Stockyards.

RELATES TO: KRS Chapter 257
PURSUANT TO: KRS 257.030
NECESSITY AND FUNCTION: To designate sanitary requirements, and operational procedures in all stockyards relative to disease control.

Section 1. Operating Sale Requirements. (1) The owner or manager operating a stockyard shall arrange for an accredited, licensed veterinarian approved by the Department of Agriculture to be present in said sales point to carry out the provisions of this regulation.

(a) A licensed, accredited veterinarian seeking approval by the board to be designated official market veterinarian shall make application and state that he (she) will comply with this and all associated regulations relative to the responsibilities of the position.

(b) The official market veterinarian shall be responsible to replace himself with another approved (by the board) veterinarian in the event he finds it necessary to be absent from the market.

(c) The official market veterinarian shall not resign his (her) duties without written notice to the sale company and the state veterinarian's office at least ten (10) days prior to resignation.

(d) The failure or neglect to properly perform any of the responsibilities and duties of the official market veterinarian shall be cause for disapproval and immediate removal from the market.

(2) The person operating a stockyard shall provide separate pens or a yarded division for isolating animals classed as reactors to brucellosis or any communicable disease. Said pens are to be permanently identified as "bangs" pens and the word "quarantine" is to be spelled out on the gates to such pens. The pens shall be constructed so as to facilitate easy cleaning and disinfecting after each use. The pens must have concrete floors and complete walls (no fences or gates to permit contact with adjacent animals). Any watering troughs or feed bunks in the quarantine pens shall be located so that no other livestock in the market can access them at any time. All reactor animals shall be yarded in the quarantine pens and shall be sold last. Such animals shall be identified as reactors on the invoices of both the buyer and the seller. The "bangs" pens may not be used at any time for any other than for known brucellosis reactors, or brucellosis suspects going directly to a recognized slaughter establishment.

(3) The owner operating a stockyard shall provide adequate space, utilities, hot water and assistance for the accredited, licensed veterinarian to officially carry out the provisions of this regulation. All licensed Kentucky livestock markets shall provide the following requirements for the market's testing laboratory:

(a) Constructed and equipped so as to be maintained at room temperature (seventy (70) to seventy-eight (78) degrees) in both summer and winter (i.e., heaters and air conditioners).

(b) Provide a sink with hot and cold running water.

(c) Be equipped with a refrigerator in good working condition.

(d) Be constructed so that the market veterinarian shall have sufficient space and privacy to conduct the required tests and fill out the associated records and forms.

(e) Be constructed so that it can be kept clean easily and locked at all times when not in use.

(f) Contain a work counter and sufficient shelf space, cabinets with locks, and storage space to keep forms, ear tags, etc., as required by the official market veterinarian in carrying out his (her) duties.

(g) The laboratory shall be supplied with adequate artificial light. The electrical wiring must be adequate to carry at a minimum a centrifuge, electrical refrigerator, cooling facility and have at least two (2) additional electrical outlets.

(h) The laboratory must be located so as to be convenient for the veterinarian and the public while conducting his (her) duties as the official market veterinarian.

(4) The owner or operator shall furnish and maintain one (1) or more cattle chutes suitable for restraining animals for inspection of any infectious, contagious or parasitic condition, testing, tagging, branding and other procedures routinely required in providing livestock sanitary services and identification for movement at stockyards.

(5) The owner or operator shall maintain records of the seller and purchaser of all livestock for one (1) year. These records to be made available to Department of Agriculture representatives for inspection upon request during regular business hours.

(6) The owner or operator shall provide adequate facilities and service at a reasonable cost, if not available at or near the yards, for cleaning and disinfecting cars, trucks or other vehicles which have transported to the stockyards animals known to be infected with or exposed to a contagious, infectious, communicable or parasitic disease with a disinfectant approved by the chief livestock sanitary official.

Section 2. General Requirements. (1) All stockyards shall be maintained in a workable and sanitary condition. Stockyards shall be inspected as required by a representative of the board.

(2) After an occurrence of any infectious, contagious, parasitic or communicable disease of livestock in a stockyard, exposed facilities capable of transmitting disease shall be cleaned and disinfected with approved disinfectants in a manner approved by the chief livestock sanitary official.

(3) Livestock found to be infected and showing

clinical or diagnostic symptoms of an infectious, contagious, parasitic or communicable disease shall upon recommendation of stockyard veterinarian or authorized representative of the chief livestock sanitary official be quarantined in an isolated portion of the yards for treatment, additional diagnostic laboratory procedures, disposition to slaughter or other disposition pursuant to accepted methods of disease prevention and control.

(4) All livestock originating from a quarantined herd or premises shall be sold under permit for immediate slaughter.

(5) The card test shall be the official test for brucellosis at stockyards. All animals showing positive reaction must be identified and sold for immediate slaughter, unless quarantined by the state veterinarian or agent of the board for further testing [only]. Indemnity will be paid for reactors disclosed by stockyard test as long as state-federal funds are available.

(6) Upon disclosure of a reactor(s) by the stockyard veterinarian, all cattle in the consignment from the same herd are exposed cattle and must be returned to the farm of origin under quarantine for retesting or sold for slaughter with proper identification. Assembled cattle are considered to be a herd.

(7) Exposed animals and reactor animals will be identified as described in Title 9, CFR, 78.7 and 78.8, herein filed by reference.

(8) Cattle entering the market shall be vaccinated, tested or branded as required in 302 KAR 20:055. [Cattle purchased at a Kentucky livestock market shall be vaccinated against brucellosis as required in 302 KAR 20:055.]

(9) It shall be unlawful and a misdemeanor for any person to buy or offer to buy livestock on the premises owned and used by a person or corporation operating a licensed livestock market before such livestock has been regularly consigned for sale thereat.

Section 3. Veterinary Compensation. The official market veterinarian shall receive for any services rendered a fee that has been agreed upon by the stockyards operator and the veterinarian. Such fees for branding, ear tagging, and calfhood vaccination shall be deducted from the buyer's check, contingent upon the conditions agreed upon prior to sale by the parties involved. Such fees for testing of heifers under eighteen (18) months of age shall be deducted from the seller's check, contingent upon conditions agreed upon prior to the sale by parties involved. Such fees shall not include funds for those services reimbursed pursuant to state-federal cooperative programs. [Accredited veterinarians shall receive for any services rendered a fee that has been agreed on by the stockyard operators and the accredited veterinarians. Such fees shall be deducted from the seller's or buyer's check, depending upon conditions of sale and shall be paid to the accredited veterinarian, except for those services reimbursed pursuant to a state-federal cooperative program.]

Section 4. Veterinary Duties. The stockyard veterinarian shall in cooperation with representative(s) of the department. The market veterinarian must arrive at the market in sufficient time to do all the required testing and inspection prior to the beginning of the sale. [:]

(1) Examine, validate and issue certificates pertinent to the movement of livestock to be sold.

(2) Conduct required test of livestock.

(3) Visually inspect all livestock for clinical signs of contagious, infectious diseases. [Inspect all livestock for clinical evidence of infectious, contagious, or parasitic diseases.]

(4) Obtain blood samples. Aid and assist in conducting of associated laboratory tests. Submit such specimens to state-federal laboratory for confirmation. Such specimens shall be posted by mail or delivered directly to state-federal laboratory [within twenty-four (24) hours].

(5) Compile and present such reports as are routinely required to the chief livestock sanitary official.

(6) Report the presence of any animal showing symptoms suggestive of a "reportable" disease or any other disease that the market veterinarian feels poses the threat of spread of a communicable livestock disease which may warrant the actions of the state veterinarian. [communicable disease condition to chief livestock sanitary official.]

(7) Copies of all forms must be forwarded to the office of the state veterinarian by the official market veterinarian immediately after the sale. All official forms, certificates, or documents and official stamps, shall be kept in the exclusive possession of the market veterinarian and shall be dated and signed by him only at the time they are filled out and issued. Under no circumstances shall any official document be presigned or prestamped by the market veterinarian. The use of any official stamp by persons other than the approved market veterinarian or state livestock inspector or official, or federal employee is expressly prohibited. The approved market veterinarian shall be solely responsible for the unauthorized use or improper issuance of any official document or the use of any official stamp.

(8) The market veterinarian must remain at the market a reasonable length of time to allow buyers to get their livestock approved for release.

(9) The market veterinarian must use separate bleeding needles and syringes for each animal bled. He must follow accepted standards for sterility to prevent the transmission of infectious agents to livestock being tested.

(10) The market veterinarian or the sale company shall not be responsible for the results of any tests that are performed properly or any reactor animals found in the market. All reactor animals shall revert back to the consignor.

(11) No livestock shall be allowed to leave the market until an approval for release is secured from the market veterinarian or an agent of the board. The market shall be responsible to see that no cattle or swine are removed without first being released by the market veterinarian or agent of the board. Release forms: all cattle and swine, regardless of age, weight, sex or breed, must be approved for release by the market veterinarian, or an agent of the board and are not to be released unless they meet the importation and transportation requirements of the state of destination, including the state of Kentucky.

(12) All livestock shipped from the state of

Kentucky, regardless of the purpose of movement, must be accompanied by an official Kentucky certificate of veterinary examination or "health certificate." This includes slaughter, feeding, breeding, and dairy animals and horses. The certificate must reflect that the animals being shipped meet the state of destination importation requirements as they pertain to permits, test requirements, etc.

Section 5. Cattle Requirements. (1) Tuberculosis.

(a) Imports. Cattle six (6) months of age or older for dairy and breeding purposes shall be negative to an official tuberculin test within thirty (30) days of date of entry or originate directly and immediately from an accredited herd or eradicated free state.

(b) Cattle classified as suspects or those originating from a quarantined herd shall not be imported.

(c) Reciprocal agreements with adjoining states may be effective in lieu of specific requirements.

(d) Kentucky cattle: no tuberculosis requirements if to a Kentucky destination.

(2) Brucellosis.

(a) All cattle six (6) months of age or older offered for sale at the stockyard for breeding and diary purposes, except for the following, shall be negative to an official brucellosis test within the last eight (8) days of sale:

1. Official vaccinates identified by an official vaccination tattoo and ear tag which are under eighteen (18) [twenty-four (24)] months of age. Appearance of permanent "nipper" incisors which are under eighteen (18) months of age (i.e., test required of those cattle with "two (2) teeth"). [and under if a beef animal and twenty (20) months of age and under if a dairy animal, provided heavy springers and females postpartum shall be negative regardless of age at time of sale.]

2. Heavy springers and cows postpartum shall be required to test, regardless of age. [Cattle from a certified herd.]

3. Cattle from brucellosis certified free herds may be exempt from testing requirement if in accord with 302 KAR 20:040, Entry into Kentucky. [All test-eligible cattle arriving directly from a modified certified state that are moved to a farm in the Commonwealth shall be retested within forty-five (45) to 120 days and shall be placed under quarantine with no commingling pending negative results on all involved animals on retest.]

(b) Back tagged cattle.

1. All mature cattle eighteen (18) months or older, as indicated by the presence of the first pair of permanent incisor teeth, except steers and spayed heifers, consigned to any stockyard, [or purchased direct by any slaughtering establishment,] shall be back tagged in a routine manner prescribed by the department. Heifers, fattened, intended for slaughter only, and consigned directly to a slaughter facility may move directly to slaughter, following back tagging, with farm and state of origin documentation, to avoid the requirement to test at the market and/or be ear tagged.

2. All back tagged cattle shall be negative to a brucellosis test within eight (8) days of sale.

3. Back tags placed on slaughter cattle shall not be removed at any time or by any person only under specific instructions from the chief livestock sanitary official.

4. Back tagged cattle shall proceed directly to a recognized slaughtering center with no diversion whatever enroute except to another approved stockyard for reconsignment to slaughter.

5. Materials for the back tagging program shall be furnished by the department and/or Animal and Plant Health Inspection Service, Veterinary Services, United States Department of Agriculture.

(c) All breeding, dairy and back tagged cattle requiring testing shall be tested at the first point of assembly or concentration.

(d) All cattle for feeding purposes and grazing shall comply with 302 KAR 20:055, Brucellosis vaccination, testing and branding requirements. [Cattle of beef breeds between the ages of six (6) and eighteen (18) months sold for feeding and grazing shall be exempt from brucellosis test unless they are heavy springers or female postpartum.]

Section 6. Swine Requirements. (1) As prescribed in 302 KAR 20:080.

(2) Effective January 1, 1971, all serum requirements for swine moving into or through the State of Kentucky were rescinded.

(3) Breeding swine.

(a) All breeding swine six (6) months of age or older shall be negative to [both] an official (approved) blood test for brucellosis and [the serum neutralization test for] pseudorabies [at time of sale. Swine shall be deemed negative at the time of sale to an official test if accompanied by proof of a negative test result] within thirty (30) days prior to date of sale and be accompanied by proof of negative test results, or originate directly and immediately from a validated and qualified herd. [Swine originating from a validated brucellosis free herd shall be exempt from a stockyard test for brucellosis.]

(b) Breeding swine not tested for and found negative to brucellosis and pseudorabies prior to arrival at stockyards must be consigned directly to slaughter.

(c) Testing of breeding swine at stockyards is prohibited.

(4) Feeder pigs. All feeder pigs must comply with 302 KAR 20:210, Pseudorabies surveillance.

(5) [(4)] Livestock markets buying stations, and concentration points handling all classes of swine.

(a) All swine, including slaughter swine, to be inspected by an accredited veterinarian prior to leaving market.

(b) Swine moving interstate from markets to be in compliance with Title 9, Part 76, CFR, herein filed by reference, including health certification by the accredited veterinarian authorized by the state to furnish such services.

(c) Slaughter swine leaving premises to be consigned only for immediate slaughter to a recognized slaughtering establishment approved for this purpose in accordance with federal and state regulations.

(d) Markets to maintain well-constructed pens and swine-handling facilities that are clean and in good repair.

(e) Markets to provide pens surfaced with impervious material for holding and handling feeder pigs and breeding swine.

(f) Markets to provide satisfactory, well-lighted facilities for inspection and

proper restraint.

(g) Clean and disinfect holding and handling pens, alleys and other facilities used in selling swine after use by each lot of swine under procedures specified by state and federal agencies to guard against spread of disease.

(h) Maintain records of margin and destination for all swine entering market and grant federal and state inspectors access to such records. Identification as to farm where farrowed shall be maintained for all feeder pigs and breeding stock and all slaughter swine which may be diverted for purposes other than slaughter. Records shall be maintained for one (1) year.

(i) Feeding and breeding swine must be placed in pens separate and apart from slaughter swine. All swine designated for slaughter must be delivered directly to an approved slaughter establishment with no diversion enroute.

(j) Permit no cull pigs to enter market unless provisions are made to pen such pigs separate and apart from all other swine so contact with healthy swine does not occur. Facilities used by these swine will not be used by other swine until cleaning and disinfecting have been accomplished. Further, cull swine to be permanently identified by an ear tag in the right ear, quarantined to the purchaser, and released from said quarantine by consignment to slaughter only. A cull pig is defined as one which does not pass veterinary inspection for health.

(k) Permit no garbage fed swine to enter market unless provisions are made to handle and pen such swine separate and apart from all other swine to avoid contact with other marketable swine.

(l) Permit no swine to be moved into or from the market unless a state or federal inspector releases such swine.

(m) Require all buyers of swine to determine the purpose of their movement. If for slaughter and there is any reason to believe the swine might be diverted (underweight swine, thin sows, etc.) the inspector may require that such swine be identified by ear tag and consigned to slaughter on a special permit. Further, any swine with which these swine mingle shall cause the entire lot to be ineligible for movement except to slaughter.

(n) Permit no feeder pigs or breeding swine to remain in the market more than seventy-two (72) hours.

(o) No feeding or breeding swine are to be allowed in any market for resale within thirty (30) days from prior sale date.

(6) [(5)] Livestock markets, buying stations and concentration points handling slaughter swine only.

(a) Swine moving interstate to be in compliance with Title 9, Part 76, CFR, herein filed by reference, and applicable state regulations.

(b) Accept swine only for slaughter and to permit no swine to leave market except for slaughter only.

(c) Markets to maintain well-constructed pens and swine-handling facilities that are clean and in good repair.

(d) Maintain records of origin and destination for all swine entering market and grant federal and state inspectors access to such records. Records shall be maintained one (1) year.

(e) Isolate all swine suspected of being affected with or exposed to infectious disease, promptly notify the state or federal agency, and hold such swine in isolation pending instructions on disposition.

(f) Clean and disinfect holding and handling pens, alleys, and other facilities used in selling swine under procedures specified by state and federal agencies to guard against spread of disease.

Section 7. Sheep and Goat Requirements. (1) As prescribed in 302 KAR 20:040.

(2) Before the beginning of a sale all sheep and goats to be sold for breeding purposes that are free from evidence of infectious, contagious or parasitic disease shall be separated from all other sheep and goats in a part of the yard provided for this purpose.

(3) All sheep and goats that as individuals or any part of an assembled group show evidence of any infectious, contagious, communicable or parasitic disease must be sold for immediate slaughter or otherwise disposed of under permit issued by the chief livestock sanitary official.

(4) Goats for dairy or breeding purposes if free from evidences of any infectious, contagious, or parasitic disease shall originate directly and immediately from a brucellosis certified free herd or if six (6) months of age or over be negative to an official brucellosis test within thirty (30) days of date of sale.

DAVID E. BOSWELL, Commissioner

APPROVED BY AGENCY: September 29, 1987

FILED WITH LRC: October 8, 1987 at 3 p.m.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on November 24, 1987 at 10 a.m. in the Ground Floor Auditorium 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 days before the hearing date, the hearing may be cancelled.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Michael McDonald, DVM, State Veterinarian

(1) Type and number of entities affected: Producers and farmers buying and selling cattle and other livestock at licensed markets in Kentucky will be affected by the changes proposed in this regulation. Also affected will be the market owners and operators, as well as the veterinarians who serve as official market veterinarians. There are approximately 60 state-federal licensed livestock markets in the Commonwealth. State livestock inspectors and federal animal health technicians also work at the markets and the changes proposed will markedly alter their duties to enhance the disease control efficiency of their responsibilities. Also affected will be the state animal officials in states of destination which receive cattle shipments from Kentucky. Improved documentation and certification of all livestock entering and leaving Kentucky markets will be obtained by the changes. All heifers and adult female cattle will be back tagged upon entry into markets with recording of the farms and states of origin, which is vital information when attempting a disease eradication program,

such as the brucellosis program in Kentucky. As the above female cattle proceed through the markets, permanent identification will be applied to each via a metal ear tag. The ear tag numbers will provide data nationwide from subsequent testing and slaughter surveillance to pinpoint the remaining brucellosis infected herds in Kentucky. This data will prove invaluable to Kentucky's cattle industry, as the last remaining foci of infection will be, by far, the most difficult to find and eliminate. Also, with the pullout of federal funding, all that effort will be at Kentucky taxpayer expense. The small effort in this process now will reward vast savings in the near future. The regulation changes will require all parties involved to play a much more active role in livestock disease control, especially the brucellosis eradication program. The changes require that the buyers of cattle be responsible for vaccination and branding and that sellers be responsible for testing of animals under 18 months old. This will encourage on the farm vaccination, which will effectively cause the important replacement heifers used for breeding to be vaccinated. This is the correct objective of a vaccination program, and places the appropriate emphasis upon vaccination. The changes in the regulation cause on the correct procedure to be administered to each animal, while preventing animals from passing through markets without identification, testing, vaccination or anything at all, which is presently the case with the current regulation. Presently, the regulation is unenforceable and therefore is an impediment to Kentucky's program toward brucellosis freedom and toward improved livestock disease control.

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

1. First year: The cost of testing heifers between 11 and 18 months of age (nonvaccinates returning to a Kentucky farm or other state requiring testing) will be a minimal additional cost to producers who chose not to take advantage of the free on the farm vaccination program paid for with state funds. Subsequently, it is believed that these individuals will vaccinate on the farm and at the same time will vaccinate their replacement breeding heifers. Small additional costs will be placed on the market owners and operators in the increased number of animals back tagged. However, these animals will not be required to be run through cattle chutes for this procedure. Also the recordkeeping responsibilities for the market owners and operators will be increased. The division livestock inspectors will assist in the paperwork and the division will provide the necessary forms to accomplish compliance with the regulation. The additional costs incurred by the markets in the much needed improvements in the markets' testing laboratories will be a one time investment and will improve the lab's efficiency and accuracy in the testing procedures. There will be also a one time additional cost with the improvements required in the "bangs" pens for the known diseased cattle. This will eliminate the possibility of brucellosis being transmitted to healthy cattle in the markets on sale days. This is a known means of brucellosis spread in Kentucky and elsewhere. Some states do not allow known reactor cattle in markets on sale days as we do in Kentucky. (Market operators have voiced very strong opposition to such a ban in Kentucky.) Market veterinarians will be required to become much more involved in many market activities than with the present regulation. This will require more of their time, especially with procedures and official documentation. There will be a financial loss to those individuals who now buy and sell livestock on market property, without consignment of their livestock to the auction sale.

2. Continuing costs or savings: The ongoing costs due to the changes proposed in this regulation should not increase after the first year. In fact, there would be an expected decrease, due to the one time investment of the structural requirements. The indirect increased value enhancement of Kentucky cattle will equate to vast savings and increased marketability and profits for farmers, producers, and market owners and operators. Kentucky's reputation for brucellosis eradication will change from one of inadequacy to one of effective administration, policy and enforcement. This will become a valuable economic benefit to every Kentuckian directly or indirectly involved in the cattle industry. Kentucky farmers face a federal quarantine in October 1990 unless a major improvement in our eradication effort occurs. These changes will best enable our accelerated eradication program to advance Kentucky to a new improved USDA classification for brucellosis incidence (i.e., "A"). Kentucky farmers are effectively handicapped in the cattle marketplace by our present classification. Improvements in the disease control activities at stockyards will greatly enhance the changes for brucellosis freedom in Kentucky in the shortest period of time possible. In a word, the savings to Kentucky's cattle industry when brucellosis is eradicated will be "incalculable," and the impact on the cattle industry if we don't will be one of "devastation."

3. Additional factors increasing or decreasing costs (note any effects upon competition): Other than those factors listed above, there are no additional issues which will increase or decrease costs. There will be a significant positive effect on competition in the livestock markets in Kentucky. With the present requirements with this regulation and 302 KAR 20:055 (brucellosis vaccination), the larger markets with large order buyers (out of state shipments) have a distinct advantage over the many smaller markets throughout Kentucky without the order buyers. Presently the large markets have high numbers of unvaccinated heifers moving through their sales, because of the order buyers. These heifers are not identified in any way and thus cannot be traced to the farms of origin in the event of a subsequent positive brucellosis test at a later date. Thus this vital, epidemiologically significant data is lost forever. The infected herds can never be traced to location without permanent identification on all heifers and cattle. Identification and movement records are basic to disease control. The changes in the regulation will accomplish this. All heifers and cows will be permanently identified via ear tags. Herds of origin will be recorded. Essentially, heifers and female cattle at all livestock markets in Kentucky will be handled in the same elimination the disparity which now exists. All heifers will be administered one of the procedural

requirement (branding, vaccination, or ear tagging alone to comply with regulations). The information gained will prove invaluable in the years ahead for brucellosis eradication in Kentucky. Enforcement of the changed regulation will be effected; presently it realistically cannot be accomplished.

(b) Reporting and paperwork requirements: Initially, these requirements will increase with those affected by this regulation, followed by a decline, consistent with eradication.

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings:

1. First year: There will be added costs to the division during this period of time. The primary cost increases will be involved in implementation of the added responsibilities in the manner with which cattle are processed through livestock markets. The additional enforcement activities, the additional animals which will be vaccinated and/or tested and/or branded will require the supervision and involvement of the livestock inspectors. Presently the livestock inspectors primarily serve as veterinary assistants. They perform the testing procedure (card test) for the official market veterinarians. They have little knowledge presently of cattle as they enter and leave livestock markets. The changes in the regulation will effectively identify cattle entering and leaving, with entry requirements compliance made enforceable for Kentucky destinations and with the requirements of other states of destination. In effect, our division livestock inspectors will cease being veterinary helpers and begin to function as true regulatory enforcement officers insuring compliance with all Kentucky statutes and regulations dealing with livestock health and disease control. In time this transition in function will equate to incalculable savings to the promulgating body and to all segments of the livestock industry in Kentucky and to the countless other industries directly and indirectly related to livestock health.

2. Continuing costs or savings: The ongoing costs will be gradually declining after a stationary period. As the incidence of brucellosis diminishes in the state, the personnel costs will significantly decline. Eradication programs in other states which have been successful, have been accompanied by similar drops in the number of field staff to implement disease control programs. We can expect a significant savings in the division personnel costs in Kentucky as well, when brucellosis is brought under control and eradicated. All associated costs will decline as does the disease in Kentucky.

3. Additional factors increasing or decreasing costs: By the earliest possible reclassification of Kentucky to the "A" and "Free" status, we can lessen the cost at the division level of all brucellosis related programs. Other states will, after Kentucky is upgraded, lessen their entry constraints on our cattle, thereby lessening the cost to the promulgating body.

(b) Reporting and paperwork requirements: As per above, the reporting and paperwork requirements will increase initially, followed by a decline, consistent with eradication of brucellosis.

(3) Assessment of anticipated effect on state and local revenues: The economic infrastructure throughout the state as associated with a viable and healthy cattle industry, both at the state and local level, can only be greatly enhanced by improving the animal health programs. All the associated industries will reap rewards of improved animal health programs in Kentucky, which will affect and benefit every Kentuckian directly or indirectly. Without immediate, significant improvement in Kentucky's brucellosis eradication program, the cattle industry here faces a federal quarantine and thus disaster. This regulation, as changed, will be a major part of our accelerated eradication program.

(4) Assessment of alternative methods; reasons why alternatives were rejected: No viable alternatives were available. A major part of all cattle activities focus at stockyards, the first point of cattle concentration. Many of the reasons why the present stockyards regulation so urgently needed changing are as follows:

1. Cattle move through stockyards in Kentucky today without any identification at all.

2. Many test eligible cattle move through stockyards without being tested at all. Estimates are that hundreds weekly move through the larger markets without testing.

3. Many infected herds of brucellosis in Kentucky can be traced back to cattle moving through stockyards and then to farms and there establishing herds of diseased cattle via rapid transmission.

4. Enforcement presently is almost nonexistent at many Kentucky markets. The primary reason is that the livestock inspectors are focused to assist the official market veterinarians with the laboratory tests. This positions the inspectors away from the cattle inside the testing shacks, away from view of the many cattle activities and movements through the markets. The testing is actually the veterinarian's responsibility, but in most markets the veterinarians have nothing to do with the procedure at all. In fact, many now leave the markets before the serology testing is finished.

5. The lack of veterinary control of the blood samples has resulted in an extremely high rate of hemolysis (sample destruction) of blood samples (i.e., as high as 40-50% in many markets).

6. The first point testing part of this regulation was enacted some years ago which, in essence, says that all female cattle over 18 months of age must be tested which enter the livestock markets. A lawsuit was filed by the stockyard association to fight the requirement, but was obviously lost. The responsibility to determine which animals entering markets therefore require testing should obviously be made by the market veterinarian or the division livestock inspectors. Quite surprisingly, this is done by the market owners and operators themselves at Kentucky livestock markets today. Hence, they decide which animals are tested and which ones are not. This is unacceptable by any standard and is a gross example of conflict of interest, since the market owners and operators receive a commission on all livestock sold. "Self regulation" is not going to lead to brucellosis eradication in Kentucky.

In essence there are no viable alternatives to effective livestock disease control. The disease itself will establish the rules of the eradication game. If decisions are made in the name of disease control, for the wrong reasons,

then for certain the result will be loss of the game and spread of the disease. In Kentucky for far too many years the decisions concerned with brucellosis eradication were made for the wrong reasons, especially at stockyards, and we now pay the price for the failing program and look to the future with only hope that we can atone for past inadequacies in a very short period of time. The suggested changes in this regulation will effectively correct #1-6 as listed above and become a vital part of our accelerated eradication program.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: This regulation is consistent and congruent with the following: 302 KAR 20:065, Sale and exhibition of livestock in Kentucky; 302 KAR 20:055, Brucellosis vaccination, testing and branding requirements; and 302 KAR 20:040, Entry into Kentucky.

(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. Because the regulation applies evenly to the entire related segments of the industries.

FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate: The amendments to this regulation have not been filed in accordance with a federal mandate, per se. The Kentucky Department of Agriculture has, for a long period of time, been a party in a cooperative agreement with the United States Department of Agriculture to eradicate brucellosis. This cooperative agreement provides funds to assist the Department in its eradication effort. All federal funding for brucellosis eradication in Kentucky will be withdrawn in 1990. The withdrawal of federal funds emphasizes the need to increase our enforcement effort but is not a mandate. 9 CFR 1, through 9 CFR 199 apply to the movement of livestock but deal primarily with interstate movement. State regulations like 302 KAR 20:070 deal primarily with intrastate movement. Since standards for state brucellosis eradication are left primarily to state enforcement authorities a comparison of state and federal standards cannot really be made.

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 stricter standards than those required by a federal mandate. The standards for brucellosis eradication in Kentucky are matters of state law primarily and not matters of federal law.

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 Waste Management
(Proposed Amendment)

401 KAR 34:120. Liability requirements.

RELATES TO: KRS 224.033, 224.071, 224.830 through 224.877, 224.994

PURSUANT TO: KRS 13A.210, 224.017, 224.862, 224.866, 224.867

NECESSITY AND FUNCTION: KRS 224.866 requires that persons engaging in the storage, treatment, and disposal of hazardous waste obtain a permit. KRS 224.866 requires the cabinet to establish standards for these permits, to require adequate financial responsibility, and to establish minimum standards for closure for all facilities and the post-closure monitoring and maintenance of hazardous waste disposal facilities. This chapter establishes minimum standards for new hazardous waste sites or facilities. This regulation establishes the liability requirements.

Section 1. Coverage for Sudden Accidental Occurrences. An owner or operator of a hazardous waste treatment, storage, or disposal facility, or a group of such facilities, must demonstrate financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator must have and maintain liability coverage for sudden or accidental occurrences in the amount of at least $1,000,000 per occurrence with an annual aggregate of at least $2,000,000, exclusive of legal defense costs. [A hazardous waste disposal site or facility shall maintain additional excess liability coverage in the amount of at least $10,000,000.] This liability coverage may be demonstrated in one (1) of three (3) ways, as specified in subsections (1), (2) and (3) of this section:

(1) An owner or operator may demonstrate the required liability coverage by having liability insurance as specified in this section.

(a) Each insurance policy must be amended by attachment of the Hazardous Waste Facility Liability Endorsement or evidenced by a Certificate of Liability Insurance. The liability endorsement must be executed on a form provided by the cabinet containing wording identical to the wording specified in 401 KAR 34:172. The Certificate of Liability Insurance must be on a form provided by the cabinet containing wording identical to the wording specified in 401 KAR 34:176. The owner or operator must submit an originally signed duplicate of the endorsement or the certificate of insurance to the director. If requested by the director, the owner or operator must provide an originally signed duplicate of the insurance policy. An owner or operator of a new facility must submit the originally signed duplicate of the Hazardous Waste Facility Liability Endorsement or the Certificate of Liability Insurance to the director at least sixty (60) days before the date on which hazardous waste is first received for treatment, storage or disposal. The insurance must be effective before this initial receipt of hazardous waste.

(b) Each primary insurance policy must be

issued by an insurer which, at a minimum, is licensed to transact the business of primary insurance in Kentucky except as KRS 304.11-030 provides otherwise. Each excess insurance policy must be issued by an insurer which, at a minimum, is licensed to provide insurance as an excess or surplus lines insurer in one (1) state.

(2) An owner or operator may meet the requirements of this regulation by passing a financial test or using the corporate guarantee for liability [self-insurance] coverage as specified in Section 7 [6] of this regulation.

(3) An owner or operator may demonstrate the required liability coverage through use of [both] the financial test, [and] insurance, the corporate guarantee, a combination of the financial test and insurance, or a combination of the corporate guarantee and insurance. [as these mechanisms are specified in this regulation.] The amounts of coverage demonstrated must total at least the minimum amounts required by this section.

Section 2. Coverage for Nonsudden Accidental Occurrences. An owner or operator of a surface impoundment, landfill, or land treatment facility which is used to manage hazardous waste, or a group of such facilities, must demonstrate financial responsibility for bodily injury and property damage to third parties caused by nonsudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator must have and maintain additional liability coverage for nonsudden accidental occurrences in the amount of at least $3,000,000 [5,000,000] per occurrence with an annual aggregate of at least $6,000,000 [10,000,000], exclusive of legal defense costs. This liability coverage may be demonstrated in one (1) of three (3) ways, as specified in subsections (1), (2), and (3) of this section:

(1) An owner or operator may demonstrate the required liability coverage by having liability insurance as specified in this section.

(a) Each insurance policy must be amended by attachment of the Hazardous Waste Facility Liability Endorsement or evidenced by a Certificate of Liability Insurance. The liability endorsement must be on a form provided by the cabinet containing wording identical to the wording specified in 401 KAR 34:172. The certificate of liability insurance must be on a form provided by the cabinet containing wording identical to the wording specified in 401 KAR 34:176. The owner or operator must submit an originally signed duplicate of the endorsement or the certificate of insurance to the director. If requested by the director, the owner or operator must provide an originally signed duplicate of the insurance policy. An owner or operator of a new facility must submit the originally signed duplicate of the Hazardous Waste Facility Liability Endorsement or the Certificate of Liability Insurance to the director at least sixty (60) days before the date on which hazardous waste is first received for treatment, storage or disposal. The insurance must be effective before this initial receipt of hazardous waste.

(b) Each primary insurance policy must be issued by an insurer which, at a minimum, is licensed to transact the business of primary insurance in Kentucky except as KRS 304.11-030 provides otherwise. Each excess insurance policy must be issued by an insurer which, at a minimum, is licensed to provide insurance as an excess or surplus lines insurer in one (1) state.

(2) An owner or operator may meet the requirements of this regulation by passing a financial test or using the corporate guarantee for liability [self-insurance] coverage as specified in Sections 6 and 7 of this regulation.

(3) An owner or operator may demonstrate the required liability coverage through use of [both] the financial test, [and] insurance, the corporate guarantee, a combination of the financial test and insurance, or a combination of the corporate guarantee and insurance. [as these mechanisms are specified in this regulation.] The amounts of coverage demonstrated must total at least the minimum amounts required by this section.

(4) For existing facilities, the required liability coverage for nonsudden accidental occurrences must be demonstrated by the dates listed below. The total sales or revenues of the owner or operator in all lines of business, in the fiscal year preceding the effective date of these regulations, will determine which of the dates apply. If the owner and operator of a facility are two (2) different parties, or if there is more than one (1) owner or operator, the sales or revenues of the owner or operator with the largest sales or revenues will determine the date by which the coverage must be demonstrated. The dates are as follows:

(a) For an owner or operator with sales or revenues totaling $10,000,000 or more, February 24, 1983.

(b) For an owner or operator with sales or revenues greater than $5,000,000 but less than $10,000,000, February 24, 1984.

(c) All other owners or operators, February 24, 1985.

Section 3. Adjustments by the Director. If the director determines that the levels of financial responsibility required by Sections 1 and 2 of this regulation are not consistent with the degree and duration of risks associated with treatment, storage, or disposal at any facility or group of facilities, the director may increase the level of financial responsibility required under Sections 1 and 2 of this regulation as may be necessary to protect human health and the environment. This adjusted level will be based on the director's assessment of the degree and duration of risks associated with the ownership or operation of each facility or group of such facilities. If the director determines that there is a significant risk to human health and the environment from nonsudden accidental occurrences from the operations of a facility that is not a surface impoundment, landfill, or land treatment facility, the director may require that the owner or operator of the facility comply with Section 2 of this regulation. An owner or operator must furnish to the director, within a reasonable time, any information which the director requests to determine whether cause exists for such adjustments of the level or type of coverage. Any adjustment of the level of required coverage for a facility that has a permit shall be treated as a permit modification under Section 2(1)(e) of 401 KAR 38:040 and Section 2 of 401 KAR 38:050.

Section 4. Request for a Variance. If an owner

or operator can demonstrate to the satisfaction of the director that the increased level of financial responsibility required by Section 3 of this regulation is not consistent with the degree and duration of risks associated with the treatment, storage, or disposal at each facility or group of facilities, the owner or operator may obtain a variance from the director. The director shall not grant any requests for a variance which seek to decrease the level of financial responsibility below the minimums required by KRS 224.866(3)(c). If granted, the variance shall take the form of an adjusted level of required liability coverage, such level to be based on the director's assessment of the degree and duration of risks associated with the ownership or operation of each facility or group of facilities. The director may require an owner or operator who requests a variance to provide such technical and engineering information as is deemed necessary by the director to determine a level of financial responsibility other than that required by Sections 1 and 2 of this regulation. Any request for a variance for a permitted facility shall be treated as a request for a permit modification under Section 2(1)(e) of 401 KAR 38:040 and Section 2 of 401 KAR 38:050.

Section 5. Period of Coverage. Within sixty (60) days after receiving certifications from the owner or operator and an independent registered professional engineer that final closure has been completed in accordance with the approved closure plan, the director will notify the owner or operator in writing that he is no longer required by this regulation to maintain liability coverage for that facility, unless the director has reason to believe that closure has not been in accordance with the approved closure plan. [An owner or operator must continuously provide liability coverage for a facility as required by this regulation until certification of termination pursuant to the requirements of KRS 224.866.]

Section 6. Liability Self-Insurance. (1) An owner or operator may satisfy the requirements of this regulation by demonstrating that he passes a financial test as specified in this section. To pass this test the owner or operator must demonstrate that the level of self-insurance does not exceed ten (10) percent of equity and must meet the criteria of either paragraph (a) or (b) of this subsection:

(a) The owner or operator must have:

1. Net working capital and tangible net worth each at least six (6) times the amount of liability coverage to be demonstrated by this test; and

2. Tangible net worth of at least $10 million; and

3. Assets in the United States amounting to either, at least, ninety (90) percent of his total assets or at least six (6) times the sum of the appropriate liability coverage to be demonstrated by this test.

(b) The owner or operator must have:

1. A current rating for his most recent bond issuance of AAA, AA, A or BBB as issued by Standard and Poor's or Aaa, Aa, A, or Baa as issued by Moody's; and

2. Tangible net worth of at least $10 million; and

3. Tangible net worth at least six (6) times the amount of the liability coverage to be demonstrated by this test; and

4. Assets located in the United States amounting to either, at least, ninety (90) percent of his total assets or at least six (6) times the amount of the liability coverage to be demonstrated by this test.

(2) The phrase "amount of liability coverage" as used in subsection (1) of this section refers to the annual aggregate amounts for which coverage is required under Sections 1 and 2 of this regulation.

(3) To demonstrate that he meets this test, the owner or operator must submit the following three (3) items to the director:

(a) A letter signed by the owner's or operator's chief financial officer and executed on a form provided by the cabinet which is worded as specified in 401 KAR 34:162;

(b) A copy of the independent certified public accountant's report on examination of the owner's or operator's financial statements for the latest completed fiscal year; and

(c) A special report from the owner's or operator's independent certified public accountant to the owner or operator stating that:

1. He has compared the data which the letter from the chief financial officer specifies as having been derived from the independently audited, year-end financial statements for the latest fiscal year with the amounts in such financial statements; and

2. In connection with that procedure, no matters came to his attention which caused him to believe that the specified data should be adjusted.

(4) An owner or operator of a new facility must submit the items specified in subsection (3) of this section to the director at least sixty (60) days before the date on which hazardous waste is first received for treatment, storage or disposal.

(5) After the initial submission of items specified in subsection (3) of this section, the owner or operator must send updated information to the director within ninety (90) days after the close of each succeeding fiscal year. This information must consist of all three (3) items specified in subsection (3) of this section.

(6) If the owner or operator no longer meets the requirements of subsection (1) of this section, he must obtain insurance for the entire amount of required liability coverage as specified in this regulation. Evidence of insurance must be submitted to the director within ninety (90) days after the end of the fiscal year for which the year-end financial data show that the owner or operator no longer meets the test requirements.

(7) The director may, based on a reasonable belief that the owner or operator may no longer meet the requirements of subsection (1) of this section, require reports of financial condition at any time from the owner or operator in addition to those specified in subsection (3) of this section. If the director finds, on the basis of such reports or other information, that the owner or operator no longer meets the requirements of subsection (1) of this section, the owner or operator must provide liability insurance as specified in this regulation within thirty (30) days after notification of such a finding.

(8) The director may disallow use of this test on the basis of qualifications in the opinion

expressed by the independent certified public accountant in his report on examination of the owner's or operator's financial statements (see subsection (3)(c) of this section). An adverse opinion or a disclaimer of opinion will be cause for disallowance. The director will evaluate other qualifications on an individual basis. The owner or operator must provide liability insurance for the entire amount of liability coverage as specified in this regulation within thirty (30) days after notification of the disallowance.

Section 7. Corporate Guarantee for Liability Coverage. (1) Subject to subsection (2) of this section, an owner or operator may meet the requirements of this regulation by obtaining a written guarantee, hereinafter referred to as "corporate guarantee." The guarantor shall be the parent corporation of the owner or operator. The guarantee shall meet the requirements for owners or operators in Section 6(1) through (8) of this regulation. The wording of the corporate guarantee shall be identical to the wording specified in Section 1(2) of 401 KAR 34:165. A certified copy of the corporate guarantee shall accompany the items sent to the director as specified in Section 6(3) of this regulation. The terms of the corporate guarantee shall provide that:

(a) If the owner or operator fails to satisfy a judgment based on a determination of liability for bodily injury or property damage to third parties caused by sudden or nonsudden accidental occurrences (or both as the case may be), arising from the operation of facilities covered by this corporate guarantee, or fails to pay an amount agreed to in settlement of claims arising from or alleged to arise from such injury or damage, the guarantor shall do so up to the limits of coverage.

(b) The corporate guarantee shall remain in force unless the guarantor sends notice of cancellation by certified mail to the owner or operator and to the director. This guarantee may not be terminated unless and until the director approves alternate liability coverage complying with this regulation or 401 KAR 35:120.

(2) A corporate guarantee may be used to satisfy the requirements of this regulation only if the Attorney General or insurance commissioner of the state in which the guarantor is incorporated and the office of general counsel in the Kentucky Natural Resources and Environmental Protection Cabinet and the insurance commissioner of the Commonwealth of Kentucky have submitted a written statement to the cabinet that a corporate guarantee executed as described in this regulation and Section 1(2) of 401 KAR 34:165 is a legally valid and enforceable obligation in the Commonwealth of Kentucky.

MARY HELEN MILLER, Secretary
APPROVED BY AGENCY: October 8, 1987
FILED WITH LRC: October 15, 1987 at 10 a.m.
PUBLIC HEARING SCHEDULED: A public hearing on this proposed regulation will be held on November 30, 1987 at 1 p.m. local prevailing time in the auditorium in the New State Office Building at Clinton and High Streets. Any person interested in attending this hearing shall submit by November 25, 1987 a written statement of such interest to: J. Alex Barber, Director, Division of Waste Management, 18 Reilly Road, Frankfort, Kentucky 40601. If no statement of interest is received by close of business on November 25, 1987, the hearing on this regulation may be cancelled. Written comments may also be submitted to the address above. Written comments will be accepted until the end of the comment period, which will be close of business on November 30, 1987.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: J. Alex Barber
(1) Type and number of entities affected: This regulation affects 14 hazardous waste sites or facilities.
(a) Direct and indirect costs or savings to those affected: Four companies will be affected by the provision allowing use of the corporate guarantee. Ten companies will be affected by the reduction in the amount of liability coverage required for nonsudden accidental occurrences and the reduction in the annual aggregate.
1. First year: Without the provision allowing for the corporate guarantee, two companies would have had to pay for auditing their companies' statements at a cost of $500,000 per company and two other companies would have had to pay insurance of approximately $500,000 per company.
2. Continuing costs or savings: The liability coverage for nonsudden accidental occurrences was reduced from $5,000,000 to $3,000,000 per occurrence while the annual aggregate was reduced from $10,000,000 to $6,000,000. Ten companies will be affected by this reduction: three landfills will each save $500,000 per year through this reduction, while seven surface impoundments will save $150,000 per company.
3. Additional factors increasing or decreasing costs (note any effects upon competition): None
(b) Reporting and paperwork requirements: When the director receives certification of final closure, he must notify the owner or operator in writing that the owner or operator is no longer required to provide liability coverage.
(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:
(3) Assessment of anticipated effect on state and local revenues: There will be no effect on state or local revenues from promulgation of this regulation.
(4) Assessment of alternative methods; reasons why alternatives were rejected: (a) Owners and operators must provide liability coverage continuously until certification of final closure is received by the director. When such certification is received, the director will notify the owner or operator that he is no longer required to maintain liability coverage for that facility.
Alternative: 1. Less stringent: Kentucky could not have been less stringent on this requirement and still have maintained authorization to administer the RCRA hazardous program. To have adopted less stringent provisions would have afforded Kentucky's public health and environment less protection than that provided by the national program.
2. More stringent: The cabinet could have chosen to be more stringent by requiring that an

owner or operator provide liability coverage after certification of final closure is received by the director. However, the present proposal is adequate to protect the public health and environment in Kentucky.

3. Present proposal: The present proposal clarifies that an owner or operator must provide liability coverage continuously until the certification of final closure is received by the director and until the director notifies the owner or operator in writing that he is released from this obligation.

(b) The amendments to this regulation allow the use of the corporate guarantee as an additional mechanism to provide liability coverage for owners and operators of hazardous waste treatment, storage, and disposal facilities.

Alternative: 1. Less stringent: Kentucky could not have been less stringent on this requirement and still have maintained authorization to administer the RCRA hazardous waste program. To have adopted less stringent provisions would have afforded Kentucky's public health and environment less protection than that provided by the national program.

2. More stringent: Allowing use of the corporate guarantee expands the number of liability coverage options available to owners and operators of treatment, storage, and disposal facilities. The cabinet could have been more stringent by not allowing the use of the corporate guarantee. However, the present proposal will provide owners and operators with greater flexibility while still ensuring that funds will be available to pay third party liability claims.

3. Present proposal: Owners and operators of hazardous waste treatment, storage and disposal facilities may use the corporate guarantee as an additional mechanism to provide liability coverage.

(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? Yes. This regulation applies only to hazardous waste sites or facilities.

FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate. (Cite federal mandate.) The amendments to this regulation adopt equivalent language from the federal regulations at 40 CFR 264.147 promulgated on May 2, 1986 (51 FR 16422-16459) and July 11, 1986 (51 FR 25350-25356). The amendments also make a clarification regarding the liability coverage requirements; this was done to ensure that this regulation is consistent with the requirements in KRS 224.866(3) promulgated by the 1986 General Assembly.

2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: No; the proposed amendments adopt requirements which are equivalent to those standards adopted by the U.S. EPA on May 2, 1986 and July 11, 1986. The amendments clarify the liability coverage requirements to make this regulation consistent with the requirements of KRS 224.866(3) promulgated by the 1986 General Assembly.

3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: Not applicable. The amendments made to this regulation do not impose additional requirements or responsibilities than those adopted by the U.S. EPA or than those requirements already in effect in the waste management regulations.

NATURAL RESOURCES AND
ENVIRONMENTAL PROTECTION CABINET
Department for Environmental Protection
Division of Waste Management
(Proposed Amendment)

401 KAR 34:144. Wording of the instrument for a surety bond guaranteeing payment into a trust fund.

RELATES TO: KRS 224.033, 224.071, 224.830 through 224.877, 224.994

PURSUANT TO: KRS 13A.210, 224.017, 224.033, 224.862, 224.866, 224.867

NECESSITY AND FUNCTION: KRS 224.866 requires that persons engaging in the storage, treatment, and disposal of hazardous waste obtain a permit. KRS 224.866 requires the Cabinet to establish standards for these permits, to require adequate financial responsibility, and to establish minimum standards for closure for all facilities and the post-closure monitoring and maintenance of hazardous waste disposal facilities. This chapter establishes minimum standards for new hazardous waste sites or facilities. This regulation establishes the wording of the instrument for a surety bond guaranteeing payment into a trust fund.

Section 1. Financial Guarantee Bond Instrument. A surety bond guaranteeing payment into a trust fund, as specified in Section 4 of 401 KAR 34:090 or Section 4 of 401 KAR 34:100 or Section 4 of 401 KAR 35:090 or Section 4 of 401 KAR 35:100 must be executed on a form provided by the cabinet which is worded as follows, except that instructions in parentheses are to be replaced with the relevant information and the parentheses deleted:

Financial Guarantee Bond

Date bond executed: (insert date executed)
Effective date: (insert effective date)
Principal: (insert legal name and business address of owner or operator)
Type of organization: (insert "individual," "joint venture," "partnership," or "corporation")
Commonwealth/State of incorporation:_____
Surety(ies): (Name(s) and business address(es))

EPA Identification Number, name, address, and closure and/or post-closure amount(s) for each facility guaranteed by this bond (indicate closure and post-closure amounts separately): (insert EPA identification number, name, address, and closure and/or post-closure amount(s) for each facility guaranteed by this bond and indicate the closure and post-closure

amounts separately.)
Total penal sum of bond: (insert total penal sum of bond)
Surety's Bond Number: (insert bond number)

Know all persons by these presents, That we, the Principal and Surety(ies) hereto are firmly bound to the Natural Resources and Environmental Protection Cabinet (hereinafter called Cabinet) in the above penal sum for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns jointly and severally; provided that, where the Surety(ies) are corporations acting as cosureties, we, the Sureties, bind ourselves in such sum "jointly and severally" only for the purpose of allowing a joint action or actions against any or all of us, and for all other purposes each Surety binds itself, jointly and severally with the Principal, for the payment of such sum only as is [it] set forth opposite the name of such Surety, but if no limit of liability is indicated, the limit of liability shall be the full amount of the penal sum.

Whereas, said Principal is required under Kentucky Revised Statutes Chapter 224; to have a permit or permits, or interim status, in order to own or operate each hazardous waste site or facility(ies) identified above, and

Whereas, said Principal is required to provide financial assurance for closure, or closure and post-closure care, as a condition of the permit or interim status, and

Whereas, said Principal shall establish a standby trust fund as is required when a surety bond is used to provide such financial assurance;

Now, Therefore, the conditions of the obligation are such that if the Principal shall faithfully, before the beginning of final closure of each facility identified above, fund the standby trust fund in the amount(s) identified above for the facility,

Or, if the Principal shall fund the standby trust fund in such amount(s) within fifteen (15) days after a final [an] order to begin closure is issued by the Secretary of the Cabinet or by a circuit court or other court of competent jurisdiction.

Or, if the Principal shall provide alternate financial assurance, as specified in 401 KAR 34:080 through 401 KAR 34:176 or 401 KAR 35:080 through 35:130, as applicable, and obtain the Director's written approval of such assurance, within ninety (90) days after the date notice of cancellation is received by both the Principal and the Director of the Division of Waste Management in the Kentucky Natural Resources and Environmental Protection Cabinet, hereinafter the Director of the Division, from the Surety(ies), then this obligation shall be null and void, otherwise it is to remain in full force and effect.

The Surety(ies) shall become liable on this bond obligation only when the Principal has failed to fulfill the conditions described above. Upon notification by the Director of the Division that the Principal has failed to perform as guaranteed by this bond, the Surety(ies) shall place funds in the amount guaranteed for the facility(ies) into the standby trust fund as directed by the Director of the Division.

The liability of the Surety(ies) shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall amount in the aggregate to the penal sum of the bond, but in no event shall the obligation of the Surety(ies) hereunder exceed the amount of said penal sum.

The Surety(ies) may cancel the bond by sending written notice of cancellation by certified mail to the Principal and to the Director of the Division, provided, however, that cancellation shall not occur during the 120 days beginning on the date of receipt of the notice of cancellation by both the Principal and Director of the Division, as evidenced by the return receipts.

The Principal may terminate this bond by sending written notice to the Surety(ies), provided, however, that no such notice shall become effective until the Surety(ies) receive(s) written authorization for termination of the bond by the Director of the Division. (The following paragraph is an optional rider that may be included but is not required.)

Principal and Surety(ies) hereby agree to adjust the penal sum of the bond yearly so that it guarantees a new closure and/or post-closure amount, provided that the penal sum does not increase by more than twenty (20) percent in any one (1) year, and no decrease in the penal sum takes place without the written permission of the Director of the Division.

In Witness Whereof, the Principal and Surety(ies) have executed this Financial Guarantee Bond and have affixed their seals on the date set forth above.

The persons whose signatures appear below hereby certify that they are authorized to execute this surety bond on behalf of the Principal and Surety(ies) and that the wording of this surety bond is identical to the wording specified in 401 KAR 34:144 as such regulation was constituted on the date this bond was executed.

Principal
(Signature(s)):
Name(s) and title(s) (typed):
(Corporate seal):

Corporate Surety(ies)
(Name and address):
Commonwealth/State of incorporation:
Liability limit: $
(Signature(s)):
Name(s) and title(s) (typed):
(Corporate seal):

(For every cosurety, provide signature(s), corporate seal, and other information in the same manner as for Surety above.)
Bond premium: $

MARY HELEN MILLER, Secretary

APPROVED BY AGENCY: October 8, 1987

FILED WITH LRC: October 15, 1987 at 10 a.m.

PUBLIC HEARING SCHEDULED: A public hearing on this proposed regulation will be held on November 30, 1987 at 1 p.m. local prevailing time in the auditorium in the New State Office Building at Clinton and High Streets. Any person interested in attending this hearing shall submit by November 25, 1987 a written statement of such interest to: J. Alex Barber, Director, Division of Waste Management, 18 Reilly Road, Frankfort, Kentucky 40601. If no statement of interest is received by close of business on November 25, 1987, the hearing on this regulation may be cancelled. Written comments may also be submitted to the address above. Written comments will be accepted until the end of the comment period, which will be close of

business on November 30, 1987.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: J. Alex Barber
(1) Type and number of entities affected: This regulation affects owners and operators of hazardous waste disposal, storage, and treatment facilities.
(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:
(3) Assessment of anticipated effect on state and local revenues: There will be no effect on state or local revenues from promulgation of this regulation.
(4) Assessment of alternative methods; reasons why alternatives were rejected: (a) The proposed amendments adopt verbatim the federal regulation 40 CFR 264.151(b) promulgated on May 2, 1986 (51 FR 16422-16459).
Alternative: 1. Less stringent: Kentucky could not have been less stringent on this requirement and still have maintained authorization to administer the RCRA hazardous waste program. To have adopted less stringent provisions would have afforded Kentucky's public health and environment less protection than that provided by the national program.
2. More stringent: Not applicable.
3. Present proposal: The present proposal is identical to the federal proposal and is the most appropriate to maintain consistency with the federal program.
(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? Yes. This regulation applies to owners and operators of hazardous waste disposal, storage, and treatment facilities.

FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate. (Cite federal mandate): The amendments to this regulation adopt verbatim language from the federal regulations at 40 CFR 264.151(b) promulgated on May 2, 1986 (51 FR 16422-16459). In addition, a technical clarification has been made which does not alter existing requirements but adds language to eliminate conflicts within the waste management regulations.
2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: No; the proposed amendments adopt requirements which are identical to those standards adopted by the U.S. EPA on May 2, 1986.
3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: Not applicable. The amendments made to this regulation do not impose additional requirements or responsibilities than those adopted by the U.S. EPA or than those requirements already in effect in the waste management regulations. Technical corrections were made to this regulation to improve the clarity and consistency of the waste management regulations in 401 KAR Chapters 30 through 40.

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
Department for Environmental Protection
Division of Waste Management
(Proposed Amendment)

401 KAR 34:159. Wording of the instrument for financial test on closure or postclosure care.

RELATES TO: KRS 224.033, 224.071, 224.830 through 224.877, 224.994
PURSUANT TO: KRS 13A.210, 224.017, 224.862, 224.866, 224.867
NECESSITY AND FUNCTION: KRS 224.866 requires that persons engaging in the storage, treatment, and disposal of hazardous waste obtain a permit. KRS 224.866 requires the Cabinet to establish standards for these permits, to require adequate financial responsibility, and to establish minimum standards for closure for all facilities and the postclosure monitoring and maintenance of hazardous waste disposal facilities. This chapter establishes minimum standards for new hazardous waste sites or facilities. This regulation establishes the wording of the instrument for a letter from the chief financial officer to demonstrate assurance of closure or postclosure care.

Section 1. Financial Test for Closure or Postclosure Care Instrument. A letter from the chief financial officer, as specified in Section 8 of 401 KAR 34:090 or Section 8 of 401 KAR 34:100 or Section 7 of 401 KAR 35:090 or Section 7 of 401 KAR 35:100, must be executed on a form provided by the cabinet which is worded as follows, except that the instructions in parentheses are to be replaced with the relevant information and the parentheses deleted:

Letter from Chief Financial Officer
(To Demonstrate Assurance
of Closure or Postclosure Care)

Director
Division of Waste Management
Department for Environmental Protection
Natural Resources and Environmental Protection Cabinet
Frankfort, Kentucky 40601

Dear Director:

I am the chief financial officer of (name and address of firm). This letter is in support of

this firm's use of the financial test to demonstrate financial assurance, as specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130. [:_____]

(Fill out the following five (5) [four (4)] paragraphs and schedules regarding facilities and associated cost estimates. If your firm has no facilities that belong in a particular paragraph, write "None" on the appropriate schedule. For each facility, include its EPA Identification Number, name, address and current closure and/or postclosure cost estimates. Identify each cost estimate as to whether it is for closure or postclosure care.)

1. This firm is the owner or operator of the following facilities in Kentucky for which financial assurance for closure or postclosure care is demonstrated through the financial test specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130. The current closure and/or postclosure cost estimates covered by this test are shown for each facility in Schedule 1 which is attached.

2. This firm guarantees, through the corporate guarantee specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130, the closure or postclosure care of the following facilities owned or operated by subsidiaries of this firm. The current cost estimates for the closure or postclosure care so guaranteed are shown for each facility in Schedule 2 which is attached.

3. In states other than Kentucky, this firm, as owner or operator or guarantor, is demonstrating financial assurance for the closure or postclosure care of the following facilities through the use of a test equivalent or substantially equivalent to the financial test specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130. The current closure and/or postclosure cost estimates covered by such a test are shown for each facility in Schedule 3 which is attached.

4. This firm is the owner or operator of the following hazardous waste sites or facilities for which financial assurance for closure or, if a disposal facility, postclosure care, is not demonstrated either to EPA, Kentucky or any state through the financial test or any other financial assurance mechanism specified in 401 KAR 34:080 through 401 KAR 34:176 or 401 KAR 35:080 through 401 KAR 35:130, or equivalent or substantially equivalent state or EPA mechanisms. The current closure and/or postclosure cost estimates not covered by such financial assurance are shown for each facility in Schedule 4 which is attached.

5. This firm is the owner or operator of the following UIC facilities for which financial assurance for plugging and abandonment is required under 40 CFR Part 144. The current closure cost estimates as required by 40 CFR 144.62 and 401 KAR 35:270 are shown for each facility in Schedule 5 which is attached.

This firm (insert "is required" or "is not required") to file a form 10K with the Securities and Exchange Commission (SEC) for the latest fiscal year.

The fiscal year of this firm ends on (month, day). The figures for the following items marked with an asterisk are derived from this firm's independently audited, year-end financial statements for the latest completed fiscal year, ended (date).

(Fill in Alternative I if the criteria of Section 8(1)(a) of 401 KAR 34:090 or Section 8(1)(a) of 401 KAR 34:100 or Section 7(1)(a) of 401 KAR 35:090 or Section 7(1)(a) of 401 KAR 35:100 are used. Fill in Alternative II if the criteria of Section 8(1)(b) of 401 KAR 34:090 or Section 8(1)(b) of 401 KAR 34:100 or Section 7(1)(b) of 401 KAR 35:090 or Section 7(1)(b) of 401 KAR 35:100 are used.)

Alternative I

1. Sum of current closure and postclosure cost estimates (total of all cost estimates shown in the five (5) [four (4)] paragraphs above) $_____

*2. Total liabilities (if any portion of the closure or postclosure cost estimates is included in your total liabilities, you may deduct the amount of that portion from this line and add that amount to lines 3 and 4) $_____

*3. Tangible net worth $_____

*4. Net worth $_____

*5. Current assets $_____

*6. Current liabilities $_____

7. Net working capital (line 5 minus line 6) $_____

*8. The sum of net income plus depreciation, depletion, and amortization $_____

*9. Total assets in United States (required only if less than ninety (90) percent of assets are located in United States). $_____

(Answer yes or no to the following questions.)

10. Is line 3 at least $10 million? _____

11. Is line 3 at least six (6) times line 1? __

12. Is line 7 at least six (6) times line 1? __

*13. Are at least ninety (90) percent of assets located in the United States? If not, complete line 14.__

14. Is line 9 at least six (6) times line 1?___

15. Is line 2 divided by line 4 less than 2.0?_

16. Is line 8 divided by line 2 greater than 0.1?_____

17. Is line 5 divided by line 6 greater than 1.5?_____

Alternative II

1. Sum of current closure and postclosure cost estimates (total of all cost estimates shown in the five (5) [four (4)] paragraphs above) $_____

2. Current bond rating of most recent issuance of this firm and name of rating service._____

3. Date of issuance of bond_____

4. Date of maturity of bond_____

*5. Tangible net worth (if any portion of the closure and postclosure cost estimates is included in "total liabilities" on your firm's financial statements, you may add the amount of that portion to this line) $_____

*6. Total assets in United States (required only if less than 90 percent of firm's assets are located in United States.) $_____

(Answer yes or no to the following questions.)

7. Is line 5 at least $10 million?_____

8. Is line 5 at least six (6) times line 1?____

*9. Are at least ninety (90) percent of firm's assets located in United States? If not complete line 10._____

10. Is line 6 at least six (6) times line 1?___

I hereby certify that the wording of this letter is identical to the wording specified in

401 KAR 34:159 as such regulations were constituted on the date shown immediately below.
(Signature)_____
(Name, typed)_____
(Title, typed)_____
(Date)_____

MARY HELEN MILLER, Secretary
APPROVED BY AGENCY: October 8, 1987
FILED WITH LRC: October 15, 1987 at 10 a.m.
PUBLIC HEARING SCHEDULED: A public hearing on this proposed regulation will be held on November 30, 1987 at 1 p.m. local prevailing time in the auditorium in the New State Office Building at Clinton and High Streets. Any person interested in attending this hearing shall submit by November 25, 1987 a written statement of such interest to: J. Alex Barber, Director, Division of Waste Management, 18 Reilly Road, Frankfort, Kentucky 40601. If no statement of interest is received by close of business on November 25, 1987, the hearing on this regulation may be cancelled. Written comments may also be submitted to the address above. Written comments will be accepted until the end of the comment period, which will be close of business on November 30, 1987.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: J. Alex Barber
(1) Type and number of entities affected: The proposed amendment applies to hazardous waste sites or facilities. Currently there are 36 facilities which use the financial test mechanism for closure or postclosure care. It is estimated that none of these facilities have underground injection control (UIC) wells which would affect their ability to demonstrate financial assurance under this mechanism.
(a) Direct and indirect costs or savings to those affected:
1. First year: None. The inclusion of the requirement to list financial commitments for closure and postclosure of UIC wells will result in no additional costs or savings to those affected. However, for any facility which fails to meet the financial test because of the requirement to include UIC well commitments in their demonstration, a significant cost will be incurred for obtaining alternate financial assurance.
2. Continuing costs or savings: None
3. Additional factors increasing or decreasing costs (note any effects upon competition): None
(b) Reporting and paperwork requirements: The proposed amendments require owners and operators using the financial test to list the most current cost estimates associated with their Class I UIC facilities under the 40 CFR Part 144 financial responsibility requirements.
(2) Effects on the promulgating administrative body:
(a) Direct and indirect costs or savings:
1. First year: None. The promulgating administrative body anticipates no new review costs as a result of the proposed amendments.
2. Continuing costs or savings: None
3. Additional factors increasing or decreasing costs: None
(b) Reporting and paperwork requirements:
(3) Assessment of anticipated effect on state and local revenues: There will be no effect on state or local revenues from promulgation of this regulation.
(4) Assessment of alternative methods; reasons why alternatives were rejected: (a) The proposed amendment is identical to the federal regulations promulgated on May 2, 1986 (51 FR 16422-16459).
Alternative: 1. Less stringent: Kentucky could not have been less stringent on this requirement and still have maintained authorization to administer the RCRA hazardous waste program. To have adopted less stringent provisions would have afforded Kentucky's public health and environment less protection than that provided by the national program since it is possible, although unlikely, that by including the requirement to identify the amount obligated for closure and postclosure of UIC wells, a company might fail to qualify for use of the financial test.
2. More stringent: The cabinet could have chosen to require more stringent standards for owners or operators using the financial test. However, the present proposal is considered sufficient to protect the environment and public health.
3. Present proposal: The present proposal requires owners and operators using the financial test to list the most current cost estimates for UIC wells in addition to other financial obligations.
(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? Yes. The amendments to this regulation apply to hazardous waste sites or facilities.

FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate. (Cite federal mandate): The amendments to this regulation adopt verbatim language from the federal regulations at 40 CFR 264.151(f) promulgated on May 2, 1986 (51 FR 16422-16459).
2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: No; the proposed amendments adopt requirements which are identical to those standards adopted by the U.S. EPA on May 2, 1986.
3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: The amendments made to this regulation do not impose additional requirements or responsibilities than those adopted by the U.S. EPA or than those requirements already in effect in the waste management regulations.

NATURAL RESOURCES AND
ENVIRONMENTAL PROTECTION CABINET
Department for Environmental Protection
Division of Waste Management
(Proposed Amendment)

401 KAR 34:162. Wording of the instrument for financial test on liability coverage and closure or postclosure care.

RELATES TO: KRS 224.033, 224.071, 224.830 through 224.877, 224.994
PURSUANT TO: KRS 13A.210, 224.017, 224.033 224.017, 224.862, 224.866, 224.867
NECESSITY AND FUNCTION: KRS 224.866 requires that persons engaging in the storage, treatment, and disposal of hazardous waste obtain a permit. KRS 224.866 requires the Cabinet to establish standards for these permits, to require adequate financial responsibility, and to establish minimum standards for closure for all facilities and the postclosure monitoring and maintenance of hazardous waste disposal facilities. This chapter establishes minimum standards for new hazardous waste sites or facilities. This regulation establishes the wording of the instrument for financial test on liability and closure or postclosure care.

Section 1. Financial Test for Liability and Closure or Postclosure Instrument. A letter from the chief financial officer, as specified in Section 6 of 401 KAR 34:120 or Section 6 of 401 KAR 35:120 must be executed on a form provided by the cabinet which is worded as follows, except that instructions in parentheses are to be replaced with the relevant information and the parentheses deleted:

Letter from Chief Financial Officer
(to Demonstrate Liability Coverage or to
Demonstrate Both Liability Coverage
and Assurance of Closure or
Postclosure Care)

Director
Division of Waste Management
Natural Resources and
Environmental Protection Cabinet
Department for Environmental Protection
Frankfort, Kentucky 40601

Dear Director:

I am the chief financial officer of (firm's [owner's or operator's] name and address). This letter is in support of the use of the financial test to demonstrate financial responsibility for liability coverage, (insert "and closure and/or postclosure care" if applicable) as specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130.

(Fill out the following [five] paragraphs regarding facilities and liability coverage. If there are no facilities that belong in a particular paragraph, write "None" in the space indicated. For each facility, include its EPA Identification Number, name, and address.)

The firm [owner or operator] identified above is the owner or operator of the following facilities for which liability coverage for (insert "sudden" or "nonsudden" or "both sudden and nonsudden") accidental occurrences is being demonstrated through the financial test as specified in 401 KAR 34:080 through 401 KAR 34:176 [34:120] and 401 KAR 35:080 through 401 KAR 35:130 [35:120]: _____.

The firm identified above guarantees, through the corporate guarantee specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130, liability coverage for (insert "sudden" or "nonsudden" or "both sudden and nonsudden") accidental occurrences at the following facilities owned or operated by the following subsidiaries of the firm: _____.

(If you are using the financial test to demonstrate coverage of both liability and closure and postclosure care, fill in the following five (5) [four (4)] paragraphs and schedules regarding facilities and associated closure and postclosure cost estimates. If there are no facilities that belong in a particular paragraph, write "None" in the space indicated. For each facility, include its EPA Identification Number, name, address, and current closure and/or postclosure cost estimates. Identify each cost estimate as to whether it is for closure or postclosure care.)

1. The firm [owner or operator] identified above owns or operates the following facilities in Kentucky for which financial assurance for closure or postclosure care is demonstrated through the financial test specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130. The current closure and/or postclosure cost estimates covered by this test are shown for each facility in Schedule 1 which is attached.

2. The firm [owner or operator] identified above guarantees, through the corporate guarantee specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130, the closure and postclosure care of the following facilities owned or operated by its subsidiaries. The current cost estimates for the closure or postclosure care so guaranteed are shown for each facility in Schedule 2 which is attached.

3. In States other than Kentucky, this firm [owner or operator] is demonstrating financial assurance for the closure or postclosure care of the following facilities through the use of a test equivalent or substantially equivalent to the financial test specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130. The current closure [and/]or postclosure cost estimates covered by such a test are shown for each facility in Schedule 3 which is attached.

4. The firm [owner or operator] identified above owns or operates the following hazardous waste sites or facilities for which financial assurance for closure or, if a disposal facility, postclosure care, is not demonstrated to Kentucky, EPA or any State through the financial test or any other financial assurance mechanism specified in 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130 or equivalent or substantially equivalent state mechanisms. The current closure and/or postclosure cost estimates not covered by such financial assurance are shown for each facility in Schedule 4 which is attached.

5. This firm is the owner or operator of the following UIC facilities for which financial assurance for plugging and abandonment is required under 40 CFR Part 144. The current closure cost estimates as required by 40 CFR 144.62 and 401 KAR 35:270 are shown for each facility in schedule 5 which is attached.

This firm [owner or operator] (insert "is required" or "is not required") to file a form 10K with the Securities and Exchange Commission (SEC) for the latest fiscal year.

The fiscal year of this firm [owner or operator] ends on (month, day). The figures for the following items marked with an asterisk are derived from this firm's [owner's or operator's] independently audited, year-end financial statements for the latest completed fiscal year, ended (date).

(Fill in Part A if you are using the financial test to demonstrate coverage only for the liability requirements.)

Part A. Liability Coverage for Accidental Occurrences

(Fill in Alternative I if the criteria of Section 6(1)(a) of 401 KAR 34:120 or Section 6(1)(a) of 401 KAR 35:120 are used. Fill in Alternative II if the criteria of Section 6(1)(b) of 401 KAR 34:120 or Section 6(1)(b) of 401 KAR 35:120 are used.)

Alternative I

1. Amount of annual aggregate liability coverage to be demonstrated: $_____

*2. Current assets $_____

*3. Current liabilities $_____

*4. Net working capital (line 2 minus line 3) $_____

*5. Tangible net worth $_____

*6. If less than ninety (90) percent of assets are located in United States, give total United States assets $_____

*7. Ten (10) percent of equity: $_____

(Answer yes or no to questions 8 through 13 [12].)

8. Is line 1 less than line 7? If the answer is no, the test fails. _____.

9. [8.] Is line 5 at least $10 million? _____

10. [9.] Is line 4 at least six (6) times line 1? ___

11. [10.] Is line 5 at least six (6) times line 1? __

*12. [11.] Are at least ninety (90) percent of assets located in United States? If not, complete line 13 [12]. _____

13. [12.] Is line 6 at least six (6) times line 1? __

Alternative II

1. Amount of annual aggregate liability coverage to be demonstrated: $_____

2. Current bond rating of most recent issuance and name of rating service _____

3. Date of issuance of bond _____

4. Date of maturity of bond _____

*5. Tangible net worth $_____

*6. Total assets in United States (required only if less than ninety (90) percent of assets are located in United States) $_____

*7. Ten (10) percent of equity: $_____

(Answer yes or no to the questions 8 through 12 [11]).

8. Is line 1 less than line 7? If the answer is no, the test fails. _____.

9. [8.] Is line 5 at least $10 million? _____

10. [9.] Is line 5 at least six (6) times line 1? ___

*11. [10.] Are at least ninety (90) percent of assets located in United States? If not, complete line 12 [11]. _____

12. [11.] Is line 6 at least six (6) times line 1? __

(Fill in Part B if you are using the financial test to demonstrate assurance of both liability coverage and closure or postclosure care.)

Part B. Closure or Postclosure Care and Liability Coverage

(Fill in Alternative I if the criteria of Section 8(1)(a) of 401 KAR 34:090 or Section 8(1)(a) of 401 KAR 34:100 and Section 6(1)(a) of 401 KAR 34:120 are used or if the criteria of Section 7(1)(a) of 401 KAR 35:090 or Section 7(1)(a) of 401 KAR 35:100 and Section 6(1)(a) of 401 KAR 35:120 are used. Fill in Alternative II if the criteria of Section 8(1)(b) of 401 KAR 34:090 or Section 8(1)(b) of 401 KAR 34:100 and Section 6(1)(b) of 401 KAR 34:120 are used or if the criteria of Section 7(1)(b) of 401 KAR 35:090 or Section 7(1)(b) of 401 KAR 35:100 and Section 6(1)(b) of 401 KAR 35:120 are used.

Alternative I

1. Sum of current closure and postclosure cost estimates (total of all cost estimates listed above) $_____

2. Amount of annual aggregate liability coverage to be demonstrated $_____

3. Sum of lines 1 and 2 $_____

*4. Total liabilities (if any portion of your closure or postclosure cost estimates is included in your total liabilities, you may deduct that portion from this line and add that amount to lines 5 and 6) $_____

*5. Tangible net worth $_____

*6. Net worth $_____

*7. Current assets $_____

*8. Current liabilities $_____

9. Net working capital (line 7 minus line 8) $_____

*10. The sum of net income plus depreciation, depletion, and amortization $_____

*11. Total assets in United States (required only if less than ninety (90) percent of assets are located in United States.) $_____

*12. Ten (10) percent of equity $_____

(Answer yes or no to questions 13 through 21 [20].)

13. Is line 2 less than line 12? If the answer is no, the test fails for liability coverage (complete form number DEP-6035F). _____.

14. [13.] Is line 5 at least $10 million? _____

15. [14.] Is line 5 at least six (6) times line 3? __

16. [15.] Is line 9 at least six (6) times line 3? __

*17. [16.] Are at least ninety (90) percent of assets located in United States? If not, complete line 18 [17]. _____

18. [17.] Is line 11 at least six (6) times line 3? _

19. [18.] Is line 4 divided by line 6 less than 2.0? _____

20. [19.] Is line 10 divided by line 4 greater than 0.1? _____

21. [20.] Is line 7 divided by line 8 greater than 1.5? _____

Alternative II

1. Sum of current closure and postclosure cost estimates (total of all cost estimates listed above) $_____

2. Amount of annual aggregate liability coverage to be demonstrated $_____

3. Sum of lines 1 and 2 $_____

4. Current bond rating of most recent issuance and name of rating service _____

5. Date of issuance of bond _____

6. Date of maturity of bond _____

*7. Tangible net worth (if any portion of the closure or postclosure cost estimates is included in "total liabilities" on your financial statements you may add that portion to this line) $_____

*8. Total assets in United States (required only if less than ninety (90) percent of assets are located in United States.) $_____

*9. Ten (10) percent of equity $_____

(Answer yes or no to questions 10 through 14 [13].)

10. Is line 1 less than line 9? If the answer is no, the test fails for liability coverage (complete form number DEP 3065F for closure and/or postclosure). _____.

11. [10.] Is line 7 at least $10 million? _____

12. [11.] Is line 7 at least six (6) times line 3? __

13. [12.] Are at least ninety (90) percent of assets located in United States? If not, complete line 14 [13]. _____

14. [13.] Is line 8 at least six (6) times line 3? __

I hereby certify that the wording of this letter is identical to the wording specified in 401 KAR 34:162 as such regulations were constituted on the date shown immediately below.

Signature: _____

Name (typed): _____

Title (typed): _____

Date (typed): _____

MARY HELEN MILLER, Secretary

APPROVED BY AGENCY: October 8, 1987

FILED WITH LRC: October 15, 1987 at 10 a.m.

PUBLIC HEARING SCHEDULED: A public hearing on this proposed regulation will be held on November 30, 1987 at 1 p.m. local prevailing time in the auditorium in the New State Office Building at Clinton and High Streets. Any person interested in attending this hearing shall submit by November 25, 1987 a written statement of such interest to: J. Alex Barber, Director, Division of Waste Management, 18 Reilly Road, Frankfort, Kentucky 40601. If no statement of interest is received by close of business on November 25, 1987, the hearing on this regulation may be cancelled. Written comments may also be submitted to the address above. Written comments will be accepted until the end of the comment period, which will be close of business on November 30, 1987.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: J. Alex Barber

(1) Type and number of entities affected: The amendments to this regulation apply to hazardous waste sites or facilities. Currently there are 30 facilities which use the financial test mechanism for liability coverage and closure or postclosure care.

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

1. First year: None. The inclusion of the requirement to list financial commitments for closure and postclosure of UIC wells will result in no additional costs or savings to those affected. However, for any facility which fails to meet the financial test because of the requirement to include UIC well commitments in their demonstration, a significant cost will be incurred for obtaining alternate financial assurance. In addition, the ability of a company to use the corporate guarantee for liability insurance should result in a significant savings to those companies that qualify.

2. Continuing costs or savings: None

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

(b) Reporting and paperwork requirements: The proposed amendments require owners or operators using the financial tests to list the most current cost estimates associated with their Class I UIC facilities under the 40 CFR Part 144 financial responsibility requirements.

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings:

1. First year: None. The promulgating administrative body anticipates no new review costs as a result of the proposed amendments.

2. Continuing costs or savings: None

3. Additional factors increasing or decreasing costs: None

(b) Reporting and paperwork requirements:

(3) Assessment of anticipated effect on state and local revenues: There will be no effect on state or local revenues from promulgation of this regulation.

(4) Assessment of alternative methods; reasons why alternatives were rejected: (a) The proposed amendments are identical to the federal regulations promulgated on May 2, 1986 (51 FR 16422-16459) and July 11, 1986 (51 FR 25350-25356) which includes the requirement to identify obligations for proper closure/postclosure of UIC wells in determining the firm's ability to use the financial test mechanism and extends the use of the corporate guarantee for liability insurance.

Alternative: 1. Less stringent: Kentucky could not have been less stringent on this requirement and still have maintained authorization to administer the RCRA hazardous waste program. To have adopted less stringent provisions would have afforded Kentucky's public health and environment less protection than provided by the national program by failing to take into account obligations for proper closure/postclosure of UIC wells.

2. More stringent: The cabinet could have chosen to require more standards for owners and operators using the financial test, however, the proposed amendment is sufficient to protect the environment and public health and allows the use of the corporate guarantee for liability insurance.

3. Present proposal: The present proposal requires owners and operators using the financial test to list the most current cost estimates. This provides adequate protection for the public health and environment.

(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? Yes. The amendment to this regulation only applies to hazardous waste sites or facilities.

FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate. (Cite federal mandate.) The amendments to this regulation adopt verbatim language from the federal regulations at 40 CFR 264.151(g) promulgated on May 2, 1986 (51 FR 16422-16459) and July 11, 1986 (51 FR 25350-25356).

2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: No; the proposed amendments adopt requirements which are identical to those standards adopted by the U.S. EPA on May 2, 1986 and July 11, 1986.

3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: Not applicable. The amendments to this regulation do not impose additional requirements or responsibilities than those adopted by the U.S. EPA.

NATURAL RESOURCES AND
ENVIRONMENTAL PROTECTION CABINET
Department for Environmental Protection
Division of Waste Management
(Proposed Amendment)

401 KAR 34:165. Wording of the instrument for a corporate guarantee.

RELATES TO: KRS 224.033, 224.071, 224.830 through 224.877, 224.994

PURSUANT TO: KRS 13A.210, 224.017, 224.862, 224.866, 224.867

NECESSITY AND FUNCTION: KRS 224.866 requires that persons engaging in the storage, treatment, and disposal of hazardous waste obtain a permit. KRS 224.866 requires the Cabinet to establish standards for these permits, to require adequate financial responsibility, and to establish minimum standards for closure for all facilities and the postclosure monitoring and maintenance of hazardous waste disposal facilities. This chapter establishes minimum standards for new hazardous waste sites or facilities. This regulation establishes the wording of the instrument for a corporate guarantee.

Section 1. Corporate Guarantee Instrument. (1) A corporate guarantee, as specified in Section 8 of 401 KAR 34:090, or Section 8 of 401 KAR 34:100, or Section 7 of 401 KAR 35:090, or Section 7 of 401 KAR 35:100, shall [must] be executed on a form provided by the cabinet which is worded as follows, except that instructions in parentheses are to be replaced with the relevant information and the parentheses deleted:

Corporate Guarantee for
Closure or Postclosure Care

Guarantee made this (date) by (name of guaranteeing entity), a business corporation organized under the laws of the state of (insert name of state), herein referred to as guarantor, to the Division of Waste Management in the Kentucky Natural Resources and Environmental Protection Cabinet, obligee, on behalf of our subsidiary (owner or operator) of (business address).

Recitals

1. Guarantor meets or exceeds the financial test criteria and agrees to comply with the reporting requirements for guarantors as specified in Section 8 of 401 KAR 34:090, or Section 8 of 401 KAR 34:100 and Section 7 of 401 KAR 35:090 or Section 7 of 401 KAR 35:100.

2. (Owner or operator) owns or operates the following hazardous waste site(s) or facility(ies) covered by this guarantee: (List for each facility: EPA Identification Number, name, and address. Indicate for each whether guarantee is for closure, postclosure care, or both).

3. "Closure plans" and "postclosure plans" as used below refer to the plans maintained as required by 401 KAR 34:070 and 401 KAR 35:070 for the closure and postclosure care of facilities as identified above.

4. For value received from (owner or operator), guarantor guarantees to the Division of Waste Management that in the event that (owner or operator) fails to perform (insert "closure," "postclosure care" or "closure and postclosure care") of the above facility(ies) in accordance with the closure or postclosure plans and other permit or interim status requirements whenever required to do so, the guarantor shall do so or establish a trust fund as specified in 401 KAR 34:080 through 401 KAR 34:176 or 401 KAR 35:080 through 401 KAR 35:130, as applicable, in the name of (owner or operator) in the amount of the current closure or postclosure cost estimates as specified in 401 KAR 34:080 through 401 KAR 34:176 or 401 KAR 35:080 through 401 KAR 35:130.

5. Guarantor agrees that if, at the end of any fiscal year before termination of this guarantee, the guarantor fails to meet the financial test criteria, guarantor shall send within ninety (90) days, by certified mail, notice to the Director of the Division of Waste Management and to (owner or operator) that he intends to provide alternate financial assurance as specified in 401 KAR 34:080 through 401 KAR 34:176 or 401 KAR 35:080 through 401 KAR 35:130, as applicable, in the name of (owner or operator). Within 120 days after the end of such fiscal year, the guarantor shall establish such financial assurance unless (owner or operator) has done so.

6. The guarantor agrees to notify the Director of the Division of Waste Management by certified mail of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming guarantor as debtor, within ten (10) days after commencement of the proceeding.

7. Guarantor agrees that within thirty (30) days after being notified by the Director of the Division of the Waste Management of a determination that guarantor no longer meets the financial test criteria or [that he] is disallowed from continuing as a guarantor of closure or postclosure care, it [he] shall

establish alternate financial assurance as specified in 401 KAR 34:080 through 401 KAR 34:176 or 401 KAR 35:080 through 401 KAR 35:130, as applicable, in the name of (owner or operator) unless (owner or operator) has done so.

8. Guarantor agrees to remain bound under this guarantee notwithstanding any or all of the following: amendment or modification of the closure or postclosure plan, amendment or modification of the permit, the extension or reduction of the time of performance of closure or postclosure, or any other modification or alteration of an obligation of the owner or operator pursuant to 401 KAR Chapter 34 or 35.

9. Guarantor agrees to remain bound under this guarantee for so long as (owner or operator) must comply with the applicable financial assurance requirements of 401 KAR 34:080 through 401 KAR 34:176 and 401 KAR 35:080 through 401 KAR 35:130 for the above-listed facilities, except that guarantor may cancel this guarantee by sending notice by certified mail to the Director of the Division of Waste Management and to (owner or operator), such cancellation to become effective no earlier than 120 days after receipt of such notice by both the Director of the Division of Waste Management and (owner or operator), as evidenced by the return receipts.

10. Guarantor agrees that if (owner or operator) fails to provide alternate financial assurance as specified in 401 KAR 34:080 through 401 KAR 34:176 or 401 KAR 35:080 through 401 KAR 35:130, as applicable, and obtain written approval of such assurance from the Director of the Division of Waste Management within ninety (90) days after a notice of cancellation by the guarantor is received by the Director of the Division of Waste Management from guarantor, guarantor shall provide such alternate financial assurance in the name of (owner or operator).

11. Guarantor expressly waives notice of acceptance of this guarantee by the Director of the Division of Waste Management or by (owner or operator). Guarantor also expressly waives notice of amendments or modifications of the closure and/or postclosure plan and of amendments or modifications of the facility permit(s).

I hereby certify that the wording of this guarantee is identical to the wording specified in 401 KAR 34:165 as such regulation was constituted on the date first above written.

Effective date: _____

(Name of guarantor, typed) _____

(Authorized signature for guarantor) _____

(Name of person signing, typed) _____

(Title of person signing, typed) _____

(Signature of Witness or Notary Public) _____

(Date Notary Public's Commission Expires) _____

(Seal of Notary Public) _____

(2) A corporate guarantee, as specified in Section 7 of 401 KAR 34:120, or Section 7 of 401 KAR 35:120,shall be executed on a form provided by the cabinet which is worded as follows, except that instructions in parentheses are to be replaced with the relevant information and the parentheses deleted:

Corporate Guarantee for Liability Coverage

Guarantee made this (date) by (name of guaranteeing entity), a business corporation organized under the laws of the state of (insert name of state), herein referred to as guarantor, on behalf of our subsidiary (owner or operator) of (business address), to any and all third parties who have sustained or may sustain bodily injury or property damage caused by (sudden and/or nonsudden) accidental occurrences arising from operation of the facility(ies) covered by this guarantee.

Recitals

1. Guarantor meets or exceeds the financial test criteria and agrees to comply with the reporting requirements for guarantors as specified in Section 7 of 401 KAR 34:120 and Section 7 of 401 KAR 35:120.

2. (Owner or operator) owns or operates the following hazardous waste site(s) or facility(ies) covered by this guarantee: (List for each facility: EPA Identification Number, name, and address.) This corporate guarantee satisfies RCRA third-party liability requirements for (insert "sudden" or "nonsudden" or "both sudden and nonsudden") accidental occurrences in above-named owner or operator's facilities for (insert dollar amount) of coverage.

3. For value received from (owner or operator), guarantor guarantees to any and all third parties who have sustained or may sustain bodily injury or property damage caused by (sudden and/or nonsudden) accidental occurrences arising from operations of the facility(ies) covered by this guarantee that in the event that (owner or operator) fails to satisfy a judgment or award based on a determination of liability for bodily injury or property damage to third parties caused by (sudden or nonsudden) accidental occurences, arising from operation of the above named facilities, or fails to pay an amount agreed to in settlement of a claim arising from or alleged to arise from such injury or damages, the guarantee will satisfy such judgment(s), award(s), or settlement agreement(s) up to the limits of coverage identified above.

4. Guarantor agrees that if, at the end of any fiscal year before termination of this guarantee, the guarantor fails to meet the financial test criteria, guarantor shall send within ninety (90) days, by certified mail, notice to the Director of the Division of Waste Management and to (owner or operator) that it intends to provide alternate liability coverage as specified in 401 KAR 34:120 and 401 KAR 35:120, as applicable, in the name of (owner or operator). Within 120 days after the end of such fiscal year, the guarantor shall establish such liability coverage unless (owner or operator) has done so.

5. The guarantor agrees to notify the Director of the Division of Waste Management by certified mail of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming guarantor as debtor, within ten (10) days after commencement of the proceeding.

6. Guarantor agrees that within thirty (30) days after being notified by the Director of the Division of the Waste Management of a determination that guarantor no longer meets the financial test criteria or is disallowed from continuing as a guarantor, it shall establish alternate liability coverage as specified in 401 KAR 34:120 or 401 KAR 35:120 in the name of (owner or operator) unless (owner or operator) has done so.

7. Guarantor reserves the right to modify this agreement to take into account amendment or modification of the liability requirements set by 401 KAR 34:120 and 401 KAR 35:120, provided

that such modification shall become effective only if the Director of the Division of Waste Management does not disapprove the modification within thirty (30) days of the notification of the modification.

8. Guarantor agrees to remain bound under this guarantee for so long as (owner or operator) must comply with the applicable requirements of 401 KAR 34:120 and 401 KAR 35:120 for the above-listed facilities(ies), except as provided in paragraph 9 of this agreement.

9. Guarantor may terminate this guarantee by sending notice by certified mail to the Director of the Division of Waste Management and to (owner or operator), provided that this guarantee may not be terminated unless and until the (owner or operator) obtains, and the Director of the Division of Waste Management approves alternate liability coverage complying with 401 KAR 34:120 and/or 401 KAR 35:120.

10. This guarantee is to be interpreted and enforced in accordance with the laws of Kentucky.

11. Guarantor hereby expressly waives notice of acceptance of this guarantee by any party.

I hereby certify that the wording of this guarantee is identical to the wording specified in Section 1(2) of 401 KAR 34:165 as such regulation was constituted on the date first above written.

Effective date: _____

(Name of guarantor _____

(Authorized signature for guarantor) _____

(Name of person signing) _____

(Title of person signing) _____

(Signature of Witness or Notary Public) _____

(Date Notary Public's Commission Expires) _____

(Seal of Notary Public) _____

MARY HELEN MILLER, Secretary

APPROVED BY AGENCY: October 8, 1987

FILED WITH LRC: October 15, 1987 at 10 a.m.

PUBLIC HEARING SCHEDULED: A public hearing on this proposed regulation will be held on November 30, 1987 at 1 p.m. local prevailing time in the auditorium in the New State Office Building at Clinton and High Streets. Any person interested in attending this hearing shall submit by November 25, 1987 a written statement of such interest to: J. Alex Barber, Director, Division of Waste Management, 18 Reilly Road, Frankfort, Kentucky 40601. If no statement of interest is received by close of business on November 25, 1987, the hearing on this regulation may be cancelled. Written comments may also be submitted to the address above. Written comments will be accepted until the end of the comment period, which will be close of business on November 30, 1987.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: J. Alex Barber

(1) Type and number of entities affected: The proposed amendment applies to new hazardous waste sites or facilities. Currently there are 4 facilities which use the corporate guarantee for closure and/or postclosure financial responsibility. In addition, the cabinet estimates that 4 companies will use the corporate guarantee to establish liability coverage in the future.

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

1. First year: For those companies that qualify, the ability to use the corporate guarantee to establish financial assurance for liability will result in a significant savings.

2. Continuing costs or savings: None

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

(b) Reporting and paperwork requirements: The corporate guarantee must be executed on a form provided by the cabinet and worded as set forth in this proposed amendment.

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings:

1. First year: None. The promulgating administrative body anticipates no new review costs as a result of the proposed amendments.

2. Continuing costs or savings: None

3. Additional factors increasing or decreasing costs: None

(b) Reporting and paperwork requirements:

(3) Assessment of anticipated effect on state and local revenues: There will be no effect on state or local revenues from promulgation of this regulation.

(4) Assessment of alternative methods; reasons why alternatives were rejected: (a) The proposed amendment is identical to the federal regulations promulgated on July 11, 1986 (51 FR 25350-25356) which allows the use of the corporate guarantee for liability coverage.

Alternative: 1. Less stringent: Kentucky could not have been less stringent on this requirement and still have maintained authorization to administer the RCRA hazardous waste program. To have adopted less stringent provisions would have afforded Kentucky's public health and environment less protection than that provided by the national program.

2. More stringent: Kentucky could have been more stringent by adopting additional requirements for corporate guarantees. This would be unnecessary since the present proposal provides adequate protection to public health and the environment, and allows the use of the corporate guarantee for liability coverage.

3. Present proposal: The present proposal sets forth wording of the instrument for a corporate guarantee to demonstrate liability coverage and requires that it be executed on a form provided by the cabinet.

(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? Yes. The present proposal applies to new hazardous waste sites or facilities.

FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate. (Cite federal mandate.) The amendments to this regulation adopt equivalent provisions from the federal regulations at 40 CFR 264.151(h) promulgated on July 11, 1986 (51 FR 25350-25356).

2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by

the federal mandate: No; the proposed amendments adopt requirements which are equivalent to those standards adopted by the U.S. EPA on July 11, 1986.

3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: Not applicable. The amendments made to this regulation do not impose additional requirements or responsibilities than those adopted by the U.S. EPA or than those requirements already in effect in the waste management regulations.

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
Department for Environmental Protection
Division of Waste Management
(Proposed Amendment)

401 KAR 35:120. Liability requirements (IS).

RELATES TO: KRS 224.033, 224.071, 224.830 through 224.877, 224.994

PURSUANT TO: KRS 224.017, 224.862, 224.866, 224.867

NECESSITY AND FUNCTION: KRS 224.866 requires that persons engaging in the storage, treatment, and disposal of hazardous waste obtain a permit. KRS 224.866 requires the cabinet to establish standards for these permits, to require adequate financial responsibility, and to establish minimum standards for closure for all facilities and the postclosure monitoring and maintenance of hazardous waste disposal facilities. This chapter establishes minimum standards for hazardous waste sites or facilities qualifying for interim status. This regulation establishes the liability requirements.

Section 1. Coverage for Sudden Accidental Occurrences. By October 8, 1982, an owner or operator of a hazardous waste treatment, storage, or disposal facility, or a group of such facilities, must demonstrate financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator must have and maintain liability coverage for sudden accidental occurrences in the amount of at least $1,000,000 per occurrence with an annual aggregate of at least $2,000,000, exclusive of legal defense costs. [A hazardous waste disposal site or facility shall maintain additional excess liability coverage in the amount of at least $10,000,000.] This liability coverage may be demonstrated in one (1) of three (3) ways, as specified in subsections (1), (2), and (3) of this section.

(1) An owner or operator may demonstrate the required liability coverage by having liability insurance as specified in this section.

(a) Each insurance policy must be amended by attachment of the hazardous waste facility liability endorsement or evidenced by a certificate of liability insurance. The liability endorsement must be executed on a form provided by the cabinet containing wording identical to the wording specified in 401 KAR 34:172. The certificate of liability insurance must be on a form provided by the cabinet containing wording identical to the wording specified in 401 KAR 34:176. The owner or operator must submit an originally signed duplicate of the endorsement or the certificate of insurance to the director. If requested by the director, the owner or operator must provide an originally signed duplicate of the insurance policy.

(b) Each primary insurance policy must be issued by an insurer which, at a minimum, is licensed to transact the business of primary insurance in Kentucky except as KRS 304.11-030 provides otherwise. Each excess insurance policy must be issued by an insurer which, at a minimum, is licensed to provide insurance as an excess or surplus lines insurer in one (1) state.

(2) An owner or operator may meet the requirements of this regulation by passing a financial test or using the corporate guarantee for liability [self-insurance] coverage as specified in Section 7 [6] of this regulation.

(3) An owner or operator may demonstrate the required liability coverage through use of [both] the financial test, [and] insurance, the corporate guarantee, a combination of the financial test and insurance, or a combination of the corporate guarantee and insurance [as these mechanisms are specified in this regulation]. The amounts of coverage demonstrated must total at least the minimum amounts required by this section.

Section 2. Coverage for Nonsudden Accidental Occurrences. An owner or operator of a surface impoundment, landfill, or land treatment facility which is used to manage hazardous waste, or a group of such facilities, must demonstrate financial responsibility for bodily injury and property damage to third parties caused by nonsudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator must have and maintain additional liability coverage for nonsudden accidental occurrences in the amount of at least $3,000,000 [5,000,000] per occurrence with an annual aggregate of at least $6,000,000 [10,000,000], exclusive of legal defense costs. This liability coverage may be demonstrated in one (1) of three (3) ways, as specified in subsections (1), (2), and (3) of this section:

(1) An owner or operator may demonstrate the required liability coverage by having liability insurance as specified in this section.

(a) Each insurance policy must be amended by attachment of the hazardous waste facility liability endorsement or evidenced by a certificate of liability insurance. The liability endorsement must be on a form provided by the cabinet containing wording identical to the wording specified in 401 KAR 34:172. The certificate of liability insurance must be on a form provided by the cabinet containing wording identical to the wording specified in 401 KAR 34:176. The owner or operator must submit an originally signed duplicate of the endorsement or the certificate of insurance to the director. If requested by the director, the owner or operator must provide an originally signed duplicate of the insurance policy.

(b) Each primary insurance policy must be issued by an insurer which, at a minimum is licensed to transact the business of primary insurance in Kentucky except as KRS 304.11-030 provides otherwise. Each excess insurance policy must be issued by an insurer which, at a minimum

is licensed to provide insurance as an excess or surplus lines insurer in one (1) state.

(2) An owner or operator may meet the requirements of this regulation by passing a financial test, or using the corporate guarantee for liability [self-insurance] coverage as specified in Sections 6 and 7 of this regulation.

(3) An owner or operator may demonstrate the required liability coverage through use of [both] the financial test, [and] insurance, the corporate guarantee, a combination of the financial test and insurance, or a combination of the corporate guarantee and insurance [as these mechanisms are specified in this regulation]. The amounts of coverage demonstrated must total at least the minimum amounts required by this section.

(4) The required liability coverage for nonsudden accidental occurrences must be demonstrated by the dates listed below. The total sales or revenues of the owner or operator in all lines of business, in the fiscal year preceding October 8, 1982, will determine which of the dates apply. If the owner and operator of a facility are two (2) different parties, or if there is more than one (1) owner or operator, the sales or revenues of the owner or operator with the largest sales or revenues will determine the date by which the coverage must be demonstrated. The dates are as follows:

(a) For an owner or operator with sales or revenues totaling $10,000,000 or more, February 24, 1983.

(b) For an owner or operator with sales or revenues greater than $5,000,000 but less than $10,000,000, February 24, 1984.

(c) For all other owners or operators, February 24, 1985.

Section 3. Adjustments by the Director. If the director determines that the levels of financial responsibility required by Sections 1 and 2 of this regulation are not consistent with the degree and duration of risks associated with treatment, storage, or disposal at any facility or group of facilities, the director may increase the level of financial responsibility required under Sections 1 and 2 of this regulation as may be necessary to protect human health and the environment. This adjusted level will be based on the director's assessment of the degree and duration of risks associated with the ownership or operation of each facility or group of such facilities. In addition, if the director determines that there is a significant risk to human health and the environment from nonsudden accidental occurrences from the operations of a facility that is not a surface impoundment, landfill, or land treatment facility, the director may require that the owner or operator of the facility comply with Section 2 of this regulation. An owner or operator must furnish to the director, within a reasonable time, any information which the director requests to determine whether cause exists for such adjustments of the level or type of coverage. Any adjustment of the level of required coverage for a facility that has a permit shall be treated as a permit modification under Section 2(1)(e) of 401 KAR 38:040 and subject to the procedures of Section 2 of 401 KAR 38:050. Notwithstanding any other provision, the cabinet may hold a public hearing at its discretion or whenever the cabinet finds, on the basis of requests for a public hearing, a significant degree of public interest in a tentative decision to adjust the level or type of required coverage.

Section 4. Request for a Variance. If an owner or operator can demonstrate to the satisfaction of the director that the increased level of financial responsibility required by Section 3 of this regulation is not consistent with the degree and duration of risks associated with the treatment, storage, or disposal at each facility or group of facilities, the owner or operator may obtain a variance from the director. The request for a variance must be submitted to the director in writing. The director shall not grant any requests for a variance which seek to decrease the level of financial responsibility below the minimums required by KRS 224.866(3)(c). If granted, the variance shall take the form of an adjusted level of required liability coverage, such level to be based on the director's assessment of the degree and duration of risks associated with the ownership or operation of each facility or group of facilities. The director may require an owner or operator who requests a variance to provide such technical and engineering information as is deemed necessary by the director to determine a level of financial responsibility other than that required by Sections 1 and 2 of this regulation. Any request for a variance for a permitted facility shall be treated as a request for a permit modification under Section 2 of 401 KAR 38:040 and subject to the procedures of Section 2 of 401 KAR 38:050. Notwithstanding any other provision, the cabinet may hold a public hearing at its discretion or whenever the cabinet finds, on the basis of requests for a public hearing, a significant degree of public interest in a tentative decision to grant a variance.

Section 5. Period of Coverage. Within sixty (60) days after receiving certifications from the [An] owner or operator and an independent registered professional engineer that final closure has been completed in accordance with the approved closure plan, the director will notify the owner or operator in writing that he is no longer required by this regulation to maintain liability coverage for that facility, unless the director has reason to believe that closure has not been in accordance with the approved closure plan. [must continuously provide liability coverage for a facility as required by this regulation until certification of termination pursuant to the requirements of KRS 224.866.]

Section 6. Liability Self-Insurance. (1) An owner or operator may satisfy the requirements of this regulation by demonstrating that he passes a financial test as specified in this section. To pass this test the owner or operator must demonstrate that the level of self-insurance does not exceed ten (10) percent of equity and must meet the criteria of either paragraph (a) or (b) of this subsection:

(a) The owner or operator must have:

1. Net working capital and tangible net worth each at least six (6) times the amount of liability coverage to be demonstrated by this test; and

2. Tangible net worth of at least $10 million; and

3. Assets in the United States amounting to either, at least, ninety (90) percent of his total assets or at least six (6) times the sum of the appropriate liability coverage to be demonstrated by this test.

(b) The owner or operator must have:

1. A current rating for his most recent bond issuance of AAA, AA, A or BBB as issued by Standard and Poor's or Aaa, Aa, A, or Baa as issued by Moody's; and

2. Tangible net worth of at least $10 million; and

3. Tangible net worth at least six (6) times the amount of the liability coverage to be demonstrated by this test; and

4. Assets located in the United States amounting to either, at least, ninety (90) percent of his total assets or at least six (6) times the amount of the liability coverage to be demonstrated by this test.

(2) The phrase "amount of liability coverage" as used in subsection (1) of this section refers to the annual aggregate amounts for which coverage is required under Sections 1 and 2 of this regulation.

(3) To demonstrate that he meets this test, the owner or operator must submit the following three (3) items to the director:

(a) A letter signed by the owner's or operator's chief financial officer and executed on a form provided by the cabinet which is worded as specified in 401 KAR 34:162;

(b) A copy of the independent certified public accountant's report on examination of the owner's or operator's financial statements for the latest completed fiscal year; and

(c) A special report from the owner's or operator's independent certified public accountant to the owner or operator stating that:

1. He has compared the data which the letter from the chief financial officer specifies as having been derived from the independently audited, year-end financial statements for the latest fiscal year with the amounts in such financial statements; and

2. In connection with that procedure, no matters came to his attention which caused him to believe that the specified data should be adjusted.

(4) An owner or operator of a new facility must submit the items specified in subsection (3) of this section to the director at least sixty (60) days before the date on which hazardous waste is first received for treatment, storage or disposal.

(5) After the initial submission of items specified in subsection (3) of this section, the owner or operator must send updated information to the director within ninety (90) days after the close of each succeeding fiscal year. This information must consist of all three (3) items specified in subsection (3) of this section.

(6) If the owner or operator no longer meets the requirements of subsection (1) of this section, he must obtain insurance for the entire amount of required liability coverage as specified in this regulation. Evidence of insurance must be submitted to the director within ninety (90) days after the end of the fiscal year for which the year-end financial data show that the owner or operator no longer meets the test requirements.

(7) The director may, based on a reasonable belief that the owner or operator may no longer meet the requirements of subsection (1) of this section, require reports of financial condition at any time from the owner or operator in addition to those specified in subsection (3) of this section. If the director finds, on the basis of such reports or other information, that the owner or operator no longer meets the requirements of subsection (1) of this section, the owner or operator must provide liability insurance as specified in this regulation within thirty (30) days after notification of such a finding.

(8) The director may disallow use of this test on the basis of qualifications in the opinion expressed by the independent certified public accountant in his report on examination of the owner's or operator's financial statements (see subsection (3)(c) of this section). An adverse opinion or a disclaimer of opinion will be cause for disallowance. The director will evaluate other qualifications on an individual basis. The owner or operator must provide liability insurance for the entire amount of liability coverage as specified in this regulation within thirty (30) days after notification of the disallowance.

Section 7. Corporate Guarantee for Liability Coverage. (1) Subject to subsection (2) of this section, an owner or operator may meet the requirements of this regulation by obtaining a written guarantee, hereinafter referred to as "corporate guarantee." The guarantor shall be the parent corporation of the owner or operator. The guarantee shall meet the requirements for owners or operators in Section 6(1) through (8) of this regulation. The wording of the corporate guarantee shall be identical to the wording specified in Section 1(2) of 401 KAR 34:165. A certified copy of the corporate guarantee shall accompany the items sent to the director as specified in Section 6(3) of this regulation. The terms of the corporate guarantee shall provide that:

(a) If the owner or operator fails to satisfy a judgment based on a determination of liability for bodily injury or property damage to third parties caused by sudden or nonsudden accidental occurrences (or both as the case may be), arising from the operation of facilities covered by this corporate guarantee, or fails to pay an amount agreed to in settlement of claims arising from or alleged to arise from such injury or damage, the guarantor shall do so up to the limits of coverage.

(b) The corporate guarantee shall remain in force unless the guarantor sends notice of cancellation by certified mail to the owner or operator and to the director. This guarantee may not be terminated unless and until the director approves alternate liability coverage complying with 401 KAR 35:120 or this regulation.

(2) A corporate guarantee may be used to satisfy the requirements of this regulation only if the Attorney General or insurance commissioner of the state in which the guarantor is incorporated and the office of general counsel in the Kentucky Natural Resources and Environmental Protection Cabinet and the insurance commissioner of the Commonwealth of Kentucky have submitted a written statement to the cabinet that a corporate guarantee executed as described in this regulation and Section 1(2) of 401 KAR 34:165 is a legally valid and enforceable obligation in the Commonwealth of Kentucky.

MARY HELEN MILLER, Secretary
APPROVED BY AGENCY: October 8, 1987
FILED WITH LRC: October 15, 1987 at 10 a.m.
PUBLIC HEARING SCHEDULED: A public hearing on this proposed regulation will be held on November 30, 1987 at 1 p.m. local prevailing time in the auditorium in the New State Office Building at Clinton and High Streets. Any person interested in attending this hearing shall submit by November 25, 1987 a written statement of such interest to: J. Alex Barber, Director, Division of Waste Management, 18 Reilly Road, Frankfort, Kentucky 40601. If no statement of interest is received by close of business on November 25, 1987, the hearing on this regulation may be cancelled. Written comments may also be submitted to the address above. Written comments will be accepted until the end of the comment period, which will be close of business on November 30, 1987.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: J. Alex Barber
(1) Type and number of entities affected: This regulation affects interim status hazardous waste sites or facilities.
(a) Direct and indirect costs or savings to those affected: Four companies will be affected by the provision allowing use of the corporate guarantee. Ten companies will be affected by the reduction in the amount of liability coverage required for nonsudden accidental occurrences and the reduction in the annual aggregate.
1. First year: Without the provision allowing for the corporate guarantee, two companies would have had to pay for auditing their companies' statements at a cost of $500,000 per company and two other companies would have had to pay insurance of approximately $500,000 per company.
2. Continuing costs or savings: The liability coverage for nonsudden accidental occurrences was reduced from $5,000,000 to $3,000,000 per occurrence while the annual aggregate was reduced from $10,000,000 to $6,000,000. Ten companies will be affected by this reduction: three landfills will each save $500,000 per year through this reduction, while seven surface impoundments will save $150,000 per company.
3. Additional factors increasing or decreasing costs (note any effects upon competition): None
(b) Reporting and paperwork requirements: When the director receives certification of final closure, he must notify the owner or operator in writing that the owner or operator is no longer required to provide liability coverage.
(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:
(3) Assessment of anticipated effect on state and local revenues: There will be no effect on state or local revenues from promulgation of this regulation.
(4) Assessment of alternative methods; reasons why alternatives were rejected: (a) Owners and operators must provide liability coverage continuously until certification of final closure is received by the director. When such certification is received, the director will notify the owner or operator that he is no longer required to maintain liability coverage for that facility.
Alternative: 1. Less stringent: Kentucky could not have been less stringent on this requirement and still have maintained authorization to administer the RCRA hazardous waste program. To have adopted less stringent provisions would have afforded Kentucky's public health and environment less protection than that provided by the national program.
2. More stringent: The cabinet could have chosen to be more stringent by requiring that an owner or operator provide liability coverage after certification of final closure is received by the director. However, the present proposal is adequate to protect the public health and environment in Kentucky.
3. Present proposal: The present proposal clarifies that an owner or operator must provide liability coverage continuously until the certification of final closure is received by the director and until the director notifies the owner or operator in writing that he is released from this obligation.
(b) The amendments to this regulation allow the use of the corporate guarantee as an additional mechanism to provide liability coverage for owners and operators of hazardous waste treatment, storage, and disposal facilities.
Alternative: 1. Less stringent: Kentucky could not have been less stringent on this requirement and still have maintained authorization to administer the RCRA hazardous waste program. To have adopted less stringent provisions would have afforded Kentucky's public health and environment less protection than that provided by the national program.
2. More stringent: Allowing use of the corporate guarantee expands the number of liability coverage options available to owners and operators of treatment, storage, and disposal facilities. The cabinet could have been more stringent by not allowing the use of the corporate guarantee. However, the present proposal will provide owners and operators with greater flexibility while still ensuring that funds will be available to pay third party liability claims.
3. Present proposal: Owners or operators of hazardous waste treatment, storage and disposal facilities may use the corporate guarantee as an additional mechanism to provide liability coverage.
(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? Yes. This regulation applies only to interim status hazardous waste sites or facilities.

FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate. (Cite federal mandate.) The amendments to this regulation adopt equivalent provisions from the federal

regulations at 40 CFR 265.147 promulgated on May 2, 1986 (51 FR 16422-16459) and July 11, 1986 (51 FR 25350-25356). The amendments also make a clarification regarding the liability coverage requirements; this was done to ensure that this regulation is consistent with the requirements in KRS 224.866(3) promulgated by the 1986 General Assembly.

2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: No; the proposed amendments adopt requirements which are equivalent to those standards adopted by the U.S. EPA on May 2, 1986 and July 11, 1986. The amendments clarify the liability coverage requirements to make this regulation consistent with the requirements of KRS 224.866(3) promulgated by the 1986 General Assembly.

3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: Not applicable. The amendments made to this regulation do not impose additional requirements or responsibilities than those adopted by the U.S. EPA or than those requirements already in effect in the waste management regulations.

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

401 KAR 51:017. Prevention of significant deterioration of air quality.

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 prevention of significant deterioration of ambient air quality.

Section 1. Applicability. The provisions of this regulation are applicable to any major stationary source or any major modification which:

(1) Commenced construction after September 22, 1982;

(2) Emits any pollutant regulated by the Clean Air Act; and

(3) Is constructed in areas designated as attainment or unclassifiable for any pollutant as defined pursuant to Section 107(d)(1)(D) or (E) of the Clean Air Act. Area designations are contained in 40 CFR 81.318.

Section 2. Definitions. As used in this regulation terms not defined herein shall have the meaning given them in 401 KAR 50:010.

(1) "Major stationary source" means:

(a) Any of the following stationary sources of air pollutants which emits, or has the potential to emit, 100 tons per year or more of any pollutant subject to regulation under the Clean Air Act: fossil fuel-fired steam electric plants of more than 250 million BTU per hour heat input, coal cleaning plants (with thermal dryers), kraft pulp mills, portland cement plants, primary zinc smelters, iron and steel mill plants, primary aluminum ore reduction plants, primary copper smelters, municipal incinerators capable of charging more than 250 tons of refuse per day, hydrofluoric, sulfuric, and nitric acid plants, petroleum refineries, lime plants, phosphate rock processing plants, coke oven batteries, sulfur recovery plants, carbon black plants (furnace process), primary lead smelters, fuel conversion plants, sintering plants, secondary metal production plants, chemical process plants, fossil fuel boilers (or combination thereof) totaling more than 250 million BTU per hour heat input, petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels, taconite ore processing plants, glass fiber processing plants, and charcoal production plants;

(b) Notwithstanding the stationary source size specified in paragraph (a) of this subsection, any stationary source which emits, or has the potential to emit, 250 tons per year or more of any air pollutant subject to regulation under the Clean Air Act; and

(c) Any physical change that would occur at a stationary source not otherwise qualifying under this subsection as a major stationary source, if the changes would constitute a major stationary source by themselves.

(d) A major stationary source that is major for volatile organic compounds shall be considered major for ozone.

(2) "Major modification" means any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the Clean Air Act.

(a) Any net emissions increase that is significant for volatile organic compounds shall be significant for ozone.

(b) A physical change or change in the method of operation shall not include:

1. Routine maintenance, repair and replacement;

2. Use of alternative fuel or raw material by reason of an order or by reason of a natural gas curtailment plan in effect under a federal act;

3. Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;

4. Use of an alternative fuel or raw material by a stationary source which:

a. The source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any permit condition which was established after January 6, 1975; or

b. The source is approved to use under any permit issued under this regulation or under 40 CFR 52.21;

5. An increase in the hours of operation or in the production rate, unless such change would be prohibited after January 6, 1975 pursuant to 40 CFR 52.21, after June 6, 1979 pursuant to 401 KAR 51:015, after September 22, 1982 pursuant to this regulation; or under 401 KAR 50:035 and 401 KAR 51:016E; or

6. Any change in ownership at a stationary source.

(3) "Net emission increase" means the amount by which the sum of paragraphs (a) and (b) of this subsection exceeds zero:

(a) Any increase in actual emissions from a particular physical change or change in method of operation at a stationary source; and

(b) Any other increases and decreases in

actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.

(c) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between the date which is ten (10) years before construction on the particular change commences, but not before January 6, 1975, and the date that the increase from the particular change occurs.

(d) An increase or decrease in actual emissions is creditable only if the cabinet or the U.S. EPA has not relied on it in issuing a permit for the source under this regulation or 40 CFR 52.21, which permit is in effect when the increase in actual emissions from the particular change occurs.

(e) An increase or decrease in actual emissions of sulfur dioxide or particulate matter which occurs before the applicable baseline date is creditable only if it is required to be considered in calculating the amount of maximum allowable increases remaining available.

(f) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.

(g) A decrease in actual emissions is creditable only to the extent that:

1. The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;

2. It is state and federally enforceable at and after the time that actual construction on the particular change begins; and

3. It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

(h) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

(4) "Potential to emit" means the maximum capacity of a stationary source to emit a pollutant under its physical or operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is state and federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source.

(5) "Stationary source" means any building, structure, facility, or installation which emits or may emit any air pollutant subject to regulation under the Clean Air Act.

(6) "Building, structure, facility, or installation" means all of the pollutant emitting activities which belong to the same industrial grouping, are located on one (1) or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control) except the activities of any vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (i.e., which have the same two (2) digit code) as described in the Standard Industrial Classification Manual, 1972, as amended by the 1977 supplement.

(7) "Emission unit" means any part of a stationary source which emits or would have the potential to emit any pollutant subject to regulation under the Clean Air Act.

(8) "Construction" means any physical change or change in the method of operation (including fabrication, erection, installation, demolition, or modification of an emissions unit) which would result in a change in actual emissions.

(9) "Commence" as applied to construction of a major stationary source or major modification means that the owner or operator has all necessary preconstruction approvals or permits and either has:

(a) Begun, or caused to begin, a continuous program of actual onsite construction of the source, to be completed within a reasonable time; or

(b) Entered into agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

(10) "Necessary preconstruction approvals or permits" means those permits or approvals required under the regulations of Title 401, Chapters 50 to 63 and federal air quality control laws and regulations.

(11) "Begin actual construction" means, in general, initiation of physical onsite construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying underground pipework and construction of permanent storage structures. With respect to a change in method of operations, this term refers to those onsite activities other than the preparatory activities which mark the initiation of the change.

(12) "Best available control technology" means an emissions limitation (including a visible emission standard) based on the maximum degree of reduction for each pollutant subject to regulation under the Clean Air Act which would be emitted from any proposed major stationary source or major modification which the cabinet, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. In no event shall application of best available control technology result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under Title 401, Chapters 57 and 59 or 40 CFR Parts 60 and 61. If the secretary determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, a design, equipment, work practice, operational standard, or combination thereof may be prescribed instead to satisfy the requirement for the application of best available control

technology. Such standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of such design, equipment, work practice or operation, and shall provide for compliance by means which achieve equivalent results.

(13) "Baseline concentration" means that ambient concentration level which exists in the baseline area at the time of the applicable baseline date. A baseline concentration is determined for each pollutant for which a baseline date is established and shall include:

(a) The actual emissions representative of sources in existence on the applicable baseline date, except as provided in paragraph (c) of this subsection; and

(b) The allowable emissions of major stationary sources which commenced construction before January 6, 1975, but were not in operation by the applicable baseline date.

(c) The following will not be included in the baseline concentration and will affect the applicable maximum allowable increase(s):

1. Actual emissions from any major stationary source on which construction commenced after January 6, 1975; and

2. Actual emissions increases and decreases at any stationary source occurring after the baseline date.

(14) "Baseline date" means the earliest date after August 7, 1977, on which the first complete application is submitted by a major stationary source or major modification subject to the requirements of federal or state prevention of significant deterioration regulations. The baseline date is established for each pollutant for which increments or other equivalent measures have been established if:

(a) The area in which the proposed source or modification would construct is designated as attainment or unclassifiable pursuant to Section 107(d)(1)(D) or (E) of the Clean Air Act for the pollutant on the date of its complete application; and

(b) In the case of a major stationary source, the pollutant would be emitted in significant amounts, or, in the case of a major modification, there would be a significant net emissions increase of the pollutant.

(15) "Baseline area" means any area (and every part thereof) designated as attainment or unclassifiable pursuant to Section 107(d)(1)(D) or (E) of the Clean Air Act in which the major source or major modification establishing the baseline date would construct or would have an air quality impact equal to or greater than one (1) ug/m^3 (annual average) of the pollutant for which the baseline date is established. Area redesignations under Section 107(d)(1)(D)or (E) of the Clean Air Act cannot intersect or be smaller than the area of impact of any major stationary source or major modification which:

(a) Establishes a baseline date; or

(b) Is subject to this regulation and would be constructed in the Commonwealth of Kentucky.

(16) "Allowable emissions" means the emissions rate of a stationary source calculated using the maximum rated capacity of the source (unless the source is subject to state and federally enforceable limits which restrict the operating rate, or hours of operation, or both) and the most stringent of the following:

(a) The applicable standards as set forth in Title 401, Chapters 57 and 59, or 40 CFR 60 and 61;

(b) The applicable state and federally approved regulatory emissions limitation, including those with a future compliance date; or

(c) The emissions rate specified as a state and federally enforceable permit condition, including those with a future compliance date.

(17) "Federally enforceable" means all limitations and conditions which are enforceable by the U.S. EPA, including those requirements developed pursuant to 40 CFR 60 and 61, requirements within any applicable State Implementation Plan, and any permit requirement established pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR 51.18 or 40 CFR 51.24.

(18) "Secondary emissions" means emissions which would occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. For the purpose of this regulation, secondary emissions shall be specific, well defined, quantifiable, and impact the same general area as the stationary source or modification which causes the secondary emissions. Secondary emissions include emissions from any offsite support facility which would not otherwise be constructed or increase its emissions as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions which come directly from a mobile source, such as the emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.

(19) "Innovative control technology" means any system of air pollution control that has not been adequately demonstrated in practice, but would have a substantial likelihood of achieving greater continuous emissions reduction than any control system in current practice or of achieving at least comparable reductions at lower cost in terms of energy, economics, or nonair quality environmental impacts.

(20) "Fugitive emissions" means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

(21)(a) "Actual emissions" means the actual rate of emissions of a pollutant from an emissions unit, as determined in accordance with paragraphs (b) to (d) of this subsection.

(b) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the unit actually emitted the pollutant during a two (2) year period which precedes the particular date and which is representative of normal source operation. The cabinet shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(c) The cabinet may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the unit.

(d) For any emissions unit which has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the unit on that date.

(22) "Complete" means, in reference to an

application for a permit, that the application contains all of the information necessary for processing the application.

(23) "Significant" means:

(a) In reference to a net emissions increase or the potential of a source to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the rates given in Appendix A of this regulation.

(b) In reference to a net emissions increase or the potential of a source to emit a pollutant subject to regulation under the Clean Air Act that is not listed in Appendix A to this regulation, any emissions rate.

(c) Notwithstanding paragraph (b) of this subsection and Appendix A to this regulation, "significant" means any emissions rate or any net emissions increase associated with a major stationary source or major modification, which would construct within ten (10) kilometers of a Class I area, and have an impact on such area equal to or greater than one (1) ug/m^3 (twenty-four (24) hour average).

(24) "Federal land manager" means, with respect to any lands in the United States, the secretary of the department with authority over such lands.

(25) "High terrain" means any area having an elevation 900 feet or more above the base of the stack of a source.

(26) "Low terrain" means any area other than high terrain.

(27) "Adverse impact on visibility" means visibility impairment which interferes with the management, protection, preservation or enjoyment of the visitor's visual experience of the Class I area. This determination shall be made on a case-by-case basis taking into account the geographic extent, intensity, duration, frequency and time of visibility impairment, and how these factors correlate with the times of visitor use of the Class I area, and the frequency and timing of natural conditions that reduce visibility.

(28) "State Implementation Plan" means the most recently prepared plan or revision thereof required by Section 110 of the Clean Air Act which has been approved by the U.S. EPA.

(29) "Mandatory Class I federal area" means any area identified in 40 CFR 81, Subpart D, where the administrator of the U.S. EPA, in consultation with the Secretary of the United States Department of Interior, has determined visibility to be an important value.

(30) "Natural conditions" means those naturally occurring phenomena that reduce visibility as measured in terms of visual range, contrast, or coloration.

(31) "Visibility impairment" means any humanly perceptible change in visibility (visual range, contrast, coloration) from that which would have existed under natural conditions.

Section 3. Ambient Air Increments. In areas designated as Class I or II, increases in pollutant concentration over the baseline concentration shall be limited to the levels specified in Appendix B of this regulation. For any period other than an annual period, the applicable maximum allowable increase may be exceeded during one (1) such period per year at any one (1) location.

Section 4. Ambient Air Ceilings. No concentration of a pollutant specified in Section 1 of this regulation shall exceed:

(1) The concentration permitted under the national secondary ambient air quality standard; or

(2) The concentration permitted under the national primary ambient air quality standard, whichever concentration is lower for the pollutant for a period of exposure.

Section 5. Area Classifications. (1) The following areas shall be Class I areas and may not be redesignated:

(a) International parks;

(b) National wilderness areas and national memorial parks which exceed 5,000 acres in size; and

(c) National parks which exceed 6,000 acres in size.

(2) Any other area, unless otherwise specified in the legislation creating such an area, is designated Class II but may be redesignated as provided in 40 CFR 51.24(g).

(3) The provisions of this regulation relating to visibility protection shall apply only to sources which may impact a mandatory Class I federal area.

Section 6. Exclusions from Increment Consumption. (1) The cabinet may, after notice and opportunity for at least one (1) public hearing to be held in accordance with procedures established in 401 KAR 50:035, exclude the following concentrations in determining compliance with a maximum allowable increase:

(a) Concentrations attributable to the increase in emissions from stationary sources which have been converted from the use of petroleum products, natural gas, or both by reason of an order in effect under a federal statute or regulation over the emissions from such sources before the effective date of such an order;

(b) Concentrations attributable to the increase in emissions from sources which have converted from using natural gas by reason of a natural gas curtailment plan in effect pursuant to the federal statute over the emissions from such sources before the effective date of such plan;

(c) Concentrations of particulate matter attributable to the increase in emissions from construction or other temporary emission-related activities of new or modified sources; and

(d) Concentrations attributable to the temporary increase in emissions of sulfur dioxide or particulate matter from stationary sources which are affected by plan revisions approved by the Administrator of the U.S. EPA.

(2) No exclusion of such concentrations shall apply more than five (5) years after the effective date of the order to which subsection (1)(a) of this section refers or the plan to which subsection (1)(b) of this section refers, whichever is applicable. If both such order and plan are applicable, no such exclusion shall apply more than five (5) years after the later of such effective dates.

(3) No exclusion under this section shall occur after May 7, 1981, unless a State Implementation Plan revision meeting the requirements of 40 CFR 51.24 has been approved by the U.S. EPA.

(4) The plan revision referred to in subsection (3) of this section shall specify the following provisions:

(a) The time over which the temporary emission increase of sulfur dioxide or particulate matter would occur. Such time shall not exceed two (2) years in duration unless a longer time is approved by the U.S. EPA;

(b) That the time period for excluding certain contributions in accordance with paragraph (a) of this subsection is not renewable;

(c) That no emissions increase will occur from a stationary source which would:

1. Impact a Class I area or an area where an applicable increment is known to be violated; or

2. Cause or contribute to the violation of a national ambient air quality standard; and

(d) Limitations will be in effect at the end of the time period specified in accordance with paragraph (a) of this subsection which would ensure that the emissions levels from stationary sources affected by the plan revision would not exceed those levels occurring from such sources before the plan revision was approved.

Section 7. Stack Heights. (1) The degree of emission limitation required for control of any air pollutant under this regulation shall not be affected in any manner by:

(a) So much of the stack height of any source as exceeds good engineering practice; or

(b) Any other dispersion technique.

(2) Subsection (1) of this section shall not apply with respect to stack heights in existence before December 31, 1970, or to dispersion techniques implemented before then.

Section 8. Review of Major Stationary Sources and Major Modifications; Source Applicability and Exemptions. (1) No major stationary source or major modifications to which the requirements of Sections 9 to 17 of this regulation apply shall begin actual construction without a permit which states that the stationary source or modification would meet those requirements.

(2) The requirements of Sections 9 to 17 of this regulation shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulations under the Clean Air Act that it would emit, except as otherwise provided in Section 1 of this regulation.

(3) The requirements of Sections 9 to 17 of this regulation shall apply only to any major stationary source or major modification that would be constructed in an area designated as attainment or unclassifiable pursuant to Section 107(d)(1)(D) or (E) of the Clean Air Act.

(4) The requirements of Sections 9 to 17 of this regulation shall not apply to a particular major stationary source or major modification if:

(a) The owner or operator:

1. Obtained a federal, state or local preconstruction approval effective before September 22, 1982;

2. Commenced construction before September 22, 1982; and

3. Did not discontinue construction for a period of eighteen (18) months or more; or

(b) The source or modification would be a nonprofit health or nonprofit educational institution, or a major modification would occur at such an institution, and the Governor of the Commonwealth of Kentucky requests that it be exempt from those requirements;

(c) The source or modification would be a major stationary source or major modification only if fugitive emissions, to the extent quantifiable, are considered in calculating the potential to emit of the stationary source or modification and the source does not belong to any of the following categories:

1. Coal cleaning plants (with thermal dryers);
2. Kraft pulp mills;
3. Portland cement plants;
4. Primary zinc smelters;
5. Iron and steel mills;
6. Primary aluminum ore reduction plants;
7. Primary copper smelters;
8. Municipal incinerators capable of charging more than 250 tons of refuse per day;
9. Hydrofluoric, sulfuric, or nitric acid plants;
10. Petroleum refineries;
11. Lime plants;
12. Phosphate rock processing plants;
13. Coke oven batteries;
14. Sulfur recovery plants;
15. Carbon black plants (furnace process);
16. Primary lead smelters;
17. Fuel conversion plants;
18. Sintering plants;
19. Secondary metal production plants;
20. Chemical process plants;
21. Fossil-fuel boilers (or combination thereof) totaling more than 250 million BTUs per hour heat input;
22. Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
23. Taconite ore processing plants;
24. Glass fiber processing plants;
25. Charcoal production plants;
26. Fossil fuel-fired steam electric plants of more than 250 million BTUs per hour heat input; or
27. Any other stationary source category which, as of August 7, 1980, is being regulated under Title 401, Chapters 57 and 59 or 40 CFR Parts 60 and 61; or

(d) The source is a portable stationary source which has previously received a permit under this regulation; and:

1. The owner or operator proposes to relocate the source and emissions of the source at the new location would be temporary;

2. The emissions from the source would not exceed its allowable emissions;

3. The emissions from the source would impact no Class I area and no area where an applicable increment is known to be violated; and

4. Reasonable notice is given to the cabinet prior to the relocation identifying the proposed new location and the probable duration of operation at the new location. Such notice shall be given to the cabinet not less than ten (10) days in advance of the proposed relocation unless a different time duration is previously approved by the cabinet.

(5) The requirements of Sections 9 to 17 of this regulation shall not apply to a major stationary source or major modification with respect to a particular pollutant if the owner or operator demonstrates that, relative to that pollutant, the source or modification is located in an area designated as non-attainment pursuant to Section 107(d)(1)(A), (B), or (C) of the Clean Air Act.

(6) The requirements of Sections 10, 12 and 14 of this regulation shall not apply to a major stationary source or major modification with respect to a particular pollutant, if the allowable emissions of that pollutant from the

source, or the net emissions increase of that pollutant from the modifications:

(a) Would impact no Class I area and no area where an applicable increment is known to be violated; and

(b) Would be temporary.

(7) The requirements of Sections 10, 12 and 14 of this regulation as they relate to any maximum allowable increase for a Class II area shall not apply to a major modification at a stationary source that was in existence on March 1, 1978, if the net increase in allowable emissions of each pollutant subject to regulations under the Clean Air Act from the modification after the application of best available control technology would be less than fifty (50) tons per year.

(8) The cabinet may exempt a stationary source or modification from the requirements of Section 12 of this regulation with respect to monitoring for a particular pollutant if:

(a) The emissions increase of the pollutant from the new source or the net emissions increase of the pollutant from the modification would cause, in any area, air quality impacts less than the amounts given in Appendix C to this regulation; or

(b) The concentrations of the pollutant in the area that the source or modification would affect are less than the concentrations listed in Appendix C to this regulation, or the pollutant is not listed in Appendix C to this regulation.

Section 9. Control Technology Review. (1) A major stationary source or major modification shall meet each applicable emissions limitation under Title 401, Chapters 50 to 63 and each applicable emission standard and standard of performance pursuant to 40 CFR 60 and 61.

(2) A new major stationary source shall apply best available control technology for each pollutant subject to regulation under the Clean Air Act that it would have the potential to emit in significant amounts.

(3) A major modification shall apply best available control technology for each pollutant subject to regulation under Clean Air Act for which it would result in a significant net emissions increase at the source. This requirement applies to each proposed emissions unit at which a net emissions increase in the pollutant would occur as a result of a physical change or change in the method of operation in the unit.

(4) For phased construction projects, the determination of best available control technology shall be reviewed and modified as appropriate at the latest reasonable time which occurs no later than eighteen (18) months prior to commencement of construction of each independent phase of the project. At such time, the owner or operator of the applicable stationary source may be required to demonstrate the adequacy of any previous determination of best available control technology for the source.

Section 10. Source Impact Analysis. The owner or operator of the proposed source or modification shall demonstrate that allowable emission increases from the proposed source or modification, in conjunction with all other applicable emissions increases or reductions (including secondary emissions), would not cause or contribute to air pollution in violation of:

(1) Any national ambient air quality standard in any air quality control region; or

(2) Any applicable maximum allowable increase over the baseline concentration in any area.

Section 11. Air Quality Models. (1) All estimates of ambient concentrations required under this regulation shall be based on the applicable air quality models, data bases, and other requirements specified in the "Guideline on Air Quality Models," filed by reference in 401 KAR 50:015.

(2) Where an air quality impact model specified in the "Guideline on Air Quality Models" is inappropriate, the model may be modified or another model substituted. Such a change will be subject to notice and opportunity for public comment under Section 17 of this regulation. Written approval of the U.S. EPA must be obtained for any modification or substitution. Methods like those outlined in the "Workbook for the Comparison of Air Quality Models," filed by reference in 401 KAR 50:015, should be used to determine the comparability of air quality models.

Section 12. Air Quality Analysis. (1) Preapplication analysis.

(a) Any application for a permit under this regulation shall contain an analysis of ambient air quality in the area that the major stationary source or major modification would affect for each of the following pollutants:

1. For the source, each pollutant that it would have the potential to emit in a significant amount as defined in Section 2(23) of this regulation;

2. For the modification, each pollutant for which it would result in a significant net emissions increase.

(b) With respect to any such pollutant for which no national ambient air quality standard exists, the analysis shall contain such air quality monitoring data as the cabinet determines are necessary to assess ambient air quality for that pollutant in any area that the emissions of that pollutant would affect.

(c) With respect to any such pollutant (other than nonmethane hydrocarbons) for which such a standard does exist, the analysis shall contain continuous air quality monitoring data gathered for purposes of determining whether emissions of that pollutant would cause or contribute to a violation of the standard or any maximum allowable increase.

(d) In general, the continuous air quality monitoring data that are required shall have been gathered over a period of at least one (1) year and shall represent at least the year preceding receipt of the application, except that, if the applicant demonstrates through historical data or dispersion models that the monitoring data gathered over a period shorter than one (1) year (but not to be less than four (4) months) will be obtained during a time period when maximum air quality levels can be expected, the data that are required shall have been gathered over at least that shorter period.

(e) The owner or operator of a proposed stationary source or modification of volatile organic compounds who satisfies all conditions of 40 CFR Part 51, Appendix S, section IV [401 KAR 51:052] may provide postapproval monitoring data for ozone in lieu of providing preconstruction data as required under paragraphs (a) to (d) of this subsection.

(2) Postconstruction monitoring. The owner or operator of a major stationary source or major modification shall, after construction of the stationary source or modification, conduct such ambient monitoring as the cabinet determines is necessary to determine the effect emissions from the stationary source or modification may have, or are having, on air quality in any area.

(3) Operations of monitoring stations. The owner or operator of a major stationary source or major modification shall meet the requirements of Appendix B to 40 CFR 58, filed by reference in 401 KAR 50:015, during the operation of monitoring stations for purposes of satisfying subsections (1) and (2) of this section.

Section 13. Source Information. The owner or operator of a proposed source or modification shall submit all information necessary to perform any analysis or make any determination required under this regulation.

(1) With respect to a major source or major modification to which Sections 9, 11, 13 and 15 of this regulation apply, such information shall include:

(a) A description of the nature, location, design capacity, and typical operating schedule of the source or modification, including specifications and drawings showing its design and plant layout;

(b) A detailed schedule for construction of the source or modification;

(c) A detailed description as to what system of continuous emission reduction is planned for the source or modification, emission estimates, and any other information necessary to determine that best available control technology would be applied.

(2) Upon request of the cabinet, the owner or operator shall also provide information on:

(a) The air quality impact of the source or modification, including meteorological and topographical data necessary to estimate such impact; and

(b) The air quality impacts, and the nature and extent of any or all general commercial, residential, industrial, and other growth which has occurred since August 7, 1977, in the area the source or modification would affect.

Section 14. Additional Impact Analysis. (1) The owner or operator shall provide an analysis of the impairment to visibility, soils and vegetation that would occur as a result of the source or modification and general commercial, residential, industrial and other growth associated with the source or modification. The owner or operator need not provide an analysis of the impact on vegetation having no significant commercial or recreational value.

(2) The owner or operator shall provide an analysis of the air quality impact projected for the area as a result of general commercial, residential, industrial and other growth associated with the source or modification.

(3) Visibility monitoring. The cabinet may require monitoring of visibility in any Class I area impacted by the proposed new stationary source or major modification using human observations, teleradiometers, photographic cameras, nephelometers, fine particulate monitors, or other appropriate methods as specified by the U.S. EPA. The method selected shall be determined on a case-by-case basis by the cabinet. Any visibility monitoring required by the cabinet in a Class I area will be approved by the federal land manager. Data obtained from any visibility monitoring shall be made available to the cabinet, U.S. EPA, and the federal land manager, upon request.

Section 15. Sources Impacting Class I Areas; Additional Requirements. (1) Notice to U.S. EPA and federal land managers. The cabinet shall provide written notice of any permit application for a proposed major stationary source or major modification the emissions from which may affect a Class I area to the U.S. EPA, the federal land manager, and the federal official charged with direct responsibility for management of any lands within any such area. The cabinet shall provide such notice promptly after receiving the application. Such notification shall include a copy of all information relevant to the permit application and shall be given within thirty (30) days of receipt and at least sixty (60) days prior to any public hearing on the application for a permit to construct. Such notification shall include an analysis of the proposed source's anticipated impacts on visibility in the Class I area. The cabinet shall also provide the federal land manager and such federal officials with a copy of the preliminary determination required under Section 17 of this regulation, and shall make available to them any materials used in making that determination, promptly after the cabinet makes it. Finally, the cabinet shall also notify all affected federal land managers within thirty (30) days of receipt of any advanced notification of any such permit application.

(2) Federal land manager. The federal land manager and the federal official charged with direct responsibility for management of such lands have an affirmative responsibility to protect the air quality related values (including visibility) of such lands and to consider, in consultation with the cabinet, whether a proposed source or modification will have an adverse impact on such values.

(3) Visibility analysis. The cabinet shall consider any analysis performed by the federal land manager, provided within thirty (30) days of the notification and analysis required by subsection (1) of this section, that shows that a proposed new major stationary source or major modification may have an adverse impact on visibility in any Class I area. Where the cabinet finds that such analysis does not demonstrate to the satisfaction of the cabinet that an adverse impact on visibility will result in the Class I area, the cabinet shall, in the public notice required in 401 KAR 50:035, Section 4, either explain that decision or give notice as to where the explanation can be explained.

(4) Denial; impact on air quality related values. The federal land manager of any such lands may demonstrate to the cabinet that the emissions from a proposed source or modification would have an adverse impact on the air quality related values (including visibility) of those lands, notwithstanding that the change in air quality resulting from emissions from such source or modification would not cause or contribute to concentrations which would exceed the maximum allowable increases for a Class I area as defined in Appendix B to this regulation. If the cabinet concurs with such

demonstration then the cabinet shall not issue the permit.

(5) Class I variances. The owner or operator of a proposed source or modification may demonstrate to the federal land manager that the emissions from such source or modification would have no adverse impact on the air quality related values of any such lands (including visibility), notwithstanding that the change in air quality resulting from emissions from such source or modification would cause or contribute to concentrations which would exceed the maximum allowable increases for a Class I area. If the federal land manager concurs with such demonstration and he so certifies, the cabinet may, provided that the applicable requirements of this regulation are otherwise met, issue the permit with such emission limitations as may be necessary to assure that emissions of sulfur dioxide and particulate matter would not exceed the maximum allowable increases over baseline concentration for such pollutants specified in Appendix D to this regulation.

(6) Sulfur dioxide variance by governor with federal land manager's concurrence. The owner or operator of a proposed source or modification which cannot be approved under subsection (5) of this section may demonstrate to the Governor of the Commonwealth of Kentucky that the source cannot be constructed by reason of any maximum allowable increase in sulfur dioxide for a period of twenty-four (24) hours or less applicable to any Class I area and that a variance under this clause would not adversely affect the air quality related values of the area (including visibility). The governor, after consideration of the federal land manager's recommendation (if any) and subject to his concurrence, may, after notice and public hearing, grant a variance from such maximum allowable increase. If such variance is granted, the cabinet shall issue a permit to such source or modification pursuant to the requirements of subsection (8) of this section, provided that the applicable requirements of this regulation are otherwise met.

(7) Variance by the governor with the president's concurrence. In any case where the Governor of the Commonwealth of Kentucky recommends a variance in which the federal land manager does not concur, the recommendations of the governor and the federal land manager shall be transmitted to the President of the United States of America. If the variance is approved, the cabinet shall issue a permit pursuant to the requirements of subsection (8) of this section, provided that the applicable requirements of this regulation are otherwise met.

(8) Emission limitations for presidential or gubernatorial variance. In the case of a permit issued pursuant to subsections (6) or (7) of this section the source or modification shall comply with such emission limitations as may be necessary to assure that emissions of sulfur dioxide from the source or modification would not (during any day on which the otherwise applicable maximum allowable increases are exceeded) cause or contribute to concentrations which would exceed the maximum allowable increases over the baseline concentration as specified in Appendix E of this regulation and to assure that such emissions would not cause or contribute to concentrations which exceed the otherwise applicable maximum allowable increases for periods of exposure of twenty-four (24) hours or less for more than eighteen (18) days, not necessarily consecutive, during any annual period.

Section 16. Public Participation. The cabinet shall follow the applicable procedures of 401 KAR 50:035 in processing applications under this regulation.

Section 17. Source Obligation. (1) Any owner or operator who constructs or operates a source or modification not in accordance with the application submitted pursuant to this regulation or with the terms of any approval to construct, or any owner or operator of a source or modification subject to this regulation who begins actual construction after September 22, 1982 without applying for and receiving approval hereunder, shall be subject to appropriate enforcement action.

(2) Approval to construct shall become invalid if construction is not commenced within eighteen (18) months after receipt of such approval, if construction is discontinued for a period of eighteen (18) months or more, or if construction is not completed within a reasonable time. The cabinet may extend the eighteen (18) month period upon a satisfactory showing that an extension is justified. This provision does not apply to the time period between construction of the approved phases of a phased construction project; each phase must commence construction within eighteen (18) months of the projected and approved commencement date.

(3) Approval to construct shall not relieve any owner or operator of the responsibility to comply fully with applicable provisions of Title 401, Chapters 50 to 63 and any other requirements under local, state, or federal law.

(4) At such time that a particular source or modification becomes a major stationary source or major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of Sections 9 to 18 of this regulation shall apply to the source or modification as though construction had not yet commenced on the source or modification.

Section 18. Environmental Impact Statements. Whenever any proposed source or modification is subject to action by a federal agency which might necessitate preparation of an environmental impact statement pursuant to the National Environmental Policy Act (42 U.S.C. 4321), review by the cabinet conducted pursuant to this regulation shall be coordinated with the broad environmental reviews under that Act and under Section 309 of the Clean Air Act to the maximum extent feasible and reasonable.

Section 19. Innovative Control Technology. (1) An owner or operator of a proposed major stationary source or major modification may request the cabinet in writing to approve a system of innovative control technology.

(2) The cabinet shall, with the consent of the governor(s) of other affected state(s), determine that the source or modification may employ a system of innovative control technology if:

(a) The proposed control system would not

cause or contribute to an unreasonable risk to public health, welfare, or safety in its operation or function;

(b) The owner or operator agrees to achieve a level of continuous emissions reduction equivalent to that which would have been required under Section 9(2) of this regulation by a date specified by the cabinet. Such date shall not be later than four (4) years from the time of startup or seven (7) years from permit issuance.

(c) The source or modification would meet the requirements of Sections 9 and 10 of this regulation based on the emissions rate that the stationary source employing the system of innovative control technology would be required to meet on the date specified by the cabinet;

(d) The source or modification would not before the date specified by the cabinet:

1. Cause or contribute to a violation of an applicable national ambient air quality standard;

2. Impact any Class I area; or

3. Impact any area where an applicable increment is known to be violated; and

(e) All other applicable requirements including those for public participation have been met.

(3) The cabinet shall withdraw any approval to employ a system of innovative control technology made under this regulation if:

(a) The proposed system fails by the specified date to achieve the required continuous emissions reduction rate;

(b) The proposed system fails before the specified date so as to contribute to an unreasonable risk to public health, welfare, or safety; or

(c) The cabinet decides at any time that the proposed system is unlikely to achieve the required level of control or to protect the public health, welfare, or safety.

(4) If a source or modification fails to meet the required level of continuous emission reduction within the specified time period or the approval is withdrawn in accordance with subsection (3) of this section, the cabinet may allow the source or modification up to an additional three (3) years to meet the requirement for the application of best available control technology through use of a demonstrated system of control.

Section 20. Permit Condition Rescission. (1) Any owner or operator holding a permit for a stationary source or modification which contains conditions pursuant to 401 KAR 51:015 or 401 KAR 51:016E may request that the cabinet rescind the applicable conditions.

(2) The cabinet shall rescind a permit condition if so requested if the applicant can demonstrate to the satisfaction of the cabinet that this regulation would not apply to the source or modification or a portion thereof.

APPENDIX A TO 401 KAR 51:017
Significant Net Emissions Rates

POLLUTANT	EMISSIONS RATE
Carbon monoxide	100 tons per year (tpy)
Nitrogen oxides	40 tpy
Sulfur dioxide	40 tpy
Particulate matter	25 tpy
Ozone	40 tpy of volatile organic compounds
Lead	0.6 tpy
Asbestos	0.007 tpy
Beryllium	0.0004 tpy
Mercury	0.1 tpy
Vinyl chloride	1 tpy
Fluorides	3 tpy
Sulfuric acid mist	7 tpy
Hydrogen sulfide (H_2S)	10 tpy
Total reduced sulfur (including H_2S)	10 tpy
Reduced sulfur compounds (including H_2S)	10 tpy

APPENDIX B TO 401 KAR 51:017
Ambient Air Increments

Pollutant	Maximum Allowable Increase (Micrograms per cubic meter)
Class I	
Particulate Matter:	
Annual geometric mean	5
24-hour maximum	10
Sulfur Dioxide:	
Annual arithmetic mean	2
24-hour maximum	5
3-hour maximum	25
Class II	
Particulate Matter:	
Annual geometric mean	19
24-hour maximum	37
Sulfur Dioxide:	
Annual arithmetic mean	20
24-hour maximum	91
3-hour maximum	512

APPENDIX C TO 401 KAR 51:017
Significant Air Quality Impact

Pollutant	Air Quality Level	Averaging Time
Carbon monoxide	575 ug/m^3	8-hour average
Nitrogen dioxide	14 ug/m^3	annual average
Total suspended particulate	10 ug/m^3	24-hour average
Sulfur dioxide	13 ug/m^3	24-hour average
Ozone	No de minimis air quality level is provided for ozone. However, any net increase of 100 tons per year or more of volatile organic compounds subject to this regulation would be required to perform an ambient impact analysis including the gathering of ambient air quality data.	
Lead	0.1 ug/m^3	24-hour average
Mercury	0.25 ug/m^3	24-hour average
Beryllium	0.001 ug/m^3	24-hour average
Fluorides	0.25 ug/m^3	24-hour average
Vinyl chloride	15 ug/m^3	24-hour average
Hydrogen sulfide	0.04 ug/m^3	1-hour average

APPENDIX D TO 401 KAR 51:017
Ambient Air Increments
for Class I Variances

	Maximum Allowable Increase (micrograms per cubic meter)
Particulate Matter:	
Annual geometric mean	19
24-hour maximum	37
Sulfur Dioxide:	
Annual arithmetic mean	20
24-hour maximum	91
3-hour maximum	325

APPENDIX E TO 401 KAR 51:017
Ambient Air Increments for Presidential
or Gubernatorial SO_2 Variances

Maximum Allowable Increase
(Micrograms per cubic meter)

	Terrain areas	
Period of Exposure	Low	High
24-hour maximum	36	62
3-hour maximum	130	221

MARY HELEN MILLER, Secretary
APPROVED BY AGENCY: October 15, 1987
FILED WITH LRC: October 15, 1987 at noon
PUBLIC HEARING SCHEDULED: A public hearing to receive comments on this proposed amendment will be conducted on November 30, 1987 at 10 a.m. (EST) in the auditorium in 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, Ms. Martha L. Hall, Chief, Regulation Development Section, Division for Air Quality, 18 Reilly Road, Frankfort Office Park, Frankfort, Kentucky 40601.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Roger B. McCann
(1) Type and number of entities affected: This regulation applies to major stationary sources and major modifications constructing in areas that are designated as attainment or unclassified. It is being amended to delete the reference to 401 KAR 51:052, as found in Section 12(1)(e), and replace it with a reference to 40 CFR Part 51, Appendix S, section IV. The U.S. EPA requested that this deletion and addition be made in order for the State Implementation Plan (SIP) for the Prevention of Significant Deterioration to be fully approvable. According to the U.S. EPA, all references to regulations not contained in the federally approved SIP must be deleted for this regulation to be approvable. This paragraph applies to these sources of volatile organic compounds which wish to construct and perform postconstruction monitoring instead of preconstruction monitoring. This amendment more narrowly defines what requirements a source must follow in order to use this option. The requirements in 40 CFR Part 51, Appendix S, section IV, which require the source to meet the lowest achievable emission rates, to certify that the source is in compliance with all applicable emission standards, to obtain offsets and to certify that the offsets will provide a positive net air quality benefit are all contained in 401 KAR 51:052. Therefore, the division does not anticipate any adverse effects on any affected sources.
(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: None
(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: 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 the U.S. EPA requested that this change be made.
(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: None; the U.S. EPA requested that this change be made so that this paragraph will be identical to the federal regulation.
(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. Tiering is not applicable in this amendment.

FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate. (Cite federal mandate.) This amendment is being made as requested by the U.S. EPA so that Kentucky's State Implementation Plan for the Prevention of Significant Deterioration can be fully approved.
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

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

401 KAR 51:052. Review of new sources in or impacting upon non-attainment areas.

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 establishes requirements for the construction or [,] modification of stationary sources within, or impacting upon, areas where the national ambient air quality standards have not been attained.

Section 1. Applicability. (1) The requirements of this regulation shall apply to new major sources or major modifications commenced after the classification date defined below and that will locate in or impact upon any area designated as non-attainment pursuant to Section 107(d)(1)(A), (B), or (C) of the Clean Air Act. Area designations are contained in 40 CFR 81.318.

(2) The provisions of this regulation relating to visibility protection shall also apply to major sources or major modifications in non-attainment areas which potentially have an impact on visibility in any mandatory Class I federal area.

Section 2. Definitions. As used in this regulation terms not defined herein shall have the meaning given them in 401 KAR 50:010 or for terms relating to the protection of visibility, in 401 KAR 51:017.

(1) "Major stationary source" means:

(a) Any stationary source which emits, or has the potential to emit, 100 tons per year or more of any pollutant subject to regulation under the Clean Air Act; or

(b) Any physical change that would occur at a stationary source not qualifying under paragraph (a) of this subsection as a major stationary source, if the change would constitute a major stationary source by itself.

(c) A major stationary source that is major for volatile organic compounds shall be considered major for ozone.

(2) "Major modification" means any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the Clean Air Act.

(a) Any net emissions increase that is significant for volatile organic compounds shall be significant for ozone.

(b) A physical change or change in the method of operation shall not include:

1. Routine maintenance, repair and replacement;

2. Use of alternative fuel or raw material by reason of an order or by reason of a natural gas curtailment plan in effect under a federal act;

3. Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;

4. Use of an alternative fuel or raw material by a stationary source which:

a. The source was capable of accommodating before December 21, 1976, unless such change would be prohibited under any permit condition which was established after December 21, 1976 pursuant to 40 CFR 52.21 or pursuant to 401 KAR 51:017 or under regulations established pursuant to 40 CFR 51.18; or

b. The source is approved to use under any permit issued under this regulation;

5. An increase in the hours of operation or in the production rate, unless such change is prohibited under a permit condition which was established after December 21, 1976 pursuant to 40 CFR 52.21 or pursuant to 401 KAR 51:017 or under regulations established pursuant to 40 CFR 51.18; or

6. Any change in ownership at a stationary source.

(3) "Net emission increase" means the amount by which the sum of paragraphs (a) and (b) of this subsection exceeds zero:

(a) Any increase in actual emissions from a particular physical change or change in method of operation at a stationary source; and

(b) Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.

(c) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between the date which is ten (10) years before construction on the particular change commences, but not before December 21, 1976, and the date that the increase from the particular change occurs.

(d) An increase or decrease in actual emissions is creditable only if the cabinet has not relied on it in issuing a permit for the source under this regulation, which permit is in effect when the increase in actual emissions from the particular change occurs.

(e) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.

(f) A decrease in actual emissions is creditable only to the extent that:

1. The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;

2. It is state and federally enforceable at and after the time that actual construction on the particular change begins;

3. The cabinet has not relied on it in issuing any permit or in demonstrating attainment or reasonable further progress; and

4. It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

(g) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

(4) "Potential to emit" means the maximum capacity of a stationary source to emit a pollutant under its physical or operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is state and federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source.

(5) "Stationary source" means any building, structure, facility, or installation which emits or may emit any air pollutant subject to regulation under the Clean Air Act.

(6) "Building, structure, facility, or installation" means all of the pollutant emitting activities which belong to the same industrial grouping, are located on one (1) or

more contiguous or adjacent properties, and are under the control of the same person (or persons under common control) except the activities of any vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (i.e., which have the same two (2) digit code) as described in the Standard Industrial Classification Manual, 1972, as amended by the 1977 supplement.

(7) "Emission unit" means any part of a stationary source which emits or would have the potential to emit any pollutant subject to regulation under the Clean Air Act.

(8) "Construction" means any physical change or change in the method of operation (including fabrication, erection, installation, demolition, or modification of an emissions unit) which would result in a change in actual emissions.

(9) "Commence" as applied to construction of a major stationary source or major modification means that the owner or operator has all necessary preconstruction approvals or permits and either has:

(a) Begun, or caused to begin, a continuous program of actual onsite construction of the source, to be completed within a reasonable time; or

(b) Entered into agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

(10) "Necessary preconstruction approvals or permits" means those permits or approvals required under the regulations of Title 401, Chapters 50 and 63.

(11) "Allowable emissions" means the emissions rate calculated using the maximum rated capacity of the source (unless the source is subject to state and federally enforceable permit conditions which limit operating rate, <u>of</u> [or] hours or operation, or both) and the most stringent of the following:

(a) The applicable new source performance standards set forth in Title 401, Chapters 57 and 59, or 40 CFR Parts 60 and 61;

(b) Any other state and federally approved regulatory emission limitations, including those with a future compliance date; or

(c) The emission rate specified as a state and federally enforceable permit condition, including those with a future compliance date.

(12) "Federally enforceable" means all limitations and conditions which are enforceable by the U.S. EPA, including those requirements developed pursuant to 40 CFR 60 and 61, requirements within any applicable State Implementation Plan, and any permit requirements established pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR 51.18 or 40 CFR 51.24.

(13) "Secondary emissions" means emissions which would occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. For the purpose of this regulation, secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the stationary source or modification which causes the secondary emissions. Secondary emissions include emissions from any offsite support facility which would not otherwise be constructed or increase its emissions as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions which come directly from a mobile source, such as the emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.

(14) "Actual emissions" means the actual rate of emissions of a pollutant from an emissions unit, as determined in accordance with paragraphs (a) to (c) of this subsection.

(a) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the emission unit actually emitted the pollutant during a two (2) year period which precedes the particular date and which is representative of normal source operation. The cabinet shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the emission unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(b) The cabinet may presume that source specific allowable emissions for the emission unit are equivalent to the actual emissions of the emissions unit.

(c) For any emissions unit which has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the emission unit on that date.

(15) "Fugitive emissions" means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

(16) "Significant" means in reference to a net emissions increase or the potential of a source to emit any pollutant, a rate of emissions that would equal or exceed any rates given in Appendix A of this regulation.

(17) "Lowest achievable emission rate" means, for any source, the more stringent rate of emissions based on the following:

(a) The most stringent emissions limitation which is contained in any implementation plan of any state for such class or category of stationary source, unless the owner or operator of the proposed stationary source demonstrates that such limitations are not achievable; or

(b) The most stringent emissions limitation which is achieved in practice by such class or category of stationary source. This limitation, when applied to a major modification, means the lowest achievable emissions rate for the new or modified emission unit within the stationary source. In no event shall the application of this term permit a proposed new or modified stationary source to emit any pollutant in excess of the amount allowable under any applicable new source standard under Title 401, Chapters 57 and 59, and 40 CFR Parts 60 and 61.

(18) "Classification date" means September 22, 1982.

(19) "Reasonable further progress" means annual incremental reductions in emissions of the applicable air pollutant which are sufficient, in the judgment of the cabinet and the U.S. EPA, to provide for attainment of the applicable ambient air quality standard by the date specified in 401 KAR 51:010, Section 2.

(20) "Begin actual construction" means, in general, initiation of physical onsite

construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying of underground pipework, and construction of permanent storage structures. With respect to a change in method of operating, this term refers to those onsite activities other than preparatory activities which mark the initiation of the change.

[(21) "Resource recovery facility" means any facility at which solid waste is processed for the purpose of extracting, converting to energy, or otherwise separating and preparing solid waste for reuse. Energy conversion facilities must utilize solid waste to provide more than fifty (50) percent of the heat input to be considered a resource recovery facility under this regulation.]

(21) [(22)] "Class I area" means the areas listed in paragraph (a) of this subsection. These areas may not be redesignated.

(a)1. International parks;

2. National wilderness areas and national memorial parks which exceed 5,000 acres in size; and

3. National parks which exceed 6,000 acres in size.

(b) Any other area, unless otherwise specified in the legislation creating such an area, is designated Class II but may be redesignated as provided in 40 CFR 51.24(g).

(22) [(23)] "Adverse impact on visibility" means visibility impairment which interferes with the management, protection, preservation or enjoyment of the visitor's visual experience of the Class I area. This determination shall be made on a case-by-case basis taking into account the geographic extent, intensity, duration, frequency and time of visibility impairments, and how these factors correlate with the times of visitor use of the Class I area, and the frequency and timing of natural conditions that reduce visibility.

(23) [(24)] "State Implementation Plan" means the most recently prepared plan or revision thereof required by Section 110 of the Clean Air Act which has been approved by the U.S. EPA.

(24) [(25)] "Mandatory Class I federal area" means any area identified in 40 CFR 81, Subpart D, where the administrator of the U.S. EPA, in consultation with the Secretary of the United States Department of Interior, has determined visibility to be an important value.

(25) [(26)] "Natural conditions" means those naturally occurring phenomena that reduce visibility as measured in terms of visual range, contrast, or coloration.

(26) [(27)] "Visibility impairment" means any humanly perceptible change in visibility (visual range, contrast, coloration) from that which would have existed under natural conditions.

Section 3. Initial Screening Analyses and Determination of Applicable Requirements. (1) Review of all sources for emissions limitation compliance. The cabinet shall examine each proposed major new source and proposed major modification to determine if such source or modification will meet all applicable emission requirements in Title 401, Chapters 50 to 63. If the cabinet determines from the application and all other available information that the proposed source or modification will not meet the applicable emission requirements, the permit to construct shall be denied.

(2) Review of specified sources of air quality impact. In addition, the cabinet shall determine whether the major stationary source or major modification would be constructed in an area designated as non-attainment pursuant to Section 107(d)(1)(A), (B), or (C) of the Clean Air Act for a pollutant for which the stationary source or modification is major. If a designated non-attainment area is projected to be an attainment area as part of an approved control strategy by the new source start-up date, offsets shall not be required if the new source would not cause a new violation.

(3) Fugitive emission sources. Sections 5 and 10 of this regulation shall not apply to a source or modification that would be a major stationary source or major modification only if fugitive emissions, to the extent quantifiable, are considered in calculating the potential to emit of the stationary source or modification and the source does not belong to any of the following categories:

(a) Coal cleaning plants (with thermal dryers);
(b) Kraft pulp mills;
(c) Portland cement plants;
(d) Primary zinc smelters;
(e) Iron and steel mills;
(f) Primary aluminum ore reduction plants;
(g) Primary copper smelters;
(h) Municipal incinerators capable of charging more than 250 tons of refuse per day;
(i) Hydrofluoric, sulfuric, or nitric acid plants;
(j) Petroleum refineries;
(k) Lime plants;
(l) Phosphate rock processing plants;
(m) Coke oven batteries;
(n) Sulfur recovery plants;
(o) Carbon black plants (furnace process);
(p) Primary lead smelters;
(q) Fuel conversion plants;
(r) Sintering plants;
(s) Secondary metal production plants;
(t) Chemical process plants;
(u) Fossil-fuel boilers (or combination thereof) totaling more than 250 million BTUs per hour heat input;
(v) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
(w) Taconite ore processing plants;
(x) Glass fiber processing plants;
(y) Charcoal production plants;
(z) Fossil fuel-fired steam electric plants of more than 250 million BTUs per hour heat input; or
(aa) Any other stationary source category which, as of August 7, 1980, is being regulated under Title 401, Chapters 57 and 59, or 40 CFR Parts 60 and 61.

Section 4. Sources Locating in Designated Attainment or Unclassifiable Areas. (1) This section shall apply only to new major stationary sources or new major modifications which will locate in designated attainment or unclassifiable areas pursuant to Section 107(d)(1)(D) or (E) of the Clean Air Act if the source or modification would cause impacts which exceed the significance levels specified in Appendix B of this regulation at any locality that does not meet the national ambient air quality standards.

(2) Sources to which this section applies must

meet the requirements in Section 5(1), (2) and (4) of this regulation. However, such sources may be exempt from Section 5(3) of this regulation.

(3) For sources of sulfur dioxide, particulate matter, and carbon monoxide, the determination of whether a new major source or major modification will cause or contribute to a violation of a national ambient air quality standard shall be made on a case-by-case basis using the source's allowable emissions in an approved atmospheric simulation model pursuant to 401 KAR 50:040.

(4) For sources of nitrogen oxides, the initial determination of whether a new major source or major modification would cause or contribute to a violation of the national ambient air quality standard for nitrogen dioxide shall be made using an approved atmospheric simulation model assuming all the nitric oxide emitted is oxidized to nitrogen dioxide by the time the plume reaches ground level. The initial concentration estimates may be adjusted if adequate data are available to account for the expected oxidation rate.

(5) For ozone, sources of <u>volatile organic compounds (VOC)</u>[,] locating outside a designated ozone non-attainment area will be presumed to have no significant impact on the designated non-attainment area. If ambient monitoring indicates that the area of source location is in fact non-attainment, then the source may be permitted under the applicable provisions of this regulation until the area is designated non-attainment pursuant to Section 107(d)(1)(A), (B), or (C) of the Clean Air Act. Once the area of source location has been redesignated to non-attainment status in 40 CFR 81.318, the provisions of Section 5(3) and (4) of this regulation as they relate to emissions of VOC shall not apply, provided the area is not also an urban county as defined in 401 KAR 50:010.

(6) The determination as to whether a new major source or major modification would cause or contribute to a violation of a national ambient air quality standard shall be made as of the start-up date.

(7) Applications for major new sources and major modifications locating in attainment or unclassifiable areas the operation of which would cause a new violation of a national ambient air quality standard but would not contribute to an existing violation may be approved only if both the following conditions are met:

(a) The new source is required to meet an emission limitation, or a design, operational or equipment standard, or existing sources are controlled, such that the new source will not cause a violation of any national ambient air quality standard.

(b) The new emission limitations for the new source as well as any existing sources affected must be state and federally enforceable in accordance with the mechanisms set forth in Section 7 of this regulation.

Section 5. Conditions for Approval. The provisions of this section shall apply to new major stationary sources or major modifications which would be constructed in an area designated as non-attainment pursuant to Section 107(d)(1)(A), (B) or (C) of the Clean Air Act for a pollutant for which the stationary source or modification is major. Approval may be granted only if the following conditions are met:

(1) The new major source or major modification shall be required to meet an emission limitation which specifies the lowest achievable emission rate for such source.

(2) The applicant shall demonstrate that all existing major sources owned or operated by the applicant (or any entity controlling, controlled by, or under common control with the applicant) in the Commonwealth of Kentucky are in compliance with all applicable emission limitations and standards specified in Title 401, Chapters 50 to 63, and 40 CFR Parts 60 and 61 and the Clean Air Act, or are in compliance with an expeditious state and federally enforceable compliance schedule or a court decree establishing a compliance schedule.

(3) Emissions from existing sources in the affected area of the proposed new major source or modifications (whether or not under the same ownership) shall be reduced (offset) such that there will be reasonable progress toward attainment of the applicable national ambient air quality standard. Only those transactions in which the emissions being offset are from the same criteria pollutant category shall be accepted.

(4) The emission reductions shall be such as to provide a positive net air quality benefit in the affected area. Atmospheric simulation modeling is not necessary for volatile organic compounds and oxides of nitrogen. Except as provided in Section 4(5) of this regulation, compliance with subsection (3) of this section and Section 6(7) of this regulation will be adequate to meet this condition.

(5) For a major stationary source or major modification locating in an area designated non-attainment with respect to that pollutant for which the proposed source or modification is major, permits issued under this regulation shall specify that construction shall not commence until the U.S. EPA has approved the cabinet's plan relating to the requirements of Part D, Title I, of the Clean Air Act.

(6) In non-attainment areas which have been granted an extension of the deadline to attain the primary national ambient air quality standard for ozone or carbon monoxide, pursuant to Section 172(a)(2) of the Clean Air Act, the proposed major stationary source or major modification shall include in the application for a construction permit, an analysis of the alternative sites, sizes, production processes, and environmental control techniques for such proposed source, which demonstrates that benefits of the proposed source significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification.

Section 6. Baseline for Determining Credit for Emission Offsets. The baseline for determining credit for emission reductions or offsets will be the emission limitations in effect at the time the application to construct or modify a source is filed. For areas where the demonstration of attainment for the State Implementation Plan was based on actual emissions, the baseline for determining offset credit shall be actual emissions. Credit for emission offset purposes may be allowed for existing control that goes beyond that required by regulations. Offset calculations shall be made on a pound per hour basis when all

facilities involved in the emission offset calculations are operating at their maximum expected or allowed production rate. Offsets may be calculated on a tons per year basis providing that baseline emissions for existing sources providing the offsets are calculated using the actual annual operating hours for the previous two (2) year period. Where the cabinet requires certain hardware controls in lieu of an emission limitation, baseline allowable emissions shall be based on actual operating conditions for the previous two (2) year period in conjunction with the required hardware controls.

(1) No applicable emission limitation. Where the requirements of the cabinet do not contain an emission limitation for a source or source category, the emission offset baseline involving such sources shall be actual emissions determined under actual operating conditions for the previous two (2) year period. Where the emission limitations required by the cabinet allow greater emissions than the uncontrolled emission rate of the source, emission offset credit will be allowed only for control below the uncontrolled emission rate.

(2) Combustion of fuels. The emissions for determining emission offset credit involving an existing fuel combustion source will be the allowable emissions under the emission limitation requirements of the cabinet for the type of fuel being burned at the time the new major source or major modification application is filed. If the existing source has switched to a different type of fuel at some earlier date, any resulting emission reduction (either actual or allowable) shall not be used for emission offset credit. If the existing source commits to switch to a cleaner fuel at some future date, emission offset credit based on the allowable emissions for the fuels involved is not acceptable unless the permit is conditioned to require the use of a specified alternative control measure which would achieve the same degree of emission reduction should the source switch back to a dirtier fuel at some later date.

(3) Operating hours and source shutdown. A source may be credited with emission reductions achieved by shutting down an existing source or permanently curtailing production or operating hours below baseline levels provided that the work force to be affected has been notified in writing of the proposed shutdown or curtailment. Source shutdowns and curtailments in production or operating hours occurring prior to the date the new source application is filed shall not be used for emission offset credit. However, where an applicant can establish that it shut down or curtailed production after August 7, 1977, or less than one (1) year prior to the date of permit application, whichever is earlier, and the proposed new source is a replacement for the shutdown or curtailment, credit for such shutdown or curtailment may be applied to offset emissions from the new source.

(4) Credit for hydrocarbon substitution. No emission offset credit may be allowed for replacing one (1) volatile organic compound with another of lesser photochemical reactivity, unless the replacement compound is methane, ethane, 1,1,1-trichloroethane or [and] trichlorofluoroethane.

(5) Banking of emission offset credit. New sources obtaining permits by applying offsets after January 16, 1979 may bank offsets that exceed the requirements of reasonable progress toward attainment for future use. An owner or operator of an existing source that reduces its own emissions may bank any resulting reduction beyond those required by regulation for use under this regulation, even if the offsets are applied immediately to a new source permit. These banked emissions offsets may be used under the preconstruction review program required in the Clean Air Act as long as these banked emissions are identified and accounted for in the Commonwealth's control strategy. [The banked emissions may be used pursuant to procedures specified in 401 KAR 51:055.]

(6) Offset credit for meeting NSPS or NESHAPS. Where a source is subject to an emission limitation established in a New Source Performance Standard (NSPS) or a National Emission Standard for Hazardous Air Pollutants (NESHAPS) in compliance with Title 401, Chapters 59 and 57 respectively, and a different emission limitation required by the cabinet, the more stringent limitation shall be used as the baseline for determining credit for emission offsets. The difference in emissions between NSPS or NESHAPS and other emission limitations may not be used as offset credit.

(7) Location of offsetting emissions. In the case of emission offsets involving nitrogen oxides, offsets may be obtained only within the same air quality control region, as defined in 401 KAR 50:020 in which the source is to be located. For sulfur dioxide, particulate matter and carbon monoxide, the cabinet shall require atmospheric simulation modeling to ensure that the emission offsets provide a positive net air quality benefit. In the case of emission offsets involving stack emissions of VOC, offsetting emissions may be obtained and used as follows: [only as provided in 401 KAR 51:055, Section 11(2).]

(a) For a source in an urban county designated non-attainment for ozone in 401 KAR 51:010, VOC emission offsets shall only be available for use when created by sources located in counties within the same urban non-attainment area.

(b) For a source not subject to paragraph (a) of this subsection, VOC emission offsets shall be available for use when created by sources located within fifty (50) kilometers of the intended user.

Section 7. Administrative Procedures. The necessary emission offsets may be proposed either by the owner of the propo d source or the cabinet. The emission reduction committed to must be state and federally enforceable by the cabinet, and must be accomplished by the start-up date of the new source. If emission reductions are to be obtained in a state that neighbors the Commonwealth of Kentucky for a new source to be located in the Commonwealth, the emission reductions committed to must be state and federally enforceable by the neighboring state and/or local agencies and the U.S. EPA.

(1) Source initiated emission offsets. The owner and/or operator of a source may propose emission offsets which involve reductions from sources controlled by the owner (internal emission offsets) and/or reductions from other sources (external emission offsets). As long as the emission offsets obtained represent reasonable progress toward attainment, they shall be acceptable. An internal emission offset shall be made enforceable by inclusion as a condition of the new source permit. An external

emission offset will not be accepted unless the affected source(s) is subject to a new emission limitation requirement of the cabinet to ensure that its emissions will be reduced by a specified amount in a specified time. The form of the new emission limitation may be a cabinet regulation, operating permit condition, or consent or enforcement order.

(2) Cabinet initiated emission offsets. The cabinet may commit to reducing emissions from existing sources (including mobile sources) to provide a net air quality benefit in the impact area of the proposed new source so as to accommodate the proposed new source. The commitment must be reflected in the emission limitation requirements of the cabinet for the new and existing sources as required by this section.

Section 8. Source Obligation. (1) Any owner or operator who constructs or operates an applicable source or modification not in accordance with the application submitted pursuant to this regulation or with the terms of any approval to construct, or any owner or operator of a source or modification subject to this regulation who begins actual construction after September 22, 1982 without applying for and receiving approval hereunder, shall be subject to appropriate enforcement action.

(2) Approval to construct shall become invalid if construction is not commenced within eighteen (18) months after receipt of such approval, or if construction is discontinued for a period of eighteen (18) months or more, or if construction is not completed within a reasonable time. The cabinet may extend the eighteen (18) month period upon satisfactory showing that an extension is justified.

(3) Approval to construct shall not relieve any owner or operator of the responsibility to comply fully with applicable provisions of Title 401, Chapters 50 to 63 and any other requirements under local, state, or federal law.

(4) At such time that a particular source or modification becomes a major stationary source or major modification solely by virtue of a relaxation in any state and federally enforceable limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of this regulation shall apply to the source or modification as though construction had not yet commenced on the source or modification.

Section 9. Permit Condition Rescission. (1) Any owner or operator holding a permit for a stationary source or modification which was issued pursuant to 401 KAR 51:050 or 401 KAR 51:051E may request that the cabinet rescind the permit condition.

(2) The cabinet shall rescind a permit condition if so requested if the applicant can demonstrate to the satisfaction of the cabinet that this regulation does not apply to the source or modification or a portion thereof if construction would have commenced after September 22, 1982, and if the owner or operator demonstrates that such rescission would not interfere with reasonable further progress.

Section 10. Protection of Visibility. (1) New source review - applicability and exemptions.

(a) No stationary source or modification to which the requirements of this section apply shall begin actual construction without a permit which states that the stationary source or modification would meet those requirements.

(b) The requirements of this section shall apply to construction of any new major stationary source or major modification that would both be constructed in an area classified as non-attainment under Section 107(d)(1)(A), (B), or (C) of the Clean Air Act and potentially has an impact on visibility in any Class I area.

(c) The requirements of this section shall apply to any such major stationary source and any such major modification with respect to each pollutant subject to regulation under the Clean Air Act that it would emit, except as this section otherwise provides.

(d) The requirements of this section shall not apply to a particular major stationary source or major modification if:

1. The source or modification would be a nonprofit health or nonprofit educational institution, or a major modification would occur at such an institution, and the Governor of the Commonwealth of Kentucky requests that it be exempt from those requirements.

2. The source is a portable stationary source which has previously received a permit under this section; and:

a. The owner or operator proposes to relocate the source and emissions of the source at the new location would be temporary;

b. The emissions from the source would not exceed its allowable emissions;

c. The emissions from the source would impact no Class I area and no area where an applicable increment is known to be violated; and

d. Reasonable notice is given to the cabinet prior to the relocation, identifying the proposed new location and the probable duration of operation at the new location. Such notice shall be given to the cabinet not less than ten (10) days in advance of the proposed relocation unless a different time duration is previously approved by the cabinet.

(e) The requirements of this section shall not apply to a major stationary source or major modification with respect to a particular pollutant, if the allowable emissions of that pollutant from the source, or the net emissions increase of that pollutant from the modification:

1. Would impact no Class I area and no area where an applicable increment is known to be violated; and

2. Would be temporary.

(2) Visibility impact analyses. The owner or operator of a source shall provide an analysis of the impairment to visibility that would occur in a Class I area as a result of the source or modification and general commercial, residential, industrial and other growth associated with the source or modification.

(3) Federal land manager notification.

(a) The federal land manager and the federal official charged with direct responsibility for management of Class I areas have an affirmative responsibility to protect the air quality related values (including visibility) of such lands and to consider, in consultation with the cabinet, whether a proposed source or modification will have an adverse impact on such values.

(b) The cabinet shall provide written notification to all affected federal land

managers of any permit application for any proposed new major stationary source or major modification that may affect visibility in any Class I area. The cabinet shall also provide such notification to the federal official charged with direct responsibility for management of any lands within any such area. Such notification shall include a copy of all information relevant to the permit application and shall be given within thirty (30) days of receipt and at least sixty (60) days prior to any public hearing on the application for a permit to construct. Such notification shall include an analysis of the proposed source's anticipated impacts on visibility in any Class I area. The cabinet shall also notify all affected federal land managers within thirty (30) days of receipt of any advance notification of any such permit application.

(c) The cabinet shall consider any analysis performed by the federal land manager provided within thirty (30) days of the notification and analysis required by paragraph (b) of this subsection, that such proposed new major stationary source or major modification may have an adverse impact on visibility in any Class I area. Where the cabinet finds that such an analysis does not demonstrate to the satisfaction of the cabinet that an adverse impact on visibility will result in the Class I area, the cabinet shall, in the public hearing notice required in 401 KAR 50:035, Section 4, either explain that decision or give notice as to where the explanation can be obtained.

(4) Public participation. The cabinet shall follow the applicable procedures of 401 KAR 50:035 in processing applications under this section. The cabinet shall follow the procedures at 40 CFR 52.21(r) as in effect on August 7, 1980, to the extent that the procedures of 401 KAR 50:035 do not apply.

(5) National visibility goal. The cabinet shall only issue permits to those sources whose emissions will be consistent with making reasonable progress toward the national goal of preventing any future, and remedying any existing, impairment of visibility in Class I areas which impairment results from manmade air pollution. In making the decision to issue a permit the cabinet may take into account the overriding factors of the cost of compliance, the time necessary for compliance, the energy and nonair quality environmental impacts of compliance, and the useful life of the source.

(6) Monitoring. The cabinet may require monitoring of visibility in any Class I area near the proposed new stationary source or major modification using human observations, teleradiometers, photographic cameras, nephelometers, fine particulate monitors, or other appropriate methods as specified by the U.S. EPA. The method selected shall be determined on a case-by-case basis by the cabinet. Any visibility monitoring required by the cabinet in a Class I area will be approved by the federal land manager. Data obtained from visibility monitoring shall be made available to the cabinet, the federal land manager, and the U.S. EPA, upon request.

APPENDIX A TO 401 KAR 51:052
Significant Pollutant and Emissions Rate

Carbon monoxide:	100 per year (tpy)
Nitrogen oxides:	40 tpy
Sulfur dioxide:	40 tpy
Particulate matter:	25 tpy
Ozone:	40 tpy of volatile organic compounds
Lead:	0.6 tpy

APPENDIX B TO 401 KAR 51:052
Significant Levels of Air Quality Impact

Pollutant	Annual Average	Averaging Time 24-Hour	8-Hour	3-Hour	1-Hour
Sulfur Dioxide	1.0 ug/m^3	5 ug/m^3	--	25 ug/m^3	--
Total Suspended Particulates	1.0 ug/m^3	5 ug/m^3	--	--	--
Nitrogen Dioxide	1.0 ug/m^3	--	--	--	--
Carbon Monoxide	--	--	0.5mg/m^3	--	2mg/m^3

MARY HELEN MILLER, Secretary
APPROVED BY AGENCY: October 15, 1987
FILED WITH LRC: October 15, 1987 at noon
PUBLIC HEARING SCHEDULED: A public hearing to receive comments on this proposed amendment will be conducted on November 30, 1987 at 10 a.m. (EST) in the auditorium in 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, Ms. Martha L. Hall, Chief, Regulation Development Section, Division for Air Quality, 18 Reilly Road, Frankfort Office Park, Frankfort, Kentucky 40601.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Roger B. McCann

(1) Type and number of entities affected: This regulation applies to major stationary sources and major modifications constructing in or impacting upon areas that are designated as non-attainment. This regulation is being amended primarily to delete specific references to 401 KAR 51:055, Emissions trading. The U.S. EPA requested that these changes be made in order for the State Implementation Plan (SIP) for new source review in non-attainment areas to be fully approvable. According to the U.S. EPA, all references to regulations not contained in the federally approved SIP must be deleted for this regulation to be approvable. Therefore, in Section 6(5) the cabinet is deleting the last sentence since it references 401 KAR 51:055. In Section 6(7), the cabinet is replacing the reference to 401 KAR 51:055, Section 11(2), with the actual content of that subsection so that the intent of the regulation will remain the same. Other minor changes are made in the regulation for clarification purposes, including the deletion of the definition of "resource recovery facility," since that term is no longer used in the body of this regulation. At the present time, there is only one source which is subject to this regulation (General Motors Corp., I.D., 105-3960-0005). Since these amendments do not change the actual intent of the regulation, there will be no impact on this source.

(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: None

(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: 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 the U.S. EPA requested that this change be made.

(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? Yes. This regulation only applies to major stationary sources and major modifications (emissions greater than 100 tons per year) which construct in or impact any non-attainment area or any Class I area.

FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate. (Cite federal mandate.) This amendment is being made as requested by the U.S. EPA so that Kentucky's State Implementation Plan for the Review of New Sources in or impacting upon non-attainment areas can be fully approved.

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

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

401 KAR 57:045. Inorganic arsenic emissions from glass manufacturing plants.

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 emissions from glass manufacturing 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 the control of inorganic arsenic emissions from glass manufacturing plants contained in 40 CFR 61, Subpart N, made effective by Federal Register 51 FR 28025, August 4, 1986, and as amended by 51 FR 35355, October 3, 1986, is hereby adopted and filed herein by reference.

Section 3. Summary. The federal regulation adopted herein by reference, 40 CFR 61, Subpart N, limits emissions of inorganic arsenic from glass manufacturing plants. The affected facility in a glass manufacturing plant is each glass melting furnace which uses commercial arsenic as a raw material. Pot furnaces, however, are exempt from the provisions of this regulation.

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 for Air Quality:

(a) Director's Office, Division for Air Quality, Frankfort Office Park [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 Westen Avenue, Bowling Green, Kentucky 42101, (502)

843-5475 [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.

MARY HELEN MILLER, Secretary
APPROVED BY AGENCY: October 15, 1987
FILED WITH LRC: October 15, 1987 at noon
PUBLIC HEARING SCHEDULED: A public hearing to receive comments on this proposed amendment will be conducted on November 30, 1987 at 10 a.m. (EST) in the auditorium in 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, Ms. Martha L. Hall, Chief, Regulation Development Section, Division for Air Quality, 18 Reilly Road, Frankfort Office Park, 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 glass manufacturing plants, 40 CFR 61, Subpart N. The federal regulation applies to each glass melting furnace that uses commercial arsenic as a raw material. This regulation does not apply to pot furnaces. The cabinet is amending this regulation to adopt by reference the amendment to the federal regulation. The proposed amendment merely corrects typographical errors contained in the federal regulation, and therefore will not result in a cost increase or decrease.
(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: There will be no additional requirements due to this amendment. New plants will continue to be required to apply for construction and operating permits. The reporting and recordkeeping requirements appear in 40 CFR 61.165.
(2) Effects on the promulgating administrative body:
(a) Direct and indirect costs or savings: None due to this amendment; 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 continue to 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 amending 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: None due to this amendment.
(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 28025), the U.S. EPA promulgated a national emissions standard for hazardous air pollutants (NESHAP) limiting emissions of inorganic arsenic from glass manufacturing plants. The cabinet subsequently promulgated this regulation to adopt by reference the federal regulation. On March 23, 1987, the U.S. EPA granted to Kentucky the delegation of authority to implement and enforce the provisions of the federal regulation which the state's regulation adopted. In the federal register of October 3, 1986 (51 FR 35355), the federal regulation was amended to correct typographical errors. The cabinet is therefore amending this regulation to adopt by reference the amendment to the federal regulation, so that the state's regulation will be identical to the federal NESHAP regulation and so that the delegation of authority will continue to apply.
TIERING: Was tiering applied? No. This amendment merely corrects typographical errors contained in the federal regulation; however, tiering is applied in the regulation.

FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate. (Cite federal mandate.) This regulation adopts by reference the amendment to the federal regulation so that the state's regulation will be identical to the federal regulation, 40 CFR 61, Subpart N. 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 for Air Quality
(Proposed Amendment)

401 KAR 59:221. New metal coil coating operations.

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 metal coil coating operations.

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 new metal coil surface coating operations contained in 40 CFR 60, Subpart TT, as published in the Code of Federal Regulations, Title 40, Parts 53 to 60 [80], July 1, 1986 [1983], is hereby adopted and filed herein by reference. The methods for determining compliance as required in 40 CFR 60, Subpart TT are filed by reference in 401 KAR 50:015.

Section 3. Summary. The federal regulation adopted herein by reference, 40 CFR 60, Subpart TT, limits emissions of volatile organic compounds from all new metal coil surface coating operations that commenced construction, modification, or reconstruction after January 5, 1981. A metal coil surface coating operation is defined to be any application system used to apply an organic coating to the surface of any continuous metal strip that is packaged in a roll or coil. Compliance can be achieved by any of four (4) approaches for each affected facility. 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 for Air Quality:

(a) Director's Office, Division for Air Quality, Frankfort Office Park, 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 Westen Avenue, Bowling Green, Kentucky 42101, (502) 843-5475;

(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.

MARY HELEN MILLER, Secretary
APPROVED BY AGENCY: October 15, 1987
FILED WITH LRC: October 15, 1987 at noon
PUBLIC HEARING SCHEDULED: A public hearing to receive comments on this proposed amendment will be conducted on November 30, 1987 at 10 a.m. (EST) in the auditorium in 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, Ms. Martha L. Hall, Chief, Regulation Development Section, Division for Air Quality, 18 Reilly Road, Frankfort Office Park, 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 new source performance standards (NSPS) for metal coil surface coating operations, 40 CFR 60, Subpart TT. The federal regulation applies to all new metal coil surface operations that commence construction, modification, or reconstruction after January 5, 1981. The cabinet is amending this regulation to adopt by reference the federal regulation, 40 CFR 60, Subpart TT, as contained in the 1986 edition of the Code of Federal Regulations (CFR). This edition of the federal regulation includes an amendment which was promulgated on June 24, 1986 and which corrected language in the final standards to clarify that 3 test runs are required for the performance test. At this time, there are no sources in Kentucky which are subject to this regulation, and therefore none which would be affected by the proposed amendment.
(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: There will be no additional requirements due to the proposed amendment. New plants will continue to be required to apply for construction permits. The reporting and recordkeeping requirements appear in 40 CFR 60.465.
(2) Effects on the promulgating administrative body:
(a) Direct and indirect costs or savings: None due to this amendment; 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: Any new source will be inspected and the costs will be absorbed as a part of the operating budget for the division's normal day-to-day activities.
3. Additional factors increasing or decreasing costs: None
(b) Reporting and paperwork requirements: The division will continue to review and issue construction and operating permits for new sources and will issue reports of inspections

and emission 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 amending this regulation so that the Commonwealth will continue to have the delegation of authority to enforce the provisions of the federal regulation, and so that sources will be able to continue 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 November 1, 1982 (47 FR 49612), the U.S. EPA promulgated and subsequently amended on January 10, 1983 (48 FR 1056), a new source performance standard (NSPS) limiting emissions of volatile organic compounds (VOCs) from new metal coil surface coating operations. The cabinet promulgated this regulation on January 7, 1985, to adopt by reference the federal regulation, as amended. On April 17, 1985, the U.S. EPA granted Kentucky the delegation of authority to implement and enforce the provisions of the federal regulation which were in effect at that time. In the federal register of June 24, 1986 (51 FR 22938), the federal regulation was again amended to correct parts of the regulation which could have been interpreted to require only one test run during the performance test. The cabinet is therefore amending this regulation to adopt by reference the federal NSPS regulation as published in the 1986 edition of the CFR so that the delegation of authority will continue to apply. In addition, this regulation is also being amended to provide a listing of the locations of the Division for Air Quality Offices in the Commonwealth where individuals may inspect the material adopted by reference.

TIERING: Was tiering applied? No. Tiering was not applied since this regulation is to be 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. (Cite federal mandate.) This regulation is being amended to adopt by reference the federal regulation as amended June 24, 1986, so that the state's regulation will continue to be identical to the federal regulation, 40 CFR 60, Subpart TT. 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 for Air Quality
(Proposed Amendment)

401 KAR 59:305. New synthetic organic chemical manufacturing industry equipment leaks.

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 leaks from new synthetic organic chemical manufacturing industry equipment.

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 new synthetic organic chemical manufacturing industry equipment leaks contained in 40 CFR 60, Subpart VV, as published in the Code of Federal Regulations, Title 40, Parts 53 to 60, July 1, 1986, [made effective by Federal Register 48 FR 48335, October 18, 1983, and as amended by Federal Register 49 FR 22607, May 30, 1984, and Federal Register 49 FR 26738, June 29, 1984,] is hereby adopted and filed herein by reference. The methods for determining compliance as required in 40 CFR 60, Subpart VV are filed by reference in 401 KAR 50:015.

Section 3. Summary. The federal regulation adopted herein by reference, 40 CFR 60, Subpart VV, limits emissions of volatile organic compounds from equipment leaks in the synthetic organic chemical manufacturing industry process units that commenced construction, modification, or reconstruction after January 5, 1981. Synthetic organic chemicals manufacturing industry is defined to be the industry that produces, as intermediates or final products, one (1) or more of the chemicals listed. 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 for Air Quality:

(a) Director's Office, Division for Air Quality, Frankfort Office Park, 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 Westen Avenue, Bowling Green, Kentucky 42101, (502)

843-5475;

(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.

MARY HELEN MILLER, Secretary

APPROVED BY AGENCY: October 15, 1987

FILED WITH LRC: October 15, 1987 at noon

PUBLIC HEARING SCHEDULED: A public hearing to receive comments on this proposed amendment will be conducted on November 30, 1987 at 10 a.m. (EST) in the auditorium in 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, Ms. Martha L. Hall, Chief, Regulation Development Section, Division for Air Quality, 18 Reilly Road, Frankfort Office Park, 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 new source performance standards (NSPS) for equipment leaks of volatile organic compounds (VOC) in the synthetic organic chemical manufacturing industry (SOCMI), 40 CFR 60, Subpart VV. The federal regulation applies to equipment leaks in SOCMI process units that commenced construction, modification, or reconstruction after January 5, 1981. The cabinet is amending this regulation to adopt by reference the federal regulation, 40 CFR 60, Subpart VV, as contained in the 1986 edition of the Code of Federal Regulations (CFR). This edition of the federal regulation includes an amendment which was promulgated on January 21, 1986 and which revised the exit velocity limitation for flares used as control devices for equipment leaks in the SOCMI. The effect of the flare revision would be to allow SOCMI sources to use more existing flares to comply with the standards in 40 CFR Part 60.

(a) Direct and indirect costs or savings to those affected: There are no adverse environmental, economic, or energy impacts associated with this amendment. Since SOCMI sources would be allowed to use more existing flares, this amendment makes complying with the existing standards less expensive, and thus would serve to decrease the economic impact of the 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: There will be no additional requirements due to the proposed amendment. New plants will continue to be required to apply for construction and operating permits. The reporting and recordkeeping requirements appear in 40 CFR 60.486 and 40 CFR 60.487.

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings: None due to this amendment; 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: Any new source will be inspected and the costs will be absorbed as a part of the operating budget for the division's normal day-to-day activities.

3. Additional factors increasing or decreasing costs: None

(b) Reporting and paperwork requirements: The division will continue to review and issue construction and operating permits for new sources and will issue reports of inspections and emission 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 the amendment to this regulation contains the same provisions as the amendment to the federal regulation. Kentucky is amending this regulation so that the U.S. EPA will continue to allow the Commonwealth to have the delegated authority to enforce the provisions of the federal regulation, and so that sources will be able to continue 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 Prevention of Significant Deterioration (PSD) (401 KAR 51:017) and New Source Review (NSR) (401 KAR 51:052) may be overlapping since those regulations may require more stringent emission limitations on new or modified sources with emissions greater than 100 tons per year where NSR applies and 250 tons per year where PSD applies. In any case, the regulation with the more stringent emission limitation would apply to the source for PSD and NSR purposes.

(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 October 18, 1983 (48 FR 48335), the U.S. EPA promulgated and subsequently amended in the Federal Register of May 30, 1984 (49 FR 22607), and June 29, 1984 (49 FR 26738), a new source performance standard (NSPS) limiting emissions of volatile organic compounds (VOCs) from equipment leaks in new SOCMI process units. On January 7, 1985, the cabinet promulgated this regulation which adopted by reference the federal regulation, as amended. On April 17, 1985, the U.S. EPA granted Kentucky the delegation of authority to implement and enforce the provisions of the federal regulation which were in effect at that time. In the federal register of January 21, 1986 (51 FR 2702), the federal regulation was again amended to revise the exit velocity limitation for flares used as control devices for equipment leaks in SOCMI, and to state that all flares shall comply with the flare requirements in the general provisions portion of 40 CFR Part 60 (40 CFR 60.18). The cabinet is therefore amending this regulation to adopt by reference the federal NSPS regulation as

published in the 1986 edition of the CFR so that the delegation of authority will continue to apply. In addition, this regulation is being amended to list the locations of the Division for Air Quality Offices in the Commonwealth where individuals may inspect the material adopted by reference.

TIERING: Was tiering applied? No. Not in this amendment. This amendment merely adopts by reference the amendment to the federal regulation and provides a listing of locations where the information is available for public inspection, and therefore does not involve tiering. However, the regulation applies to any affected facility which has the design capacity to produce 1,000 Mg/yr (1102.3 tons/yr) or more, and therefore does make use of tiering.

FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate. (Cite federal mandate.) This regulation is being amended to adopt by reference the federal regulation as amended January 21, 1986, and as contained in the 1986 edition of the CFR so that the state's regulation will be continue to be identical to the federal regulation, 40 CFR 60, Subpart VV. 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

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 October 12 [September 15], 1987 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 [(Amended 9/15/87)]
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 03-00-14	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 03-00-24	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 07-00-04	Handling of PCB Articles and Containers
KSR 07-00-05	Proper Removal of Transformers
KSR 08-00-07	Inmate Family Emergency - Life Threatening Illness or Death in Inmate's Immediate Family
KSR 08-00-08	Death of an Inmate/Notification of Inmate Family in Case of Serious Injury, Critical Medical Emergency, Major Surgery
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
KSR 09-00-09	Search Policy [(Added 9/15/87)]
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
KSR 09-00-25	Inmate Motor Vehicle Operator's License
KSR 09-00-26	Contraband Outside Institutional Perimeter
KSR 09-00-27	Construction Crew Entry/Exit [(Added 9/15/87)]
KSR 10-00-02	Special Management Inmates Operations, Rules and Regulations for Unit D

KSR 10-00-03	Special Needs Unit
KRS 10-00-04	Unit D Admission/Release Ticket
KSR 11-00-01	Meal Planning for the General Population
KSR 11-00-02	Special Diets
KSR 11-00-03	Food Service Inspections
KSR 11-00-04	Dining Room Dress Code for Inmates
KSR 11-00-06	Health Standards/Regulations for Food Service Employees
KSR 11-00-07	Early Chow Line Passes for Medically Designated Inmates
KSR 12-00-01	Inmate Summer Dress Regulations
KSR 12-00-02	Sanitation and General Living Conditions
KSR 12-00-03	State Items Issued to Inmates
KSR 12-00-07	Regulations for Inmate Barbershop
KSR 13-00-01	Identification of Mentally Retarded Inmates
KSR 13-00-02	Hospital Operations, Rules and Regulations
KSR 13-00-03	Medication for Inmates Leaving Institution Grounds
KSR 13-00-04	Dental Care for Inmates
KSR 13-00-05	Medical and Dental Sick Call
KSR 13-00-06	Infection Control (Added 10/12/87)
KSR 13-00-07	Referral of Inmates Considered to Have Severe Emotional Disturbances
KSR 13-00-08	Institutional Laboratory Procedures
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/Optometry 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 14-00-05	Inmate Marriages
KSR 14-00-06	Inmate Legal Aides
KSR 15-00-01	Operational Procedures and Rules and Regulations for Unit A, B, and C [(Amended 9/15/87)]
KSR 15-00-02	Regulations Prohibiting Immate 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 [(Amended 9/15/87)]
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 [(Amended 9/15/87)]
KSR 18-00-01	Special Management Inmates - Unit D Classification
KSR 18-00-04	Returns from Other Institutions
KSR 18-00-05	Transfer of Residents to Kentucky Correctional Psychiatric Center
KSR 18-00-06	Classification
KSR 18-00-07	Special Notice Form
KSR 19-00-01	Inmate Work Incentives
KSR 19-00-02	On-the-job Training Program
KSR 19-00-03	Safety Inspections of Inmate Work Assignment Locations
KSR 20-00-01	Vocational School Referral and Release Process
KSR 20-00-03	Academic School Programs
KSR 20-00-04	Criteria for Participation in Jefferson Community College Program
KSR 20-00-08	Integration of Vocational and Academic Education Programs
KSR 21-00-01	Legal Aide Office and Law Library Services and Supervision
KSR 21-00-02	Inmate Library Services
KSR 21-00-03	Library Services for Unit D
KSR 22-00-03	Inmate Organizations
KSR 22-00-07	Inmate News Magazine
KSR 23-00-02	Chaplain's Responsibility and Inmate Access to Religious Representatives
KSR 23-00-03	Religious Programming
KSR 25-00-01	Discharge of Residents to Hospital or Nursing Home
KSR 25-00-02	Violations of Law or Code of Conduct by Inmates on Parole Furlough
KSR 25-00-03	Preparole Progress Report

GEORGE W. WILSON, Secretary
APPROVED BY AGENCY: October 12, 1987
FILED WITH LRC: October 12, 1987 at 3 p.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for November 24, 1987 at 9 a.m., in the State Office Building Auditorium. 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: 531 employees of the Kentucky State Reformatory, 1439 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 October 12 [August 14], 1987 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 NonUniformed 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
KSP 030000-06	Inmate Commissary Program
KSP 040000-01	Management Information System
KSP 040000-02	Inmate Records
KSP 040000-08	Inmate Equal Opportunity Policy
KSP 050000-14	Searches and Preservation of Evidence [(Amended 8/14/87)]
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 070000-01	Hospital Services
KSP 070000-02	Sick Call
KSP 070000-03	Health Evaluations
KSP 070000-04	Consultations
KSP 070000-05	Emergency Medical Procedure
KSP 070000-13	Pharmacy Procedures
KSP 070000-14	Medical Records
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 (Amended 10/12/87)
KSP 070000-30	Therapeutic Diets
KSP 090000-01	Inmate Work Programs (Amended 10/12/87)
KSP 090000-03	Correctional Industries (Amended 10/12/87)
KSP 100000-02	Visiting Program [(Amended 8/14/87)]
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	Inmate Mail and Packages [(Amended 8/14/87)]
KSP 100000-07	Inmate Telephone Access
KSP 100000-08	Behavioral Counseling Record
KSP 100000-09	Due Process/Disciplinary Procedures
KSP 100000-11	Authorized and Unauthorized Inmate Property [(Amended 8/14/87)]
KSP 100000-14	Property Room: Clothing Storage and Inventory [(Amended 8/14/87)]
KSP 100000-15	Uniform Cell Standards for Fire Safety, Sanitation and Security
KSP 100000-18	Inmate Grievance Committee Hearings
KSP 100000-20	Legal Services Program
KSP 100000-21	Photocopies for NonIndigent Inmates with Special Court Deadlines
KSP 110000-03	Governor's Meritorious Good Time Award Committee
KSP 110000-04	Preparole Progress Report
KSP 110000-06	General Guidelines of the Classification Committee
KSP 110000-07	Statutory Good Time Restoration
KSP 110000-08	Award of Meritorious Good Time

KSP 110000-10	Special Needs Inmates [(Amended 8/14/87)]
KSP 110000-11	Classification Committee - Transfer Requests
KSP 110000-12	Classification Committee - Inmate Work Assignments
KSP 110000-13	Classification Document
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 [(Amended 8/14/87)]
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: October 12, 1987
FILED WITH LRC: October 12, 1987 3 p.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for November 24, 1987 at 9 a.m. in the State Office Building Auditorium. 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: 309 employees of the Kentucky State Penitentiary, 790 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 6:050. Luther Luckett Correctional Complex.

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 October 12 [August 14], 1987 and hereinafter should be referred to as Luther Luckett Correctional Complex 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.

LLCC 01-08-01	Institutional Legal Assistance
LLCC 01-09-01	Public Information and News Media Access
LLCC 01-12-01	Duty Officer Responsibilities
LLCC 02-01-02	Fiscal Management: Accounting Procedures
LLCC 02-01-03	Fiscal Management: Agency Funds
LLCC 02-01-04	Fiscal Management: Insurance
LLCC 02-03-01	Fiscal Management: Audits
LLCC 02-06-01	Property Inventory
LLCC 02-07-01	Screening Disbursements from Inmate Personal Accounting [(Added 8/14/87)]
LLCC 03-01-01	General Guidelines for LLCC Employees
LLCC 03-01-02	Service Regulations, Attendance Accumulation and use of Leave
LLCC 03-02-01	Proper Dress for Uniformed Personnel
LLCC 03-02-02	Replacement of Damaged or Destroyed Personal Property
LLCC 03-03-01	Employee Grievance Mechanism
LLCC 03-04-01	Employee Records
LLCC 03-05-01	Personnel Registers
LLCC 03-06-01	Work Planning: Employee Evaluations and Evaluation Control
LLCC 03-08-01	Shift Transfers
LLCC 03-08-02	Rotation of Correctional Officers Between Central Security and Unit Management Staff
LLCC 03-09-01	Promotion Board
LLCC 03-10-01	Affirmative Action: EEO
LLCC 03-12-01	Confidentiality of Information Roles and Services of Consultants, Contract Personnel and Volunteers
LLCC 08-01-01	Offender Records
LLCC 08-04-01	Storage of Expunged Records

LLCC 10-03-09	Duties and Responsibilities of Building 1 and 2 Officer
LLCC 11-03-01	LLCC Population Categories
LLCC 11-07-01	Adjustment Procedures for Minor Rule Violations
LLCC 11-09-01	Rules and Regulations of the Unit
LLCC 11-13-01	Inmate Dress and Use of Access Areas
LLCC 11-15-01	Postparole Furloughs
LLCC 11-16-01	Restoration of Forfeited Good Time
LLCC 11-18-02	Use of Monitor Telephone
LLCC 11-19-01	Unit Shakedowns/Control of Excess Property
LLCC 11-20-01	Program Services for "Special Needs"/Mentally Ill Inmates
LLCC 12-01-01	Special Management Inmates
LLCC 12-01-02	Disciplinary Segregation Time Calculation (WTR) [(Added 8/14/87)]
LLCC 12-04-01	Guidelines for (7E) PC Unit/General Living Conditions
LLCC 13-01-01	Dining Room Guidelines
LLCC 13-04-01	Food Service: Meals
LLCC 13-04-02	Food Service: Menu, Nutrition and Special Diets
LLCC 13-05-02	Medical Screening of Food Handlers
LLCC 13-06-01	Food Service: Inspections and Sanitation
LLCC 13-07-01	Food Service: Purchasing, Storage and Farm Products
LLCC 13-08-01	OJT Food Service Training Placement
LLCC 14-01-01	Sanitation, Living Condition Standards, and Clothing Issue
LLCC 14-05-01	Institutional Inspections
LLCC 15-01-01	Health Maintenance Services; Sick Call and Pill Call
LLCC 15-02-01	Mental Health/Psychological Services
LLCC 15-03-01	Pharmacy
LLCC 15-03-02	Use of Psychotropic Medications
LLCC 15-04-01	Dental Services
LLCC 15-05-02	Licensure and Training Standards
LLCC 15-06-02	Specialized Health Services
LLCC 15-06-03	Emergency Medical/Dental Care Services
LLCC 15-06-04	First Aid/CPR Training Program
LLCC 15-06-05	Suicide Prevention and Intervention Program
LLCC 15-07-01	Health Records
LLCC 15-08-01	Special Diets
LLCC 15-12-01	Special Needs Unit
LLCC 15-14-01	Informed Consent
LLCC 15-15-01	Medical Restraints
LLCC 15-16-01	Health Education/Special Health Programs
LLCC 15-17-01	Serious and Infectious Diseases
LLCC 16-01-01	Inmate Rights and Responsibilities
LLCC 16-02-01	Inmate Grievance Procedure
LLCC 16-03-01	Inmate Legal Services
LLCC 17-01-01	Due Process/Disciplinary Procedure
LLCC 18-01-01	Inmate Correspondence
LLCC 18-01-02	Issuance of Legal Mail to Inmate Population
LLCC 18-02-01	Inmate Visiting
LLCC 18-02-03	Extended Visit and Furloughs
LLCC 18-02-04	Meritorious Visits
LLCC 18-03-03	Inmate Visiting (DSU/ASU)
LLCC 20-01-01	Personal Property Control
LLCC 20-02-01	Authorized Inmate Personal Property (Amended 10/12/87)
LLCC 20-03-01	Unauthorized Items
LLCC 20-04-02	Inmate Canteen
LLCC 20-05-01	Inmate Control of Personal Funds
LLCC 20-05-02	Storage and Disposition of Monies Received on Weekends, Holidays, and Between 4 p.m. and 8 a.m. Weekdays
LLCC 20-06-01	Procedure for Sending Appliances to Outside Dealers for Repair
LLCC 21-02-01	Classification/Security Levels
LLCC 21-03-01	Classification Process
LLCC 22-01-01	OJT/Job Assignments
LLCC 23-01-01	Academic School
LLCC 26-01-01	Religious Services
LLCC 28-01-01	Privileged Trips
LLCC 28-03-01	Temporary Release/Community Center Release
LLCC 28-04-01	Preparole Progress Report
LLCC 28-04-02	Parole Eligibility Dates

GEORGE W. WILSON, Secretary
APPROVED BY AGENCY: October 12, 1987
FILED WITH LRC: October 12, 1987 at 3 p.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for November 24, 1987 at 9 a.m. in the State Office Building Auditorium. 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: 215 employees of the Luther Luckett Correctional Complex, 612 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 6:060. 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 October 12 [August 14], 1987 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 01-03-01	Organization and Assignment of Responsibilities [(Added 8/14/87)]
NTC 01-05-01	Extraordinary Occurrence Reports [(Amended 8/14/87)]
NTC 01-10-01	Legal Assistance for Staff
NTC 01-11-01	Political Activities of Merit Employees
NTC 01-15-01	Establishment of the Warden as Chief Executive Officer
NTC 01-17-01	Relationships with Public, Media and Other Agencies
NTC 02-02-02	Warden's Participation in the Agency Budgeting Process
NTC 02-03-01	Fiscal Management: Audits
NTC 02-04-01	Internal Control and Monitoring of Accounting Procedures
NTC 02-08-01	Inmate Canteen
NTC 02-10-01	Insurance Coverage
NTC 02-12-01	Inmate Personal Accounts [(Amended 8/14/87)]
NTC 03-01-01	Employee Dress and Personal Appearance
NTC 03-02-01	Prohibited Employee Conduct
NTC 03-03-01	Staff Members Suspected of Being Under the Influence of Intoxicants
NTC 03-04-01	Shift Assignments and Transfers
NTC 03-06-01	Worker's Compensation
NTC 03-08-01	Procedures for New Employees Reporting for Employment
NTC 03-09-01	Maintenance, Confidentiality and Challenge of Information Contained in Employee Personnel File [(Amended 8/14/87)]
NTC 03-10-01	Employment of Ex-Offenders
NTC 03-11-01	Submission of Northpoint Training Center Staff Recommendation/ Changes [(Added 8/14/87)]
NTC 03-11-02	Employee Suggestion System
NTC 03-13-01	Travel Reimbursement for Official Business and Professional Meetings
NTC 03-14-01	Procedures for Selection, Retention, Promotion, and Lateral Transfer of Merit System Employees
NTC 03-14-02	Procedures for Promotional Opportunities
NTC 03-15-01	Time and Attendance; Accumulation and Use of Accrued Time
NTC 03-15-02	Procedures for Control of Excessive Leave Use
NTC 03-15-03	Inclement Weather and Emergency Conditions
NTC 03-16-01	Affirmative Action and EEO
NTC 03-17-01	Employee Grievance Procedure
NTC 03-18-01	Educational Assistance Program
NTC 03-18-02	Educational Achievement Award
NTC 03-19-01	Holding of Second Jobs by Employees
NTC 03-20-01	Assistance and Counseling Services for Employees and their Families [(Added 8/14/87)]
NTC 03-21-01	Procedures for Employee Evaluation System
NTC 04-01-01	Training and Staff Development [(Amended 8/14/87)]
NTC 04-04-01	Firearms and Chemical Agents Training
NTC 06-01-01	Offender Records [(Amended 8/14/87)]
NTC 06-01-02	Records - Release of Information
NTC 06-01-03	Taking Offender Record Folders onto the Yard
NTC 08-05-01	The Fire and Safety Officer [(Amended 8/14/87)]
NTC 08-05-02	Fire Procedures [(Amended 8/14/87)]
NTC 08-05-03	Fire Prevention [(Amended 8/14/87)]
NTC 08-05-04	Storage of Flammables and Dangerous Chemicals and Their Use
NTC 08-07-01	Safety Standards
NTC 10-01-01	Special Management Inmates (SMU) (Amended 10/12/87) [(Amended 8/14/87)]
NTC 10-02-01	Security Guidelines for Special Management Inmates
NTC 10-03-01	Protective Custody (Amended 10/12/87)
NTC 11-03-01	Food Services: General Guidelines [(Amended 8/14/87)]
NTC 11-04-01	Food Service: Meals
NTC 11-04-02	Menu, Nutrition and Special Diets [(Amended 8/14/87)]
NTC 11-05-02	Health Standards/Regulations for Food Service Employees [(Amended 8/14/87)]
NTC 11-06-01	Inspections and Sanitation
NTC 11-07-01	Purchasing, Storage and Farm Products [(Amended 8/14/87)]
NTC 12-01-01	Institutional Inspections
NTC 12-02-01	Personal Hygiene for Inmates; Clothing and Linens [(Amended 8/14/87)]
NTC 12-02-02	Issuance of Personal Hygiene Products [(Amended 8/14/87)]
NTC 13-01-01	Emergency Medical Care Plan [(Amended 8/14/87)]
NTC 13-01-02	Emergency and Specialized Health Services [(Amended 8/14/87)]
NTC 13-02-01	Administration and Authority for Health Services
NTC 13-03-01	Sick Call and Pill Call
NTC 13-04-01	Utilization of Pharmaceutical Products [(Amended 8/14/87)]
NTC 13-05-01	Dental Services [(Amended 8/14/87)]
NTC 13-06-01	Licensure and Training Standards
NTC 13-07-01	Provisions for Health Care Delivery [(Amended 8/14/87)]
NTC 13-08-01	Medical and Dental Records
NTC 13-09-01	Special Diets
NTC 13-11-01	Inmate Health Screening and Evaluation
NTC 13-12-01	Special Health Care Programs
NTC 13-17-01	Inmates Assigned to Health Services
NTC 13-19-01	Mental Health Care Program
NTC 13-19-03	Suicide Prevention and Intervention Program (Amended 10/12/87)

NTC 13-20-01	Infectious Disease
NTC 13-21-01	Vision Care/Optometry Services
NTC 13-22-01	Informed Consent
NTC 13-23-01	Special Needs Inmates
NTC 14-01-01	Legal Services Program [(Amended 8/14/87)]
NTC 14-02-01	Inmate Grievance Procedure (Amended 10/12/87) [(Amended 8/14/87)]
NTC 14-03-01	Inmate Rights and Responsibilities
NTC 14-03-02	Board of Claims
NTC 14-04-01	Inmate Search Policy
NTC 15-01-01	Restoration of Forfeited Good Time [(Amended 8/14/87)]
NTC 15-02-01	Due Process/Disciplinary Procedures [(Amended 8/14/87)]
NTC 15-02-02	Extra Duty Assignments [(Amended 8/14/87)]
NTC 15-02-03	Hearing Officer [(Amended 8/14/87)]
NTC 15-03-01	Rules for Inmates Assigned to Outside Detail [(Amended 8/14/87)]
NTC 15-03-02	Rules and Regulations for General Population Dormitories (Amended 10/12/87) [(Amended 8/14/87)]
NTC 15-04-01	Inmate Identification
NTC 16-01-01	Mail Regulations (Amended 10/12/87) [(Amended 8/14/87)]
NTC 16-02-01	Visiting [(Amended 8/14/87)]
NTC 16-02-03	Honor Dorm Visiting
NTC 16-03-01	Inmate Furloughs (Amended 10/12/87)
NTC 16-05-01	Telephone Use and Control
NTC 17-01-01	Personal Property Control [(Amended 8/14/87)]
NTC 17-01-02	Authorized Inmate Personal Property [(Amended 8/14/87)]
NTC 17-01-03	Unauthorized Inmate Property [(Amended 8/14/87)]
NTC 17-01-04	Disposition of Unauthorized Property [(Amended 8/14/87)]
NTC 17-03-01	Assessment/Orientation
NTC 18-01-01	Preparole Progress Report
NTC 18-02-01	Classification (Amended 10/12/87) [(Amended 8/14/87)]
NTC 18-02-02	Classification - 48 Hour Notification
NTC 18-03-01	Special Notice Form
NTC 18-05-01	Transfers of Inmates [(Amended 8/14/87)]
NTC 18-05-02	Transfer of Inmates to Kentucky Correctional Psychiatric Center
NTC 19-01-01	Inmate Work Program [(Amended 8/14/87)]
NTC 19-01-03	Temporary Leave from Job Assignment
NTC 19-02-01	Correctional Industries [(Amended 8/14/87)]
NTC 19-02-02	Guidelines for Correctional Industries (Added 10/12/87)
NTC 20-01-01	Academic School Program [(Amended 8/14/87)]
NTC 21-01-01	Library Services
NTC 22-03-01	Conducting Inmate Organizational Meetings and Programs
NTC 23-01-01	Religious Services
NTC 23-03-01	Marriage of Inmates
NTC 24-04-01	Honor Status
NTC 24-05-01	Unit Management
NTC 25-01-01	Release Preparation Program
NTC 25-01-02	Temporary Release/Community Center Release
NTC 25-01-03	Graduated Release
NTC 25-02-01	Funeral Trips and Bedside Visits
NTC 25-03-01	Inmate Release Procedure
NTC 26-01-01	Citizen Involvement and Volunteer Services Program [(Amended 8/14/87)]

GEORGE W. WILSON, Secretary
APPROVED BY AGENCY: October 12, 1987
FILED WITH LRC: October 12, 1987 at 3 p.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for November 24, 1987 at 9 a.m. in the State Office Building Auditorium. 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: 236 employees of the Northpoint Training Center, 721 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 6:120. Blackburn Correctional Complex.

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 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

September 23 [June 12], 1987 and hereinafter should be referred to as Blackburn Correctional Complex and Procedures. Copies of the procedures may be obtained from the Office of the General Counsel, Corrections Cabinet, State Office Building, Frankfort, Kentucky 40601.

BCC 01-05-01 Duty Officer and Acting Warden (Added 9/23/87)
BCC 01-07-01 Extraordinary Occurrence Reports
BCC 01-09-01 Legal Assistance for Staff (Added 9/23/87)
BCC 01-10-01 Political Activities of Merit Employees (Added 9/23/87)
BCC 01-11-01 Roles of Consultants, Contract Employees, Volunteers and Employees of Other Agencies
BCC 01-13-01 Relationships with Public, Media, and Other Agencies
BCC 01-15-01 Internal Affairs Office
BCC 01-16-01 Tours of Blackburn Correctional Complex
BCC 01-19-01 Inmate Access to BCC Staff
BCC 02-01-01 Inmate Canteen (Amended 9/23/87)
BCC 02-02-01 Fiscal Responsibility
BCC 02-02-02 Fiscal Management: Accounting Procedures (Amended 9/23/87)
BCC 02-02-03 Fiscal Management: Checks
BCC 02-02-04 Fiscal Management: Budget
BCC 02-02-05 Fiscal Management: Insurance (Amended 9/23/87)
BCC 02-02-06 Fiscal Management: Audits
BCC 02-04-01 Billing Method for Health Services Staff Paid by Personal Service Contract
BCC 02-05-01 Property Inventory
BCC 02-06-01 Purchasing
BCC 02-07-01 Inmate Personal Accounts
BCC 03-01-01 EEO - Affirmative Action (Added 9/23/87)
BCC 03-02-01 General Guidelines for BCC Employees (Added 9/23/87)
BCC 03-02-03 Physical Examinations for New Employees and Emergency Notification (Added 9/23/87)
BCC 03-03-01 Travel Reimbursement for Official Business and Professional Meetings (Added 9/23/87)
BCC 03-04-01 Employment of Ex-Offenders (Added 9/23/87)
BCC 03-06-01 Procedures for Selection, Retention, Promotion, and Lateral Transfer of Merit System Employees (Added 9/23/87)
BCC 03-06-02 Procedures for Promotional Opportunities (Added 9/23/87)
BCC 03-07-01 Workers' Compensation (Added 9/23/87)
BCC 03-08-01 Employee Assistance Program (Added 9/23/87)
BCC 03-09-01 Holding of Second Jobs by Employees (Added 9/23/87)
BCC 03-10-01 Student Intern (Co-Op) and Practicum Placement Procedures (Added 9/23/87)
BCC 03-11-01 Maintenance, Confidentiality, and Challenge of Information Contained in Employee File (Added 9/23/87)
BCC 03-12-01 Work Assignments for Security Staff (Added 9/23/87)
BCC 04-02-01 Firearms Training
BCC 04-03-01 Educational Assistance Program (Added 9/23/87)
BCC 05-01-01 Inmate Participation in Authorized Research [(Amended 6/12/87)]
BCC 06-01-01 Storage of Expunged Records
BCC 06-02-01 Records - Release of Information
BCC 06-02-02 Offender Records (Amended 9/23/87)
BCC 06-03-01 Reporting Inmate Misconduct Following Favorable Recommendation by the Parole Board
BCC 08-01-01 Simplified Fire Safety System (SFSS)
BCC 08-02-01 Natural Disaster Plan (Tornado)
BCC 08-03-01 Emergency Preparedness Plan Manual (Amended 9/23/87)
BCC 08-04-01 Fire Safety Plan, Drills and Related Staff Duties (Amended 9/23/87)
BCC 08-04-02 Immediate Release of Inmates from Locked Areas (Added 9/23/87)
BCC 08-05-01 Duties of Fires Safety Officer (Added 9/23/87)
BCC 08-06-01 Storage, Control and Accountability of Flammable, Toxic, Caustic and Other Hazardous Materials (Added 9/23/87)
BCC 08-07-01 Facility Furnishings: Exit and Emergency Lights and Noncombustible Containers (Amended 9/23/87)
BCC 09-01-01 Inclement Weather/Emergency Condition Operation (Added 9/23/87)
BCC 09-02-01 Restricted Areas (Amended 9/23/87)
BCC 09-02-02 Inmate Pass System to Restricted Areas
BCC 09-02-03 Regulation of Inmate Movement
BCC 09-03-01 Inmate Identification (Amended 9/23/87)
BCC 09-04-02 Complex Entry & Exit (Amended 9/23/87)
BCC 09-05-01 Key Control (Amended 9/23/87)
BCC 09-06-02 Transportation to Courts
BCC 09-07-01 Drug Abuse and Intoxicants Testing
BCC 09-08-02 Use of Restraints (Added 9/23/87)
BCC 09-09-01 Population Counts and Count Documentation (Amended 9/23/87)
BCC 09-10-03 Development of Institutional Post Orders (Amended 9/23/87)
BCC 09-10-04 Governmental Services, Study Release Officer Post Orders
BCC 09-10-05 Unit A-1 Post Orders [(Added 6/12/87)]
BCC 09-10-06 Recreation Post Orders: Observation (Added 9/23/87)
BCC 09-10-07 Entrance Gate Post Orders (Added 9/23/87)
BCC 09-10-08 Visiting Area Post Orders (Added 9/23/87)
BCC 09-10-09 Security Staff General Orders (Added 9/23/87)
BCC 09-12-01 Use of Physical Force; Prohibitation of Personal Abuse and Corporal Punishment
BCC 09-13-01 Perimeter Patrol
BCC 09-14-01 Prohibiting Inmate Authority Over Other Inmates
BCC 09-15-01 Search Policy/Disposition of Contraband
BCC 09-16-01 Security Activity Logs
BCC 09-17-01 Institutional Supervisor Inspections (Added 9/23/87)
BCC 09-18-01 Use of State Vehicles and Staff Owned Vehicles

BCC 09-19-01 Duties and Responsibilities of the Institutional Captain
BCC 09-19-02 Duties and Responsibilities of the Shift Supervisor (Amended 9/23/87)
BCC 09-20-01 Inmate Death (Added 9/23/87)
BCC 09-21-01 Tool Control (Added 9/23/87)
BCC 09-22-01 Emergency Communication System (Added 9/23/87)
BCC 10-01-01 Special Management Inmates
BCC 11-01-01 Menu and Special Diets (Amended 9/23/87)
BCC 11-02-01 Food Service: Inspection, Health Protection and Sanitation (Amended 9/23/87)
BCC 11-03-01 Food Service: Meals (Amended 9/23/87)
BCC 11-04-01 Dining Room Guidelines (Amended 9/23/87)
BCC 11-05-01 Food Service Security: Knife & Other Sharp Instrument/Utensil Control
BCC 11-06-01 Purchasing, Storage and Farm Products (Amended 9/23/87)
BCC 11-07-01 Food Service Operations Manual (Added 9/23/87)
BCC 12-02-01 Personal Hygiene Items (Amended 9/23/87)
BCC 12-02-02 Personal Hygiene for Inmates: Clothing, [and] Linens and Shower Facilities (Amended 9/23/87)
BCC 12-05-01 Barber Shop Services (Added 9/23/87)
BCC 12-06-01 BCC Housekeeping Plan (Added 9/23/87)
BCC 13-01-01 Sick Call and Pill Call (Amended 9/23/87)
BCC 13-02-01 Administration and Authority for Health Services (Amended 9/23/87)
BCC 13-03-01 Provisions of Health Care Delivery (Amended 9/23/87)
BCC 13-04-01 Licensure and Training Standards (Amended 9/23/87)
BCC 13-05-01 Medical Alert System (Amended 9/23/87)
BCC 13-06-01 Health Care Practices (Amended 9/23/87)
BCC 13-07-01 Emergency Medical Care Plan (Added 9/23/87)
BCC 13-07-02 Emergency and Specialized Health Services (Added 9/23/87)
BCC 13-07-03 Immediate Medical Treatment for Person's Injured by Weapon or Chemical Agent (Added 9/23/87)
BCC 13-08-01 Inmate Health Screening and Evaluation (Amended 9/23/87)
BCC 13-09-01 Prohibition on Medical Experimentation (Amended 9/23/87)
BCC 13-10-01 Dental Services (Added 9/23/87)
BCC 13-11-01 Suicide Prevention and Intervention Program (Added 9/23/87)
BCC 13-12-01 Use of Pharmaceutical products (Added 9/23/87)
BCC 13-12-02 Parenteral Administration of Medications and Use of Psychotropic Drugs (Added 9/23/87)
BCC 13-13-01 Inmate Health Education (Added 9/23/87)
BCC 13-14-01 Management of Serious and Infectious Diseases (Added 9/23/87)
BCC 13-15-01 Informed Consent (Added 9/23/87)
BCC 13-16-01 Health Records (Added 9/23/87)
BCC 13-17-01 Notification of Inmate Family in the Event of Serious Illness, Injury or Surgery (Added 9/23/87)
BCC 13-19-01 Physicians Referrals/Continuity of Care (Added 9/23/87)
BCC 13-20-01 Chronic and Convalescent Care (Added 9/23/87)
BCC 13-22-01 Psychiatric and Psychological Services, Handling of Mentally Retarded Inmates and Transfers (Added 9/23/87)
BCC 13-23-01 First Aid Kits (Added 9/23/87)
BCC 14-01-01 Office of Public Advocacy Attorney Visits
BCC 14-02-01 Law Library [(Amended 6/12/87)]
BCC 14-03-01 Inmate Grievance Procedure
BCC 14-04-01 Inmate Rights and Responsibilities (Amended 9/23/87)
BCC 14-05-01 Inmate Claims
BCC 15-01-01 Authorized Inmate Personal Property (Amended 9/23/87)
BCC 15-02-01 Meritorious Living Unit (B-1)
BCC 15-03-01 Rules and Regulations for Dormitories (Amended 9/23/87)
BCC 15-04-01 Restoration of Forfeited Good Time
BCC 15-05-01 Extra Duty Assignments
BCC 15-06-01 Due Process/Disciplinary Procedures (Amended 9/23/87)
BCC 16-01-01 Inmate Furloughs (Amended 9/23/87)
BCC 16-02-01 Visiting (Amended 9/23/87)
BCC 16-03-01 Inmate [Mail Regulations -] Packages (Amended 9/23/87)
BCC 16-03-02 Outgoing Inmate Packages
BCC 16-03-03 Inmate Correspondence (Added 9/23/87)
BCC 18-01-01 Classification: Institutional Classification and Reclassification (Added 9/23/87)
BCC 18-02-01 Racial Balance in Living Areas (Added 9/23/87)
BCC 19-01-01 Inmate Work Programs (Added 9/23/87)
BCC 19-02-01 Classification of Inmates to Governmental Service Program (Added 9/23/87)
BCC 19-03-01 Correctional Industries (Added 9/2/87)
BCC 20-01-01 Academic and Vocational School
BCC 20-02-01 College Programs
BCC 20-04-01 Educational Program Evaluation
BCC 20-05-01 Educational Program Planning
BCC 20-06-01 Academic and Vocational Curriculum
BCC 21-01-01 Library Services (Amended 9/23/87)
BCC 22-01-01 Arts and Crafts/Production and Sale of Items
BCC 22-02-01 Privileged Trips
BCC 22-03-01 Recreational Employees
BCC 22-04-01 Recreation and Inmate Activities
BCC 22-04-02 Inmate Clubs and Organizations
BCC 22-04-03 Conducting Inmate Organizational Meetings and Programs (Added 9/23/87)
BCC 22-04-04 Recreation Program Availability (Added 9/23/87)
BCC 22-04-05 Supervision of Leisure-Time Craft Club Activities and Materials (Added 9/23/87)
BCC 22-06-01 Music Club (Added 9/23/87)
BCC 22-09-01 Use of Inmates in Recreation Programs (Added 9/23/87)
BCC 23-01-01 Religious Services [(Added 6/12/87)]
BCC 24-01-01 Duties and Responsibilities of Classification and Treatment Officers (Added 9/23/87)

BCC 24-02-01	Duties and Responsibilities of the Unit Director and Assistant to Unit Director (Added 9/23/87)
BCC 24-03-01	Social Services (Amended 9/23/87)
BCC 25-01-01	Inmate Check Out Procedure (Amended 9/23/87)
BCC 25-02-02	Temporary Release/Community Center Release
BCC 26-01-01	Citizen Involvement and Volunteer Service Program (Added 9/23/87)

GEORGE W. WILSON, Secretary
APPROVED BY AGENCY: September 23, 1987
FILED WITH LRC: September 23, 1987 at 4 p.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for November 24, 1987 at 9 a.m. 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: 84 employees of the Blackburn Correctional Complex, 345 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.

TRANSPORTATION CABINET
Department of Highways
(Proposed Amendment)

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:

BATH COUNTY

ROAD	FROM	TO	LENGTH
* KY 11	0.0 Montgomery CO LN	12.8 Fleming CO LN	12.8
		STATE ROAD MILEAGE	12.8
		COUNTY ROAD MILEAGE	0.0
		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	11.9 Straight Creek RD	2.1
		[18.7 Clay CO LN	8.9]
	12.9 Bow Valley	18.7 Clay CO LN	5.8
* 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
	9.8 Mine	16.8 US 25E	7.0
	[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	0.0 Tennessee ST LN	3.1 KY 74	3.1
	[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	4.6 KY 1344	8.8 KY 987	4.2
	[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	3.8 KY 217	4.3 KY 188	0.5]
* KY 1344	0.0 KY 217	2.1 Wolfpen Branch RD	2.1
* KY 2011	0.0 KY 221	9.0 KY 66	9.0
	[7.7 Mine Access	9.0 KY 66	1.3]
* KY 2012	0.0 [Balkan RD] Private Haul RD	2.1 US 119	2.0
		[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]
		STATE ROAD MILEAGE	111.2 [105.0]
		COUNTY ROAD MILEAGE	7.5 [9.5]
		TOTAL ROAD MILEAGE	118.7 [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
* US 460	7.7 US 27	9.2 US 68X	1.5
* KY 627	0.0 Clark CO LN	9.5 US 68X	9.5
		STATE ROAD MILEAGE	27.9 [26.4]

COUNTY ROAD MILEAGE	0.0
TOTAL ROAD MILEAGE	27.9
	[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
	1.7 [1.6] US 60	2.0 [1.8] US 23	0.3 [0.2]
* US 60	0.0 Carter CO LN	12.3 [12.4] US 23	12.3 [12.4]
* US 60X	0.0 US 60	0.5 US 23S	0.5
* 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 716	0.0 US 60	0.4 Molsruger RD	0.4
* 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
[* Cobb Road			
CR 5490	0.0 Straight Creek RD	1.2 Mine	1.2]
* Hatcher Drive			
CR 5357	0.0 Molsruger RD	0.1 Mine	0.1
* Molsruger Road			
CR 5379	0.0 KY 716	0.3 Hatcher Drive	0.3
* 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
		STATE ROAD MILEAGE	40.8
			[41.7]
		COUNTY ROAD MILEAGE	2.3
			[4.6]
		TOTAL ROAD MILEAGE	43.1
			[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	16.8 US 150 Bypass	18.9 Lincoln CO LN	2.1
* US 150B	0.0 US 127	2.3 US 150	2.3
		STATE ROAD MILEAGE	11.9
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	11.9

BRACKEN COUNTY

ROAD	FROM	TO	LENGTH
* KY 8	0.0 Pendleton CO LN	19.0 Mason CO LN	19.0
		STATE ROAD MILEAGE	19.0
		COUNTY ROAD MILEAGE	0.0
		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 Elkatawa Tipple	14.8 KY 15 (North)	0.7
	14.8 KY 15 (South)	33.3 KY 542	18.5
	[30.0 Mine Access	37.5 Magoffin CO LN	7.5]
* KY 476	0.0 Perry CO LN [5.8 Falcon Haul RD]	11.4 KY 15	11.4 [5.6]
* KY 542	0.0 KY 30 [10.0 Mine Access]	18.6 Magoffin CO LN	18.6 [8.6]
* KY 1098	0.0 KY 15	20.7 Knott CO LN	20.7
		[14.8 Mine Access	14.8]
* KY 1110	15.2 Haddix Tipple	15.7 KY 15	0.5
* KY 1111	0.0 KY 1098 [1.6 Mine Access]	2.2 Big Lovely RD	2.2 [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]
			STATE ROAD MILEAGE	101.8
				[67.6]
			COUNTY ROAD MILEAGE	5.3
				[5.9]
			TOTAL ROAD MILEAGE	107.1
				[73.5]

BUTLER COUNTY

ROAD	FROM	TO	LENGTH
* Green River Parkway			
	18.2 Warren CO LN	35.1 Ohio CO LN	16.9
* Western KY Parkway			
	87.4 Ohio CO LN	88.4 Grayson CO LN	1.0
* US 231	8.6 KY 1468	8.9 Green River Parkway	0.3
	[8.4 Alley-Cassetty Tipple	18.9 Ohio CO LN	10.5]
	11.5 KY 70 (South)	18.9 Ohio CO LN	7.4
* 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	6.1 Mine [2.2 Mine]	6.1 [2.2]
* KY 1328	10.3 [10.0] Mine	10.6 Old Greenwich SCH RD	0.3 [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 KY 70	0.3 Pyramid Mine	0.3
	[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	0.3 C Crabtree Mine	0.3
		[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 Addwest Mine	0.4
[* 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
		STATE ROAD MILEAGE	58.6
			[60.4]
		COUNTY ROAD MILEAGE	4.1
			[6.4]
		TOTAL ROAD MILEAGE	62.7
			[66.8]

CALDWELL COUNTY

ROAD	FROM	TO	LENGTH
Western Kentucky Parkway			
	5.6 Lyon CO LN	21.8 Hopkins CO LN	16.2
* KY 70	0.5 KY 91	10.5 Mine	10.0
		STATE ROAD MILEAGE	26.2
			[16.2]
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	26.2
			[16.2]

CAMPBELL COUNTY

ROAD	FROM	TO	LENGTH
US 27	0.0 Pendleton CO LN	16.6 I-471	16.6
		STATE ROAD MILEAGE	16.6
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	16.6

CARTER COUNTY

ROAD	FROM	TO	LENGTH
* US 60	24.1 KY 1 & KY 7	24.8 KY 1	0.7
		[35.0 Boyd CO LN	10.9]
	30.7 KY 207	35.0 Boyd CO LN	4.3
* KY 1	1.2 KY 1496	11.5 I-64	10.3
	[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
* KY 207	0.0 US 60	2.3 Greenup CO LN	2.3
		STATE ROAD MILEAGE	28.5
			[22.7]
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	28.5
			[22.7]

CHRISTIAN COUNTY

ROAD	FROM	TO	LENGTH
Pennyrile Parkway			
	7.0 US 41A	11.7 KY 1682	4.7
* US 41	28.5 KY 1296	31.6 Hopkins CO LN	3.1
* US 41A	4.4 I-24	13.5 Pennyrile Parkway	9.1
* KY 1296	2.7 Campbell Cemetery RD	5.2 US 41	2.5
* Campbell Cemetery Road			
CR 5418	0.0 KY 1296	1.6 T D C Mine	1.6
		STATE ROAD MILEAGE	19.4
			[5.6]
		COUNTY ROAD MILEAGE	1.6
		TOTAL ROAD MILEAGE	21.0
			[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
		STATE ROAD MILEAGE	28.4
		COUNTY ROAD MILEAGE	0.0
		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	32.8 Jackson CO LN	30.2
		[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	1.8 Lick Fork	1.8
		[6.9 Leslie CO LN	6.9]
	4.9 Phillips Fork	6.9 Leslie CO LN	2.0
	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	3.0 Roots Branch	7.5 US 421	4.5
	[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	1.1 KY 2000	1.1
		[6.9 Big John Branch RD	6.9]
* KY 2000	0.0 KY 1524	3.5 Mine Access	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]
* 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]
				STATE ROAD MILEAGE	112.7 [129.6]
				COUNTY ROAD MILEAGE	3.0 [10.7]
				TOTAL ROAD MILEAGE	115.7 [140.3]

CRITTENDEN COUNTY

ROAD	FROM	TO	LENGTH
* US 60	0.0 Livingston CO LN	23.0 Union CO LN	23.0
* KY 120	0.0 US 60	16.6 Webster CO LN	16.6
		STATE ROAD MILEAGE	39.6
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	39.6

DAVIESS COUNTY

ROAD	FROM	TO	LENGTH
* Green River Parkway			
	59.5 Ohio CO LN	70.7 US 60 Bypass	11.2
		[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	12.9 Boston-Laffoon RD	10.4
		[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 Flora RD	11.9
* KY 331	0.0 US 60 (East)	1.9 Mine	1.9
		[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	2.9 Mine	2.9
		[1.6 Mine	1.6]
* Flora 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]
		STATE ROAD MILEAGE	92.4 [95.5]
		COUNTY ROAD MILEAGE	1.8 [2.2]
		TOTAL ROAD MILEAGE	94.2 [97.7]

ELLIOTT COUNTY

ROAD	FROM	TO	LENGTH
* KY 7	0.0 Morgan CO LN	19.3 Carter CO LN	19.3
* KY 32	8.6 KY 7	11.4 KY 719	2.8
		[16.6 Mason Branch RD	8.0]
* KY 402	0.0 KY 7	2.7 Mine	2.7
[* 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	0.8 Mine		0.8
		[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]
			STATE ROAD MILEAGE	24.8
				[38.9]
			COUNTY ROAD MILEAGE	0.8
				[3.0]
			TOTAL ROAD MILEAGE	25.6
				[41.9]

ESTILL COUNTY

ROAD	FROM	TO	LENGTH
* KY 52	0.0 Madison CO LN	21.0 Lee CO LN	21.0
		[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]
		STATE ROAD MILEAGE	21.0
			[10.0]
		COUNTY ROAD MILEAGE	0.0
			[0.8]
		TOTAL ROAD MILEAGE	21.0
			[10.8]

FAYETTE COUNTY

ROAD	FROM	TO	LENGTH
[* 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]
* KY 922	1.0 KY 4	2.9 I-75	1.9
[* Man-O-War Boulevard (Lexington)			
	0.0 US 68	3.3 US 27	3.3]
		STATE ROAD MILEAGE	12.1
			[23.0]
		COUNTY ROAD MILEAGE	0.0
			[3.3]
		TOTAL ROAD MILEAGE	12.1
			[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
		STATE ROAD MILEAGE	22.6
		COUNTY ROAD MILEAGE	0.0
		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	1.6 Coal Mac Mine	1.6
		[5.6 Buffalo CR RD	5.6]
	9.0 Addington Mine	12.2 Pike CO LN	3.2
	[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	2.3 Caleb Fork RD	4.1 KY 122	1.8
	[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	1.2 Jet Tipple	1.0	
		[4.6 KY 80	4.4]	
* KY 680	0.0 KY 122	5.4 KY 979	5.4	
* KY 777	5.2 Transcontinental Mine	9.0 KY 80	3.8	
	[5.9 Mine	9.0 KY 80	3.1]	
* KY 850	4.3 Pitts Fork Road	7.5 KY 404	3.2	
	[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	0.0 Pike CO LN	2.5 K C Rogers Mine	2.5	
	[2.5 Mine	6.6 KY 979	4.1]	
	6.4 Damron Coal Mine	9.5 Justice Branch RD	3.1	
	[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 Uptown Mining 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 Kanawha 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]	
* Bushy Fork Road				
CR 5046	0.0 KY 194	0.4 Wolf Branch Road	0.4	
* Wolf Branch Road				
CR 5046A	0.0 Bushy Fork Road	1.0 Martin CO LN	1.0	
* 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 Prater Creek Mine	0.2	
* Transcontinental Road (Excluding Bridge)				
CR 5083	0.0 Transcontinental Tipple	0.8 US 23	0.8	
* Spruce Pine Road				
CR 5098	0.0 KY 2030	0.4 Maple Ridge Mine	0.4	
* Justice Branch Road				
CR 5107	0.0 KY 1426	0.4 RT FK Justice BR RD	0.4	
* Big Branch/Little Mud Creek Road				
CR 5108	0.0 KY 2030	3.3 Island Creek Mine	3.3	
* Frog Branch Road				
CR 5110	0.0 KY 2030	1.0 Maple Ridge Mine	1.0	
* Betsy Layne Branch Road				
CR 5111	0.0 KY 2557	0.9 Somerset Coal Mine	0.9	
* Cedar Hill Road				
CR 5118	0.0 KY 1426	0.6 Bebe Tipple	0.6	
* Parsons Branch Road				
CR 5128	0.0 KY 979	0.2 Transcontinental Mine	0.2	
* Frasure Branch Road				
CR 5134	0.0 KY 979	1.0 Joseph Mining Mine	1.0	
* Mink Branch Road				
CR 5138	0.0 KY 979	1.9 Joseph Mining Mine	1.9	
		[1.5 Mine	1.5]	
* Dry Branch/Mud Creek Road				
CR 5139	0.0 KY 979	1.1 Joseph Mining Mine	1.1	
* Ned Fork Road				
CR 5140	0.0 KY 1929	1.1 Premium Elkhorn Shannon Mine	1.1	
* Branham Creek Road				
CR 5142	0.0 KY 979	8.3 Pike CO LN	8.3	
		[3.1 Mine	3.1	
	7.7 Left FK/Tinker FK RD	8.3 Pike CO LN	0.6]	

* Barn Branch Road				
CR 5146	0.0 Branham Creek Road	0.3 Phyllis Coal Mine	0.3
* Left Fork/Tinker Fork Road				
CR 5147	0.0 Branham Creek RD	0.2 Wellmore Kodiak Mine	0.2
* Andy Branch Road				
CR 5148	0.0 Tinker Fork RD	0.5 Ensol 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 Turner Elkhorn Mine	0.9
		[0.7 End of Road	0.7]
* Buzzard Rock Road				
CR 5157	0.2 Apache Mining Mine	0.5 Pike CO LN	0.3
* Buckhorn Hollow Road				
CR 5159	0.0 KY 979	0.4 Wheelwright Douglas #2 Mine	0.4
* Spewing Camp Branch Road				
CR 5190	0.0 KY 122	2.4 JRM Mining Mine	2.4
* Little Muddy Creek Road				
CR 5197	0.0 KY 2030	3.0 Bebe Mine	3.0
* Gunstock Branch Road				
CR 5202	0.0 KY 2030	0.4 Island Creek Mine	0.4
* Stonecoal Branch Road				
CR 5234	0.0 KY 1101	2.0 Blackhawk Mine	2.0
* Step Branch Road				
CR 5247	0.0 KY 122	0.1 Transcontinental Mine	0.1
* Goose Creek Road				
CR 5273	0.0 Gosling Branch RD	0.6 Transcontinental T&H Mine	0.6
* 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]
* Pitts Fork Road				
CR 5288	0.0 KY 850	1.3 Branham & Baker Mine	1.3
* Johnson Fork-Conley Fork Road				
CR 5409	0.0 KY 1210	0.2 Amber Prep Plant	0.2
		STATE ROAD MILEAGE	150.1
			[168.9]
		COUNTY ROAD MILEAGE	37.8
			[36.6]
		TOTAL ROAD MILEAGE	187.9
			[205.5]

[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
		STATE ROAD MILEAGE	8.9
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	8.9]

GRAYSON COUNTY

ROAD	FROM	TO	LENGTH
* Western KY Parkway			
	88.4 Butler CO LN	119.6 Hardin CO LN	31.2
		STATE ROAD MILEAGE	31.2
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	31.2

GREENUP COUNTY

ROAD	FROM	TO	LENGTH
* US 23	0.0 Boyd CO LN	11.2 KY 2	11.2
		[11.8 KY 2541	11.8]
	24.5 KOT Dock	28.8 Ohio State LN	4.3
* KY 1	11.4 KY 207	17.3 US 23	5.9
* KY 2	10.3 Schultz Branch RD	17.2 US 23	6.9
* KY 207	0.0 Carter CO LN	0.0 Logtown Hollow RD	0.5
	6.9 Mine	9.2 KY 1	2.3
	[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
*	Stepp Drive			
	CR 5216	0.0 KY 207	0.3 Mine	0.3
*	Schultz Branch Road			
	CR 5250	0.0 KY 2	1.0 Mine	1.0
			STATE ROAD MILEAGE	31.1 [26.8]
			COUNTY ROAD MILEAGE	1.8 [0.5]
			TOTAL ROAD MILEAGE	32.9 [27.3]

HANCOCK COUNTY

	ROAD	FROM	TO	LENGTH
*	US 60	0.0 Daviess CO LN	5.0 Mine	5.0
			[5.5 Mine	5.5]
			STATE ROAD MILEAGE	5.0 [5.5]
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	5.0 [5.5]

HARDIN COUNTY

	ROAD	FROM	TO	LENGTH
*	Western KY Parkway			
		119.6 Grayson CO LN	135.8 US 31W	16.2
*	US 31W	18.8 US 31W Bypass	33.0 Meade CO LN	14.2
*	US 31WB	0.2 Western KY Parkway	3.7 US 31W	3.5
			STATE ROAD MILEAGE	33.9
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	33.9

HARLAN COUNTY

	ROAD	FROM	TO	LENGTH
*	US 119	0.0 Bell CO LN	39.7 Letcher CO LN	39.7
			[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 (East) [(West)]	27.4 Leslie CO LN	9.8
*	KY 38	0.0 US 421	8.5 KY 215	8.5
			[13.3 Shields School RD	13.3]
		11.9 Nance Road	14.5 Highsplint	2.6
		16.7 Belt Line	17.0 KY 179	0.3
		28.1 Jericol Tipple	29.5 Virginia State LN	1.4
*	KY 72	0.0 Bell CO LN	4.9 Rockhouse Branch [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	0.2 Yokum Tipple	0.2
			[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
*	KY 987	10.4 Wilder Branch	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 2005	2.6 Lick Branch Culvert	5.1 KY 72	2.5
*	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
*	KY 2425	0.0 Mine	0.4 KY 72	0.4
*	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)	0.4 End	0.4
			[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 Road				
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
* Forester Creek Road				
CR 5238	0.0 Layman-Coldiron Road	1.8 Mine		1.8
* Rockhouse Branch [Creek] Road				
CR 5256	0.0 KY 72	0.2 R B Tipple		0.2
* Ages Creek Road				
CR 5326M	0.0 KY 38	0.3 Mine		0.3
		[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]
			STATE ROAD MILEAGE	140.3
				[132.5]
			COUNTY ROAD MILEAGE	10.2
				[10.5]
			TOTAL ROAD MILEAGE	150.5
				[143.0]

HARRISON COUNTY

ROAD	FROM	TO	LENGTH
* US 27	0.0 Bourbon CO LN	19.5 Pendleton CO LN	19.5
		STATE ROAD MILEAGE	19.5
		COUNTY ROAD MILEAGE	0.0
		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 US 41	0.1 Bill Givens RD	0.1
	[[Webster CO LN	0.2 KY 2097	0.2]
		STATE ROAD MILEAGE	15.7
		COUNTY ROAD MILEAGE	0.1
			[0.2]
		TOTAL ROAD MILEAGE	15.8
			[15.9]

HOPKINS COUNTY

ROAD	FROM	TO	LENGTH
* Western Kentucky Parkway			
	21.8 Caldwell CO LN	43.4 Muhlenberg CO LN	21.6
* Pennyrile Parkway (Non-Toll Segment)			
	32.9 US 62	45.2 Begin Toll Segment	12.3
	[29.6 US 41	45.2 Begin Toll Segment	15.6]
* Pennyrile Parkway (Toll Segment)			
	45.2 Non-Toll Segment	55.0 Webster CO LN	9.8
* US 41	0.0 Christian CO LN	1.4 US 41A	1.4
		[2.3 Pennyrile Parkway	2.3]
	3.0 KY 1751	11.8 Webster CO LN	8.8
* US 41A	0.0 US 41	29.4 Webster CO LN	29.4
	[3.7 US 62	29.4 Webster CO LN	25.7]
* US 62	1.7 KY 109	21.3 Sextet Mine & Tipple	19.6
* KY 70	4.5 Peter Howton RD	18.7 US 41A	14.2
	[7.1 KY 109	18.7 US 41A	11.6]
	18.7 US 41A	26.4 Muhlenberg CO LN	7.7
	[19.9 Pennyrile Parkway	23.2 KY 85	3.3]
* KY 85	0.0 KY 70	3.3 Green River Mine	3.3
* KY 109	2.1 US 62	17.2 KY 814	15.1

* KY 112	0.0 US 62	9.8 US 41A	9.8
	[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 Warrior Mine	0.3
* KY 281	0.0 US 41A	0.7 Pennyrile Parkway	0.7
* KY 336	0.0 US 41A	2.3 McLeod RD	2.3
* KY 454	0.0 US 62	2.3 KY 112	2.3
[* KY 630	0.0 KY 262	2.0 US 41A	2.0]
* KY 813	2.5 Drakes Creek RD	2.8 US 62	0.3
	[2.6 Farmer Crossing RD	2.8 US 62	0.2]
	4.2 Mine	5.1 Private Haul Road	0.9
	[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	2.4 Mine	2.4
		[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 Farmers 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
* Wells Road			
CR 5212	7.9 Barnsley Loop Road	8.7 Mine	0.8
* Barnsley Loop Road			
CR 5217	0.0 US 41A	1.5 Wells Road	1.5
* 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
* Peter Howton Road			
CR 5330	0.0 KY 70	0.3 Mine	0.3
* 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
		STATE ROAD MILEAGE	168.9
			[157.3]
		COUNTY ROAD MILEAGE	15.8
			[12.7]
		TOTAL ROAD MILEAGE	184.7
			[170.0]

JACKSON COUNTY

ROAD	FROM	TO	LENGTH
* US 421	0.0 Clay CO LN	4.6 KY 30 (East)	4.6
	[3.8 KY 30	10.8 KY 587	7.0]
* KY 30	0.0 Laurel CO LN	12.5 US 421 (South)	12.5
	12.5 US 421 North	20.9 Owsley CO LN	8.4
[* KY 587	0.0 US 421	5.5 Brushy Ridge RD	5.5]
* KY 2002	0.0 KY 30	4.3 Ruby Mine	4.3
* KY 2003	0.0 KY 2002	2.9 Ruby Mine	2.9
[* 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]
			STATE ROAD MILEAGE	32.7 [25.0]
			COUNTY ROAD MILEAGE	0.0 [4.1]
			TOTAL ROAD MILEAGE	32.7 [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
			STATE ROAD MILEAGE	11.8
			COUNTY ROAD MILEAGE	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
			STATE ROAD MILEAGE	12.1 [14.1]
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	12.1 [14.1]

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	8.3 US 23		8.3
* 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
	8.7 US 23	13.3 Deadfall Branch RD		4.6
* KY 172	0.0 Morgan CO LN	12.4 KY 40		12.4
	[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 1559	2.8 Frank Vanhoose Road	6.0 US 23		3.2
* KY 1614	0.0 Morgan CO LN	1.2 KY 469		1.2
* KY 2381	0.0 US 23	2.2 KY 302		2.2
* KY 3214	2.3 Brier Fork Road	3.2 KY 172		0.9
* Frank Vanhoose Road				
CR 5061	0.0 KY 1559	0.4 Mine		0.4
* Deadfall Branch Road				
CR 5139	0.0 KY 40	0.6 Mine Access RD		0.6
* Brier Fork Road				
CR 5359	0.0 KY 3214	1.0 Morgan CO LN		1.0
			STATE ROAD MILEAGE	70.1 [61.7]
			COUNTY ROAD MILEAGE	2.0 [0.0]
			TOTAL ROAD MILEAGE	72.1 [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
		[20.1 Floyd CO LN	20.1]
* KY 160	0.0 KY 15	5.8 AKP Coal Mine	5.8
		[4.2 Runnells Branch RD	4.2]
	8.2 KY 1393	12.5 KY 80	4.3
* KY 550	20.6 National Mines Mine	26.6 Floyd CO LN	6.0
* KY 899	0.0 KY 1393	4.9 Apollo Coal Mine	4.9
	7.7 National Mines Mine	12.2 KY 7	4.5

*	KY 1087	1.4 KY 3209	3.4 Mountain Clay 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	9.1 Old KY 15	9.4 KY 15	0.3
		[3.9 Youngs Fork RD	9.4 KY 15	5.5]
*	KY 1098	0.0 Breathitt CO LN	12.0 KY 1087	12.0
*	KY 1231	0.0 KY 15	5.8 Atlas Mining Mine	5.8
			[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 National Mines Mine	0.2
			[0.4 G. S. & M. Mine	0.4]
[*	Bruce Branch Road			
	CR 5026	0.0 KY 1087	0.7 Patsy Jane Mine	0.7]
*	Big Springs Branch Road			
	CR 5032	0.0 KY 550	0.9 National Mines Mine	0.9
*	Rock Fork (Bolyn) Road			
	CR 5037	0.0 KY 80	0.8 Consolidation Mine	0.8
*	Bates Branch Road			
	CR 5117	0.0 KY 7	1.4 Wheelwright Mine	1.4
*	Perkins Branch-Lick Branch Road			
	CR 5145	0.0 KY 15	0.4 Southeast Coal 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 Golden Oak Mine	0.3
*	Irishman Creek Road			
	CR 5203	0.0 KY 1231	2.5 RJF Coal 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 Meade & Shepherd Mine	3.2
[*	Youngs Fork Road			
	CR 5226	0.0 KY 1088	1.3 Mine	1.3]
			STATE ROAD MILEAGE	101.4
				[90.6]
			COUNTY ROAD MILEAGE	10.2
				[13.0]
			TOTAL ROAD MILEAGE	111.6
				[103.6]

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 Kayjay Mine	15.0 US 25E	9.1
*	KY 233	3.4 Lynn Camp Branch RD	6.2 US 25E	2.8
		[4.6 Lynn Camp Branch RD	6.2 US 25E	1.6]
*	KY 459	2.6 Little Indian Creek RD	11.7 KY 11	9.1
[*	KY 718	0.0 KY 223	9.2 Alex Creek RD	9.2]
*	KY 1418	0.8 Hubbs Hollow RD	2.3 Clate-Perman RD	1.5
		[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
[*	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 K & M Mine	0.2
*	Stoney Fork Road			
	CR 5210	0.0 KY 1809	1.1 Roark Mine	1.1
			[1.8 Swanpond Road	1.8]
*	Hubbs Road			
	CR 5214	0.0 KY 1809	1.5 Girdner #1 Mine	1.5
*	Sugartree Road			
	CR 5216	0.0 Hubbs RD	0.5 Turco #1 Mine	0.5

*	Flat Creek Road			
	CR 5243	0.0 KY 1418	2.6 Little Indian Creek RD	2.6
*	Hubbs Hollow Road			
	CR 5244	0.0 KY 1418	0.8 Brenda Mine	0.8
*	Little Indian Creek Road			
	CR 5245	3.3 Flat Creek Road	3.6 KY 459	0.3
*	Lewellen Road			
	CR 5259	0.0 Hubbs RD	0.5 Jarcoal 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
*	Middle Fork Richland Creek Road			
	CR 5311	0.9 Higgins Road	1.2 H & P Mine	0.3
		[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]
			STATE ROAD MILEAGE	93.7 [95.6]
			COUNTY ROAD MILEAGE	11.1 [10.5]
			TOTAL ROAD MILEAGE	104.8 [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	1.2 KY 490	9.8 Jackson CO LN	8.6
		[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	13.3 KY 192	2.2
			[11.8 KY 638	0.7]
*	KY 192	0.0 Pulaski CO LN	22.0 D Boone PKWY	22.0
		[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]
			STATE ROAD MILEAGE	74.7 [59.8]
			COUNTY ROAD MILEAGE	0.5 [4.6]
			TOTAL ROAD MILEAGE	75.2 [64.4]

LAWRENCE COUNTY

	ROAD	FROM	TO	LENGTH
*	US 23	0.0 Johnson CO LN	30.2 Boyd CO LN	30.2
*	KY 1	0.0 KY 3	3.6 KY 828	3.6
*	KY 3	0.0 Martin CO LN	15.5 US 23	15.5
		15.5 US 23	24.7 KY 1	9.2
*	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 US 23 [Martin CO LN]	5.2 Martin CO LN [US 23]	5.2
*	KY 1760	0.0 US 23	2.8 Georges Creek RD	2.8
*	Fallsburg-Fullers Road			
	CR 5022	0.0 US 23	0.1 Belfry #5 Tipple	0.1
*	Donithon Branch Road			
	CR 5118	0.0 KY 3	1.6 Lockworth 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	
*	Georges Creek Road CR 5156	0.0 KY 1760	
*	Left Fork Brushy Creek Road CR 5203	0.0 Georges Creek Road	
		1.7 Lockworth Mine	1.7]
		1.5 LT FK BR CR RD [TEBCO #22 Mine]	1.5
		0.8 Mine	0.8
		STATE ROAD MILEAGE	91.6 [78.8]
		COUNTY ROAD MILEAGE	4.0 [5.6]
		TOTAL ROAD MILEAGE	95.6 [84.4]

LEE COUNTY

	ROAD	FROM	TO	LENGTH
*	KY 11	0.0 Owsley CO LN	4.3 KY 52 (West)	4.3
*	KY 52	0.0 Estill CO LN	12.9 KY 11 (North)	12.9
			STATE ROAD MILEAGE	17.2
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	17.2

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	35.4 Clay CO LN	35.4
			[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]
*	KY 699	0.0 KY 80	10.0 Long Branch	10.0
		15.2 Mine	[16.0 Perry CO LN	16.0]
*	KY 1807	0.0 KY 80	16.0 Perry CO LN	0.8
*	KY 2008	0.0 KY 2009	3.6 End State MAINT	3.6
		1.5 Begin State MAINT	1.5 End State MAINT	1.5
*	KY 2009	0.0 Harlan CO LN	[0.6 White Oak RD	0.6]
*	KY 2057	0.0 KY 699	3.8 Harlan CO LN	2.3
			5.4 Bledsoe Tipple	5.4
*	KY 2431	0.0 US 421	3.1 Bear Branch RD	3.1
[*	KY 6272	0.0 Mine	[0.9 Mine	0.9]
*	KY 6273	1.0 KY 6275	0.1 High School	0.1
*	KY 6274	0.0 KY 6272	0.5 KY 6274	0.5
*	KY 6275	0.0 KY 6274	1.2 KY 118	0.2
			0.3 KY 6275	0.3
*	Wendover Road CR 5001	0.0 KY 2431	0.3 KY 6273	0.3]
*	Hurricane Creek Road CR 5002	2.2 Big Branch H'Cane CR RD [0.7 Big BR H'Cane CR RD	1.6 Hurricane Creek RD	1.6
*	Camp Creeks [Long] Fork Road CR 5005	0.0 Hurricane Creek RD	3.3 Wendover RD	1.1
			3.3 Wendover RD	2.6]
[*	Big Branch Hurricane Creek Road CR 5006	0.0 Hurricane Creek RD	1.6 Left Fork	1.6
*	Bear Branch Road CR 5018	0.0 KY 2057	[0.7 Mine Access	0.7]
*	Bailey Branch Road CR 5027	0.0 KY 1807	1.6 Leeco Prep Plant	1.6]
*	Long Branch Road CR 5118	0.0 KY 699	1.4 Mine at Perry CO LN	1.4
*	Lewis Creek-Napier Road CR 5132	0.0 KY 2008	0.6 Mine	0.6
			0.2 Mine	0.2
*	Abner Branch Road CR 5133	0.0 Harlan CO LN	4.7 KY 2008	4.7
*	White Oak Road CR 5135	0.0 KY 2008	[2.0 Mine	2.0]
[*	Lewis Creek Road CR 5137	0.0 KY 2009	1.3 Lewis Creek-Napier RD	1.3
*	Spruce Pine Creek Road CR 5219	2.3 Mine	0.8 Mine	0.8
			1.7 Mine	1.7]
			6.6 Rocky Hollow Branch	4.3

*	Rocky Hollow Branch Road			
	CR 5220	0.0 US 421	0.2 Spruce Pine Creek RD	0.2
*	Phillips Fork Road			
	CR 5225	5.0 Mine RD	5.2 Mine RD	0.2
			STATE ROAD MILEAGE	95.2 [88.2]
			COUNTY ROAD MILEAGE	18.0 [13.3]
			TOTAL ROAD MILEAGE	113.2 [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	9.4 KY 806	9.4
			[10.3 KY 932	10.3]
		20.7 KY 1862	27.7 US 23	7.0
		[17.6 KY 15	27.7 US 23	10.1]
*	KY 7	0.0 Perry CO LN	27.6 Knott CO LN	27.6
		[0.3 KY 1103	27.6 Knott CO LN	27.3]
*	KY 15	5.2 Loggy Hollow RD	9.3 KY 7	4.1
		[0.0 US 119	9.2 KY 7	9.2]
		9.3 KY 7	10.7 Knott CO LN	1.4
		[9.2 KY 7	10.7 Knott CO LN	1.5]
*	KY 113	0.0 KY 805	4.5 Millstone-Dem. RD [End ST 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 343	0.0 KY 317	1.5 #2 Hollow Road	1.5
[*	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	16.6 KY 1862	18.4 KY 7	1.8
		[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 Beth Energy Mine	2.7 KY 113	1.0
*	Beaverdam Branch Road			
	CR 5047	0.0 KY 7	2.0 A & E Coal Mine	2.0
[*	Loves Branch Road			
	CR 5048	0.0 KY 7	1.5 Mine	1.5]
*	Bottom Fork Road			
	CR 5068L	0.2 Tammy Ann Mine	0.7 #2 Hollow Road	0.5
#	Hollow Road			
	CR 5068M	0.0 Bottom Fork Road	0.6 KY 343	0.6
*	Mayking-Cram Creek Road			
	CR 5153	0.0 KY 1862	1.5 Cram Creek RD	1.5
*	Cram Creek Road			
	CR 5169	0.9 Wampler Bros Mine	1.4 Mayking-Cram CR RD	0.5
		[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 Lake Coal Mine	1.2
*	Big Branch-Tolson Branch Road			
	CR 5258	0.0 KY 588	4.5 Lake Coal 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 Southeast Coal Mine	5.6 KY 1103	0.5
*	Lucky Branch Road			
	CR 5272	0.0 KY 160	0.4 Lake Coal Mine	0.4
*	Johnson Branch Road			
	CR 5309	0.0 KY 160	0.3 Whitaker Mine	0.3
*	Big Bee Tree Branch Road			
	CR 5311	0.0 KY 160	1.0 Lake Coal Mine	1.0

	ROAD	FROM	TO	LENGTH
*	Hollybush Branch Road			
	CR 5312	0.0 KY 160	0.4 Golden Oak Mine	0.4
*	Loggy Hollow Road			
	CR 5314	0.0 KY 15	1.1 Katco Mining 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 Golden Oak 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 Golden Oak Mine	0.5
*	Bull Creek-Meadow Fork Road			
	CR 5367	3.3 Golden Oak Mine	5.0 Perry CO LN	1.7
			STATE ROAD MILEAGE	100.0 [125.0]
			COUNTY ROAD MILEAGE	23.8 [23.6]
			TOTAL ROAD MILEAGE	123.8 [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
			STATE ROAD MILEAGE	19.5
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	19.5

LIVINGSTON COUNTY

	ROAD	FROM	TO	LENGTH
*	US 60	0.0 McCracken CO LN	29.1 Crittenden CO LN	29.1
*	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
			STATE ROAD MILEAGE	33.1 [4.0]
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	33.1 [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
			STATE ROAD MILEAGE	14.1
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	14.1

McCRACKEN COUNTY

	ROAD	FROM	TO	LENGTH
*	US 60	19.5 US 62	20.0 Livingston CO LN	0.5
*	US 62	12.9 US 60	15.5 US 68	2.6
*	US 68	0.0 US 62	1.2 I-24	1.0
			STATE ROAD MILEAGE	4.1
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	4.1

McCREARY COUNTY

	ROAD	FROM	TO	LENGTH
*	US 27	4.6 KY 92	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
		0.6 Whitley CO LN	2.2 Corley Bridge RD	1.6
*	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 Shamrock #9 Mine	1.3
*	Corley Ridge Road			
	CR 5108	0.0 KY 1673	0.4 Whitley CO LN	0.4

* Railroad Drive				
CR 5203	0.0 KY 92	0.3 Revelo Prep Plant		0.3
			STATE ROAD MILEAGE	36.3
				[34.7]
			COUNTY ROAD MILEAGE	3.4
				[3.0]
			TOTAL ROAD MILEAGE	39.7
				[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]
		STATE ROAD MILEAGE	15.7
			[31.2]
		COUNTY ROAD MILEAGE	0.0
			[3.1]
		TOTAL ROAD MILEAGE	15.7
			[34.3]

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	7.2 I-75	10.8 KY 52	3.6
	[8.6 Kit Carson DR	10.8 KY 52	2.2]
		STATE ROAD MILEAGE	13.5
			[16.4]
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	13.5
			[16.4]

MAGOFFIN COUNTY

ROAD	FROM	TO	LENGTH
* Mountain Parkway			
	71.1 KY 30	75.6 US 460	3.9
	[63.1 Morgan CO LN	75.6 US 460	12.5]
* US 460	12.5 Mountain Parkway	20.4 Johnson CO LN	7.9
	[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	3.3 KY 1397	8.9 Mountain Parkway	5.6
	[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	2.7 Jake Wireman Road	3.3 KY 542	0.6
	[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
* Jake Wireman Road			
CR 5144	0.0 KY 1502	1.0 Mine	1.0
* Beetree Branch Road			
CR 5145	0.0 KY 7	0.7 Mine	0.7

	ROAD	FROM	TO	LENGTH
*	Big Half Mountain Road CR 5148	0.0 Mine	0.5 KY 1471	0.5
*	Wright Oakley Creek Road CR 5221	0.0 KY 1635	0.3 Mine	0.3
*	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
			STATE ROAD MILEAGE	72.3 [99.6]
			COUNTY ROAD MILEAGE	4.8 [3.5]
			TOTAL ROAD MILEAGE	77.1 [103.1]

MARTIN COUNTY

	ROAD	FROM	TO	LENGTH
*	KY 3	0.0 Johnson CO LN	13.3 KY 40	13.3
		22.9 KY 292	23.2 Lawrence CO LN	0.3
		[21.8 Laurel Creek RD	23.2 Lawrence CO LN	1.4]
*	KY 40	5.3 KY 1224 [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
		27.8 Mine	28.9 KY 3	1.1
*	KY 645	0.0 Lawrence CO LN [KY 40]	4.7 KY 645 [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	3.6 KY 1439	9.2 KY 292	5.6
		[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	0.5 Mine	0.5
			[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
*	Laurel Fork-Wolf Creek Road CR 5202	0.0 KY 1439	7.8 Private Access Road	7.8
*	Middle Fork-Wolf Creek Road CR 5205	0.0 Mid FK Rockcastle RD	3.3 Mine Access Road	3.3
			[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]
			STATE ROAD MILEAGE	67.4 [74.3]
			COUNTY ROAD MILEAGE	16.4 [12.1]
			TOTAL ROAD MILEAGE	83.8 [86.4]

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
			STATE ROAD MILEAGE	45.1
			COUNTY ROAD MILEAGE	2.5
			TOTAL ROAD MILEAGE	47.6

MEADE COUNTY

	ROAD	FROM	TO	LENGTH
*	US 31W	0.0 Hardin CO LN	0.6 US 60	0.6
*	US 60	8.7 KY 144	15.6 US 31W 6.9	
*	KY 144	25.4 KY 448	28.7 US 60	3.3
*	KY 448	0.0 KY 144	5.3 KY 933	5.3
*	KY 933	4.6 Olin Chemical Plant	7.4 KY 448	2.8
			STATE ROAD MILEAGE	18.9
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	18.9

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	6.4 KY 342	7.7 US 68	1.3
*	KY 342	0.0 KY 33	1.5 E W Brown Power Plant	1.5
			STATE ROAD MILEAGE	20.7 [4.4]
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	20.7 [4.4]

MONTGOMERY COUNTY

	ROAD	FROM	TO	LENGTH
*	US 460	7.3 KY 11 (North)	8.3 KY 686 (North)	1.0
*	KY 11	0.0 Powell CO LN	9.2 KY 686 (South)	9.2
		10.0 US 460 (North)	15.4 Bath CO LN	5.4
*	KY 686	0.0 KY 11 (South)	2.7 US 460 (North)	2.77
			STATE ROAD MILEAGE	18.3
			COUNTY ROAD MILEAGE	0.0
			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	15.5 KY 191	17.8 KY 7	2.3
		[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	22.6 Johnson CO LN	3.9
			[22.3 KY 1614	3.6]
*	KY 191	13.0 Still Branch Road	14.7 US 460	1.7
[*	KY 205	0.0 Wolfe CO LN	6.8 US 460	6.8]
*	KY 437	6.3 KY 3344	12.4 KY 172 @ Relief	6.1
[*	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
*	KY 3344	0.0 KY 437	0.4 Mine	0.4
[*	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]
*	River Road CR 5100	0.0 KY 191	0.3 Mine	0.3
[*	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]
			STATE ROAD MILEAGE	26.3 [38.8]
			COUNTY ROAD MILEAGE	0.6 [4.8]
			TOTAL ROAD MILEAGE	26.9 [43.6]

MUHLENBERG COUNTY

	ROAD	FROM	TO	LENGTH
*	Western Kentucky Parkway	43.4 Hopkins CO LN	65.7 Ohio CO LN	22.3

	ROAD	FROM	TO	LENGTH
*	US 62	8.8 KY 189	10.5 KY 176	1.7
		17.9 US 431	26.0 Ohio CO LN	8.1
		[19.8 Cleaton-Green River RD	26.0 Ohio CO LN	6.2]
*	US 431	9.8 KY 70	25.5 Mine	15.7
			[27.7 McLean CO LN	17.9]
*	KY 70	0.0 Hopkins CO LN	15.4 US 431	15.4
		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 181	15.2 Western KY Parkway	17.5 Mine	2.3
*	KY 189	6.0 Mine Access	8.8 US 62	2.8
*	KY 277	2.6 KY 602	3.8 KY 1379	1.2
*	KY 602	0.0 KY 277	0.7 US 431	0.7
*	KY 1379	0.0 KY 277	0.5 Prep Plant Access	0.5
*	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
*	Caney Creek Mine Road			
	CR 5103	0.0 KY 176	0.7 Prep Plant & Mine	0.7
*	Vogue Haul Road			
	CR 5389	0.0 Henry Oaks Road	0.8 Vogue Road	0.8
*	Henry Oaks Road			
	CR 5392	2.3 Mine	4.5 Vogue Haul Road	2.2
*	Vogue Road			
	CR 5407	0.0 Vogue Haul Road	1.6 Tipple	1.6
			STATE ROAD MILEAGE	91.6
				[79.2]
			COUNTY ROAD MILEAGE	8.6
				[3.3]
			TOTAL ROAD MILEAGE	100.2
				[82.5]

NICHOLAS COUNTY

	ROAD	FROM	TO	LENGTH
*	US 68	0.0 Bourbon CO LN	12.2 Robertson CO LN	12.2
			STATE ROAD MILEAGE	12.2
			COUNTY ROAD MILEAGE	0.0
			TOTAL ROAD MILEAGE	12.2

OHIO COUNTY

	ROAD	FROM	TO	LENGTH
*	Western Kentucky Parkway			
		65.7 Muhlenberg CO LN	87.4 Butler CO LN	21.7
			[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	15.5 Horton-Mount Pleasant RD	15.5
			[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	0.8 Schultztown-Coolsprings RD	5.6 US 231	4.8
		[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	0.6 Brown Badgett Mine	0.6
			[1.6 Mine	1.6]
		1.7 Southwind Mine	2.9 US 62	1.2
*	Schultztown-Cool Springs Road			
	CR 5267	2.5 KY 269 [Mine]	3.6 Green Mine [KY 269]	1.1
*	Lone Star Road			
	CR 5313	0.0 KY 69	1.1 Tipple	1.1
*	James Road			
	CR 5322	0.0 US 62	0.5 KY 1245	0.5
			[0.4 KY 1245	0.4]
*	Martin-Dodson Cemetery Road			
	CR 5373	0.0 US 231	0.6 Mine	0.6

STATE ROAD MILEAGE	97.0 [91.5]
COUNTY ROAD MILEAGE	5.2 [2.2]
TOTAL ROAD MILEAGE	102.2 [93.7]

OWSLEY COUNTY

	ROAD	FROM	TO	LENGTH
*	KY 11	0.0 Clay CO LN	17.3 Lee CO LN	17.3
			[10.8 KY 1938	10.8]
*	KY 30	0.0 Jackson CO LN	5.2 KY 847	5.2
		9.4 Veneable School RD	11.2 KY 11 @ Levi	1.8
*	KY 847	0.0 KY 30	4.3 Bowman Branch RD	4.3
[*	KY 1938	1.6 Minnow Branch RD	2.5 KY 11	0.9]
*	Hurricane Branch Road			
	CR 5301	0.0 Bowman Branch Road	1.1 Denham & Lewis Mine	1.1
*	Bowman Branch Road			
	CR 5303	0.0 KY 847	0.3 Hurricane Branch RD	0.3
[*	Minnow Branch Road			
	CR 5304	0.0 KY 1938	0.3 Mine	0.3]
*	Veneable School Road			
	CR 5316	0.0 KY 30	0.4 Apex Mine	0.4
*	The Judd Road			
	CR 5323	2.2 Manious Road	2.4 KY 30	0.2
			STATE ROAD MILEAGE	28.6 [11.7]
			COUNTY ROAD MILEAGE	2.0 [0.3]
			TOTAL ROAD MILEAGE	30.6 [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
			STATE ROAD MILEAGE	21.5
			COUNTY ROAD MILEAGE	0.0
			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	13.6 Letcher CO LN	13.6
			[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	1.4 Jackson Fork Road	6.5 KY 699	5.1
		[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 (South)	4.2 KY 1146 (North)	0.3
			[18.1 Mine	14.2]
		7.5 Dwarf-Engle Fork RD	22.3 Breathitt CO LN	14.8
[*	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	0.0 Montgomery Creek Road	2.9 KY 15	2.9
		[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	4.6 Buckhorn Prep Plant	1.9
			[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
*	Dwarf-Engle Fork Road			
	CR 5032	0.0 KY 476	0.1 Highland Coal Mine	0.1
*	Coates Branch Road			
	CR 5044	0.0 Ky 476	0.5 Ball Branch Mine	0.5
*	Lick Branch Road			
	CR 5045	0.0 KY 1087	0.6 Star Fire Mine	0.6
*	Cockerell Fork-Noble Branch Road			
	CR 5050	0.0 KY 476	1.7 Shamrock Coal Mine	1.7
*	Jeff-Knott County Line Road			
	CR 5100	0.0 Old KY 15 Loop #1 RD	2.4 Lake Coal 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
*	Montgomery Creek Road			
	CR 5120	0.0 Letcher CO LN	1.5 KY 1095	1.5
*	Left Fork Maces Creek Road			
	CR 5131	0.0 KY 1165	1.1 Leemike Mine	1.1
*	Little Leatherwood Creek Road			
	CR 5139	0.0 KY 699	5.7 Blue Diamond Mine	5.7
*	Beech Fork Road			
	CR 5146	0.0 KY 3196	3.0 Leemike Mine	3.0
*	Jackson Fork Road			
	CR 5152	0.0 KY 463	0.4 Blue Diamond Mine	0.4
*	Coal Waste Road			
	CR 5237	0.0 KY 699 [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 Roost-Hull School RD)			
	CR 5319	0.0 KY 15	4.8 Dun Raven [River Proc.] Tipple	4.8
*	Clear Fork road			
	CR 5320	0.0 KY 28	2.3 Sam Campbell BR RD	2.3
[*	Trace Branch-Tenmile Creek Road			
	CR 5326	0.0 KY 15	1.1 Mine	1.1]
*	Barwick Road			
	CR 5330	0.0 KY 28	0.8 Breathitt CO LN	0.8
*	Right Fork Spencer Creek Road			
	CR 5332	0.0 Spencer Creek-Napfor BR RD	1.0 Vires Coal Mine	1.0
*	Spencer Creek-Napfor Branch Road			
	CR 5333	0.0 KY 28	1.9 Pine Branch Mine	1.9
*	Buckhorn-Breathitt County Line Road			
	CR 5349	0.0 KY 28	0.4 Kescoal Mine	0.4
			[1.2 Mine	1.2]
			STATE ROAD MILEAGE	117.5
				[123.0]
			COUNTY ROAD MILEAGE	34.2
				[28.6]
			TOTAL ROAD MILEAGE	151.7
				[151.6]

PIKE COUNTY

	ROAD	FROM	TO	LENGTH
*	US 23	0.0 Letcher CO LN	39.6 Floyd CO LN	39.6
*	New US 23	0.0 KY 1384	1.4 US 23 NW of Pikeville	1.4
[*	US 23X	2.1 KY 1384	2.3 US 23	0.2]
*	US 119	0.0 US 23	29.7 West Virginia ST LN	29.7
*	Old US 119	0.0 US 23	2.8 US 119	2.8
*	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	3.3 Arnold Fork Road Mine	10.4 US 23	7.1
		[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 (South)	16.8
		16.8 US 119 (North)	41.3 Kyber Coal Mine	24.5
			[27.8 Mine	11.0]

		[31.0 Mine	
		47.2 H K Corp Mine	
		66.5 Lynntrough Branch RD	
		69.6 KY 2059	
*	KY 195	0.0 KY 197	
*	KY 197	5.6 Fountain Blue Mine	
		[0.0 US 23	
*	KY 199	8.2 KY 1056	
*	KY 292	0.0 Goody-AFLX-BURNWL RD	
		4.8 US 119 (North)	
*	KY 319	3.8 KY 1056 at Nampa [(East)]	
		8.9 Mine	
*	KY 468	0.0 US 119	
*	KY 610	0.0 US 23	
		8.0 Virgie Tipple	
*	KY 611	0.0 KY 195	
		4.3 Little Fork-Left Fork RD	
*	KY 612	0.0 Turkey CK-Long FK RD	
*	KY 632	0.0 KY 194 @ Kimper	
*	KY 881	0.0 US 119	
*	KY 1056	0.0 KY 199	
		5.2 Blue Springs BR RD	
		7.7 KY 319 (South)	
*	KY 1373	4.8 Card Creek-Card Knob RD	
*	KY 1384	0.2 Peter Fork #2 Tipple	
		6.0 Clark Elkhorn Mine	
		[0.0 US 23	
*	KY 1426	0.0 US 23	
*	KY 1441	4.4 Standard Elkhorn Mine	
*	KY 1469	6.0 Kentucky Elkhorn Mine	
		11.4 KY 610	
*	KY 1499	0.0 US 460	
*	KY 1758	6.8 Daugherty Tipple	
*	KY 1789	0.0 US 460	
*	KY 2059	0.0 KY 194	
		1.6 Private Haul Road	
*	KY 2061	0.0 US 23	
*	KY 2062	0.0 KY 194	
[*	KY 2552	0.0 US 23	
*	KY 3154	0.2 Meathouse Branch RD	
*	KY 3227	0.0 US 23	
[*	Raccoon Creek Road		
	CR 5001	0.0 KY 1441	
*	Grassy Branch Road		
	CR 5005	0.0 KY 1441	
*	Winn Branch Road		
	CR 5011	0.0 US 119	
*	Varney Branch Road		
	CR 5021	0.0 KY 194	
*	Meathouse Fork Road		
	CR 5022	0.0 KY 194	
*	Rockhouse Fork-Pigeon Creek Road		
	CR 5024	0.0 Meathouse FK RD	
*	Meathouse Branch Road		
	CR 5025	0.0 KY 3154	
[*	Dix Fork Road		
	CR 5032	0.0 US 119	
*	Peg Branch Road		
	CR 5043	0.0 US 119	
*	Goody-Aflex-Burnwell Road		
	CR 5050	0.0 KY 292	
*	Turkey Creek-Long Fork Road		
	CR 5062	0.0 KY 468	
*	Sukey Fork Road		
	CR 5063	0.0 KY 612	
*	Bent Branch Road		
	CR 5074	0.0 KY 468	

	40.0 KY 1499	9.0]
	55.7 KY 632 at Phelps	8.5
	67.7 KY 2062	1.2
	73.2 Virginia State LN	3.6
	11.6 US 460	11.6
	16.6 KY 80	11.0
	16.6 KY 80	16.6]
	11.6 US 119	3.4
	4.8 US 119 (South)	4.8
	12.7 Martin CO LN	7.9
	12.3 US 119	8.5
	[5.8 Hatfield Branch RD	2.0
	12.3 US 119	3.4]
	13.6 KY 292	13.6
	2.7 Burk Branch RD	2.7
	8.9 KY 122	0.9
	3.5 Henry Clay Mine	3.5
	[6.0 US 23	6.0]
	6.0 US 23	1.7
	1.6 Sukey Fork RD	1.6
	15.0 KY 194 @ Phelps	15.0
	3.0 Brushy Fork Road	3.0
	7.7 KY 319 (North)	7.7
	[4.5 Left FK/Blackberry RD	4.5
	7.7 KY 319 (North)	2.5]
	10.1 West Virginia State LN	2.4
	6.7 US 460	1.9
	3.8 Dog Fork-Hurricane Creek RD	3.6
	7.3 New US 23	1.3
	7.7 US 23X	7.7]
	4.9 Floyd CO LN	4.9
	[3.5 Hoopwood Branch RD	3.5]
	10.1 US 119	5.7
	11.4 KY 610	5.4
	12.2 KY Elkhorn Tipple	0.8
	6.1 KY 194	6.1
	7.8 KY 632	1.0
	0.4 Clark Elkhorn #1 Tipple	0.4
	0.3 Private Haul Road	0.3
	2.3 Lower Elk Creek RD	0.7
	3.4 Hawkeye Coal Mine	3.4
	3.1 KY 194	3.1
	0.3 Shelbiana RD	0.3]
	0.5 US 119	0.3
	1.0 Coal Run Tipple	1.0
	0.2 Mine	0.2]
	0.5 Branson Coleman Mine	0.5
	1.3 Chloe Creek Dev Mine	1.3
	0.4 Utility Tipple	0.4
	1.3 Rockhouse FK-Pigeon Creek RD	1.3
	1.0 Ridgeway Coals Mine	1.0
	[1.9 Mine	1.9]
	3.2 Ember & K-Lin Mine	3.2
	0.1 Mine	0.1]
	0.6 Eastern Coal Mine [Entrance]	0.6
	1.1 Harbour Marine Mine	1.1
	[0.5 Belfry #1 Prep Plant	0.5]
	3.1 KY 612	3.1
	0.5 Coal Mac Mine [Entrance]	0.5
	1.1 Gex Tipple	1.1

* Swinge Camp Branch Road			
CR 5075	0.0 KY 468	0.4 H Mar/Island Mines [Entrance]	0.4
* Halfway Branch Road			
CR 5077	0.0 KY 468	0.5 Island Creek Mine [Entrance]	0.5
* Rockhouse Fork Road			
CR 5078	0.0 KY 468	0.4 Island Creek Mine	0.4
		[0.3 Case Prep Plant	0.3]
* Brushy Fork Road			
CR 5095	0.0 KY 881	0.5 Addington Mine	0.5
* Big Branch/Meathouse Creek Road			
CR 5111	0.0 Martin CO LN	2.7 Little Fork Mine [Entrance]	2.7
* Miller Creek-Cowpen 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 Liberty Mine [Entrance]	0.4
* Lick Branch Road			
CR 5141	0.0 KY 468	0.8 Gex Big Hill Mine [Entrance]	0.8
* Fishtrap Ridgeline Road			
CR 5160	0.0 KY 194	2.7 Hurricane Creek Road	2.7
* Hurricane Creek Road			
CR 5162	2.5 Wellmore Mine	3.7 Fishtrap Ridgeline Road	1.2
* Dicks Fork Road			
CR 5163	0.0 KY 194	0.6 Big Fist #4 Mine	0.6
* Lane Branch Road			
CR 5168	0.0 KY 632	1.2 McCoy Elkhorn Mine [Entrance]	1.2
* Mullen Fork Road			
CR 5191	0.0 KY 199	2.1 St Johnsbury Mine [Entrance]	2.1
* Hatfield Branch Road			
CR 5210	0.0 KY 319	0.8 Blackberry Creek Mine [Entrance]	0.8
* Left Fork/Blackberry Road			
CR 5213	0.0 KY 1056	1.5 H Mar/Eastern Mines [Entrance]	1.5
* Blue Springs Branch Road			
CR 5218	0.0 KY 1056	0.1 Blackberry Creek Mine [Entrance]	0.1
* Lynntrough Branch Road			
CR 5233	0.0 KY 194	1.2 Majestic Mine	1.2
		[0.2 Majestic Tipple	0.2]
* Lower Elk Creek Road			
CR 5241	0.0 KY 2059	0.6 Race Fork Mine [Entrance]	0.6
* Prater Branch Road			
CR 5253	0.0 KY 194	0.8 Majestic 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]
* Old Mouthcard-Feds Creek Road			
CR 5282	0.0 US 460	0.3 Flannery Branch RD	0.3
* Flannery Branch Road			
CR 5283	0.0 Old Mouthcard-Feds CR RD	0.2 Mouthcard Mines	0.2
* Card Creek-Card Knob Road			
CR 5285	0.0 KY 1373	0.7 Clark Elkhorn Mine	0.7
	1.6 Wellmore Mine [Entrance]	4.6 US 460	3.0
* Island Creek Road			
CR 5287	0.0 Bane Tipple	0.6 Island CR Grapevine RD [CR 5288]	0.6
* Island Creek-Grapevine Road			
CR 5288	0.0 Island CR RD [CR 528]7	1.8 Milers Creek Road	1.8
		[0.5 CR 5289	0.5]
* Left Fork Island Creek Road			
CR 5289	0.0 Island CR-Grapevine RD [CR 5288]	0.2 Flannery Coal Mine [Entrance]	0.2
* Millers Creek Road			
CR 5290	0.0 Island CR-Grapevine RD	2.4 Flannery Coal Mine	2.4
* Hopkins Creek Road			
CR 5322	0.0 US 460	1.0 Hopkins Creek Tipple	1.0
[* 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 Wellmore Mine [Entrance]	1.5
[* Dog Branch Road			
CR 5332	0.0 KY 195	0.4 Mine [Entrance]	0.4]
* Left Fork Wolfpit Branch Road			
CR 5333	0.0 Wolfpit Branch Gardiner FK RD	0.8 Wellmore Mine	0.8
[* Ratliff Hollow Road			
CR 5339	0.0 KY 195	0.2 Wolfpit Tip @ Ratliff	0.2]
* Jimmie Creek Road			
CR 5341	0.0 US 460	0.6 Wellmore Mine	0.6

*	Old US 460 Loop		
	CR 5353	0.0 Potter Coal Mine	
*	Shortridge Fork Road		
	CR 5355	0.4 Wellmore Mine	
		[0.0 CR 5285	
*	Abes Fork Road		
	CR 5356	0.0 Virginia State LN	
*	Ohio Street (Elkhorn City)		
	CR 5361T	0.0 KY 80	
*	Old Bridge Street (Elkhorn City)		
	CR 5361Z	0.0 KY 80	
*	John Moore Branch Road		
	CR 5363	0.0 KY 197	
*	Jackson Branch Road		
	CR 5371	0.0 KY 197	
*	Brushy Branch Road		
	CR 5379	0.0 KY 195	
*	Marrowbone Creek Road		
	CR 5381	0.0 KY 195	
*	Bowling Fork Road		
	CR 5384	0.0 KY 195	
[*	Fleming Branch Road		
	CR 5410	0.0 KY 610	
*	Little Fork/Left Fork Road		
	CR 5416	0.0 KY 611	
*	Rockhouse Creek/Greasy Road		
	CR 5422	0.0 KY 195	
*	Wolfpit Branch-Gardner Fork Road		
	CR 5433	0.0 KY 195	
*	Wolfpen Branch Road		
	CR 5444	0.0 KY 80	
*	Red Creek Road		
	CR 5463	0.0 US 460	
*	Right Fork/Red Creek Road		
	CR 5465	0.0 Red Creek Road	
[*	Shelbiana Road		
	CR 5473	0.0 KY 2553	
*	Marion Branch Road		
	CR 5478	0.0 KY 1426	
*	Tollage Creek Road		
	CR 5496	0.0 US 23	
*	Harmond Branch Road		
	CR 5505	0.0 US 23	
*	Dog Fork/Hurricane Creek Road		
	CR 5522	0.0 KY 1384	
[*	Coal Run Road		
	CR 5524	0.0 US 23	
*	Lackens Branch Road		
	CR 5525	0.0 Coal Run RD	
*	Cedar Creek/Island Creek Road		
	CR 5528	0.0 KY 1384	
*	Hoopwood Branch Road		
	CR 5529	0.0 KY 1426	
*	Raccoon Branch Road		
	CR 5531	0.0 KY 1426	
*	Billy Compton Road		
	CR 5534	0.0 Island Creek RD	
*	Island Creek Road		
	CR 5535	0.0 KY 1426	
*	Road Branch/Sookey's Creek Road		
	CR 5539	0.0 RT FK Sookeys CK RD	
*	Right Fork Sookeys Creek Road		
	CR 5540	0.0 Road BR/Sookeys CK RD	
*	Bear Fork-Tinker Fork Road		
	CR 5547	0.0 Bear Fork RD	
*	L Robinson-Floyd County Road		
	CR 5550	0.0 Robinson Creek RD	
*	Little Fork/Robinson Road		
	CR 5553	0.0 Robinson Creek RD	
*	Robinson Creek Road		
	CR 5554	0.0 KY 122	

0.8 US 460	0.5
0.9 Wellmore Private RD	0.5
0.9 Mine	0.9]
0.4 Potter Prep Plant	0.4
0.5 Potter Processing	0.5
0.1 Private Access Road	0.1
0.9 Federal Tipple	0.9
1.7 C & D Coal Mine	1.7
0.8 Ratliff Elkhorn Mine	0.8
2.1 LAD/Prospect Mine	2.1
[1.2 Mine	1.2]
1.9 Henry Clay Mine	1.9
0.8 Mine	0.8]
0.2 Henry Clay Mine	0.2
0.3 Bad Fork RD	0.3
0.9 Left FK Wolfpit BR RD	0.9
0.8 Wellmore Mine	0.8
0.8 Right FK/Red CK RD	0.8
0.8 Wellmore Mine	0.8
0.2 Dry BR/Dry CK RD	0.2]
1.6 Chapperal Tipple	1.6
1.0 Coal Run Mine	1.0
0.9 Amber #9 Mine	0.9
1.3 Peter Fork Joline Mine	1.3
0.2 Lackens Branch RD	0.2
0.7 Mine	0.7]
1.1 KY 1426	1.1
0.7 Stillhouse Mine	0.7
[0.5 Mine	0.5]
1.3 Jet/Cimaron Mine	1.3
1.2 Horn Const Mine	1.2
[0.2 Road BR/Sookeys CR RD	0.2]
4.0 Corbin Coal Mine	4.0
1.9 Billy Compton RD	1.9
0.5 Pace Energies Mine	0.5
1.1 Floyd CO LN	1.1
0.6 Floyd CO LN	0.6
1.6 Apache Mining Mine	1.6
4.1 Apache Mining Mine	4.1

* Arnold Fork Road				
CR 5555	0.0 KY 122		0.3 Apache Mining Mine	0.3
* Burk Branch Road				
CR 5578	0.0 KY 610		0.9 Beth Energy Mine	0.9
* Lizzie Fork Road				
CR 5590	0.4 Beth Energy Mine		1.4 US 23	1.0
	[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]
			STATE ROAD MILEAGE	305.3
				[297.1]
			COUNTY ROAD MILEAGE	88.6
				[79.0]
			TOTAL ROAD MILEAGE	393.9
				[376.1]

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
		STATE ROAD MILEAGE	28.7
		COUNTY ROAD MILEAGE	0.0
		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	21.6 KY 80 Bypass	40.4 Laurel CO LN	18.8
	[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	2.9 KY 790	4.2 US 27	1.3
	[2.0 KY 790	4.2 US 27	1.3]
* KY 192	0.0 KY 80 Bypass	18.6 Laurel CO LN	18.6
		[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 Ikerd-Bandy 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 Wash Ridge Mine	1.1
* Cooper Power Plant Road			
CR 5349	0.0 KY 1247	0.6 E KY Power Plant	0.6
		STATE ROAD MILEAGE	77.2
			[77.0]
		COUNTY ROAD MILEAGE	9.6
			[10.8]
		TOTAL ROAD MILEAGE	86.8
			[87.8]

ROBERTSON COUNTY

ROAD	FROM	TO	LENGTH
* US 68	0.0 Nicholas CO LN	1.4 Fleming CO LN	1.4
		STATE ROAD MILEAGE	1.4
		COUNTY ROAD MILEAGE	0.0
		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]
		STATE ROAD MILEAGE	12.6
			[15.2]
		COUNTY ROAD MILEAGE	0.0
			[2.7]
		TOTAL ROAD MILEAGE	12.6
			[17.9]

SIMPSON COUNTY

ROAD	FROM	TO	LENGTH
* US 31W	0.0 Tennessee State LN	14.0 Warren CO LN	14.0
		STATE ROAD MILEAGE	14.0
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	14.0

UNION COUNTY

ROAD	FROM	TO	LENGTH
* US 60	0.0 Crittenden CO LN	5.7 KY 109 in Sturgis	5.7
	[1.4 KY 109	5.7 KY 109	4.3]
* KY 109	0.0 Webster CO LN	1.5 US 60 (East)	1.5
	1.5 US 60 (East)	4.9 KY 492	3.4
		[3.2 KY 1508	1.7]
* KY 360	0.5 KY 871 (South)	6.6 Island Creek Mine	6.1
* KY 492	1.9 Davis Mine Road	2.5 KY 109	0.6
* KY 871	0.0 KY 360 (South)	2.4 Hite Speece Road	2.4
* KY 1508	0.0 KY 109	2.7 Pyro Dock	2.7
	5.3 Kannipe Dock	6.0 Private Haul Road	0.7
* Davis Mine Road			
CR 5227	0.0 KY 109	0.3 Private Haul Road	0.3
* Hite Speece Road			
CR 5314	0.0 KY 871	0.2 Hamilton Mine Road	0.2
* Hamilton Road			
CR 5317	0.0 Hite Speece Road	0.5 Mine and Prep Plant	0.5
		STATE ROAD MILEAGE	23.1
			[10.2]
		COUNTY ROAD MILEAGE	1.0
			[0.0]
		TOTAL ROAD MILEAGE	24.1
			[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
		STATE ROAD MILEAGE	27.2
		COUNTY ROAD MILEAGE	0.0
		TOTAL ROAD MILEAGE	27.2

WAYNE COUNTY

ROAD	FROM	TO	LENGTH
* KY 776	7.5 KY 790	9.8 Brammer Hill Ridge Road	2.3
	[9.2 Denny Creek RD	9.8 Brammer Hill Ridge RD	0.6]
* KY 790	1.3 KY 776	10.5 Pulaski CO LN	9.2
	[5.0 Brammer Hill-Delta RD	10.5 Pulaski CO LN	5.5]
* Brammer Hill Ridge Road			
CR 5023	0.0 KY 776	2.2 Mine	2.2
		[4.2 Mine	4.2]

*	Denny Creek Road			
	CR 5024	0.0 KY 776	1.7 Sizemore Road	1.7
			[0.4 Sizemore RD	0.4]
*	Brammer Hill-Delta Road			
	CR 5030	0.0 KY 790	2.2 Brammer Hill Ridge RD	2.2
			[2.4 Brammer Hill Ridge RD	2.4]
*	Sizemore Road			
	CR 5155	0.0 Denny Creek RD	0.4 Mine	0.4
			[1.7 Mine	1.7]
			STATE ROAD MILEAGE	11.5
				[6.1]
			COUNTY ROAD MILEAGE	6.5
				[8.7]
			TOTAL ROAD MILEAGE	18.0
				[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 (South)	7.2
		12.5 US 41 (North)	14.4 Old Eastwood Ferry RD	1.9
*	KY 109	2.9 KY 670	14.7 Union CO LN	11.8
*	KY 120	0.0 Crittenden CO LN	6.7 US 41A	6.7
		[3.6 Mine	6.7 US 41A	3.1]
*	KY 132	23.6 Mine	25.9 KY 494	2.3
			[28.5 KY 56	4.9]
[*	KY 270	8.6 Mine	13.2 US 41A	4.6]
*	KY 494	0.0 KY 132	2.2 US 41	2.2
*	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	0.4 Big Rivers Plant	0.4
			[0.2 Big Rivers Plant	0.2]
			STATE ROAD MILEAGE	74.6
				[76.0]
			COUNTY ROAD MILEAGE	0.5
			TOTAL ROAD MILEAGE	75.1
				[76.5]

WHITLEY COUNTY

	ROAD	FROM	TO	LENGTH
*	US 25T	0.0 US 25W	0.7 US 25W	0.7
*	US 25W	0.8 Black Oak-Proctor Hollow RD	32.8 US 25T	32.0
		[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	2.7 Jordan Hollow RD	5.2 US 25W	2.5
		[1.9 Jordan Hollow RD	5.2 US 25W	3.3]
*	KY 779	6.3 KY 1064 (South)	12.7 KY 11	6.4
			[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	1.7 McCreary CO LN	1.3
			[1.4 Mine	1.0]
*	KY 1809	0.0 KY 92	1.4 Knox CO LN	1.4
*	KY 1898	2.2 Old Jellico RD	2.8 KY 92	0.6
		[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]

* McNeil Hollow-Corn Creek Road				
CR 5045	2.4 Brenda Mine	3.6 KY 1064	1.2	
	[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	0.9 Daniel Bros Mine	0.9	
		[0.8 Mine	0.8]	
* Doc Siler Road				
CR 5223	0.0 Tennessee ST LN [Skaggs RD]	0.1 Skaggs RD [Tennessee ST LN]	0.1	
* Skaggs Branch Road				
CR 5224	0.0 Doc Siler RD	0.7 Bowline Mine	0.7	
* Keswick-Gatliff Road				
CR 5227	3.3 Upper Cane Creek RD	8.0 KY 904	4.7	
	[2.0 Mine	8.0 KY 904	6.0]	
* Upper Cane Creek Road				
CR 5230	0.0 Keswick-Gatliff RD	0.5 Gatliff 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	1.0 Wash Ridge Mine	1.5 KY 628	0.5	
	[0.0 KY 628	0.3 Mine	0.3]	
[* Kensee Hollow Road				
CR 5326	0.0 US 25W	0.8 Mine	0.8]	
* Ryans Creek Road				
CR 5335	0.0 KY 1898	1.0 Bucks Branch Road	1.0	
* Old Jellico Creek Road				
CR 5337	0.0 KY 92	1.0 Gatliff Mine	1.2	
* Kidd Road				
CR 5344	0.0 McCreary CO LN	1.5 Stansbury Mine	1.5	
		STATE ROAD MILEAGE	122.9	
			[112.6]	
		COUNTY ROAD MILEAGE	12.1	
			[14.8]	
		TOTAL ROAD MILEAGE	135.0	
			[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	10.3 KY 651	10.3
	13.9 KY 3040	14.0 KY 715	0.1 [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 Mines	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	3.0 Mine	3.0
		[2.7 Mine	2.7]
		STATE ROAD MILEAGE	40.9
			[54.0]
		COUNTY ROAD MILEAGE	3.0
			[2.7]
		TOTAL ROAD MILEAGE	43.9
			[56.7]

TOTAL STATE ROAD MILEAGE	3,637.6
	[3,398.6]
TOTAL COUNTY ROAD MILEAGE	361.6
	[366.7]
TOTAL EXTENDED WEIGHT SYSTEM MILEAGE	3,999.2
	[3,765.3]

[Section 4. The effective date of this regulation is April 1, 1987.]

C. LESLIE DAWSON, Secretary/Commissioner
APPROVED BY AGENCY: October 14, 1987
FILED WITH LRC: October 15, 1987 at 10 a.m.
PUBLIC HEARING SCHEDULED: A public comment hearing will be held on this proposed administrative regulation on November 25, 1987 at 9:30 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 November 20, 1987 so notify: Sandra G. Pullen, Executive's Staff Advisor, Transportation Cabinet, State Office Building, Frankfort, Kentucky 40622.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Sandra G. Pullen
(1) Type and number of entities affected: All coal mining companies. All coal trucking companies. All coal truck drivers. County governments - 73. City governments - undetermined number.
(a) Direct and indirect costs or savings to those affected:
1. First year: Coal mining companies - 0. Coal trucking companies - 0. Coal truck drivers - 0. County governments - 0. City governments - 0.
2. Continuing costs or savings: None
3. Additional factors increasing or decreasing costs (note any effects upon competition): Gross vehicle weights for those coal haul routes listed in this administrative regulation will be less than for those haul routes not listed.
(b) Reporting and paperwork requirements: None
(2) Effects on the promulgating administrative body: None
(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: 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: None available. This regulation and annual revisions are required by statute.
(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.

TRANSPORTATION CABINET
Department of Highways
(Proposed Amendment)

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 [31] tons, TY III = 32 tons, TY IV = 39 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 = 45 tons, TY III = 46 tons, TY IV = 50 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	11.9 Straight CR RD
			[18.7 Clay CO LN]
		12.9 Bow Valley	18.7 Clay CO LN
*	KY 72	0.0 US 119	3.4 Harlan 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	14.0 Stony Fork RD]
		9.8 Mine	16.8 US 25E

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
Weight Limit - Bridge over Yellow Creek Bypass Canal @ milepoint 14.21
TY I = 20 tons, TY II = 43 tons, TY III = 45 tons, TY IV = 60 tons

		[16.1 KY 2079	16.8 US 25E]

Weight Limit - Bridge over Little Yellow Creek @ milepoint 16.66
TY I = 20 tons, TY II = 32 tons, TY III = 33 tons, TY IV = 37 tons

*	KY 92	0.0 Whitley CO LN	10.8 US 25E
*	KY 186	0.0 Tennessee ST LN	3.1 KY 74
		[2.0 Appolo Tipple	2.3 Stony Fork RD]

Weight Limit - Bridge over Bennett's Fork @ milepoint 2.41
TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons

[*	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 = 29 tons, TY III = 30 tons, TY IV = 49 tons]

*	KY 217	4.6 KY 1344 [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]
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	3.8 KY 217	4.3 KY 188
	Weight Limit - Bridge over Clear Fork @ Jct. KY 217		
	TY I = 10 tons, TY II = 10 tons, TY III = 10 tons, TY IV = 10 tons]		
*	KY 1344	0.0 KY 217	2.1 Wolfpen Branch RD
*	KY 2011	0.0 KY 221 [7.7 Mine Access]	9.0 KY 66
	Weight Limit - Bridge over Knuckles Branch @ milepoint 1.27		
	TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Jim York Branch @ milepoint 1.88		
	TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Stoney Fork Creek @ milepoint 3.86		
	TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Red Bird Creek @ milepoint 6.40		
	TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Red Bird Creek @ milepoint 7.54		
	TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 49 tons		
	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 [Balkan RD (Private)]	2.0 US 119 [0.1 Hen Wilder RD]
	Weight Limit - Bridge over Cumberland River @ Tejay @ milepoint 1.30		
	TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons		
[*	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		
	Weight Limit - Bridge over Townsend Creek @ milepoint 15.4		
	TY I = 20 tons, TY II = 40 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 = 38 [37] tons, TY IV = 50 [48] tons		
*	US 68X	1.4 KY 627	2.8 US 68 (East)
	Weight Limit - Bridge over Stoner Creek @ milepoint 2.0		
	TY I = 20 tons, TY II = 39 [40] tons, TY III = 40 [39] tons, TY IV = 48 [47] tons		
*	US 460	7.7 US 27	9.2 US 68X
	Weight Limit - Bridge over L & N RR @ milepoint 7.99		
	TY I = 5 tons, TY II = 5 tons, TY III = 5 tons, TY IV = 5 tons		

Weight Limit - Bridge over Houston Creek @ milepoint 8.82
TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 57 tons
* 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 = 44 [28] tons, TY III = 46 [37] tons, TY IV = 60 [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		
	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 23S	0.0 US 60	0.5 Ohio State LN
	Weight Limit - Northbound Bridge over Ohio River @ milepoint 0.03		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
	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 23S
		[1.6 US 60	1.8 US 23]
		1.7 US 60	2.0 US 23
*	US 60	0.0 Carter CO LN	12.3 [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		
*	US 60X	0.0 US 60	0.5 US 23S
*	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 716	0.0 US 60	0.4 Molsruger RD
*	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
*	Hatcher Drive		
	CR 5357	0.0 Molsruger RD	0.1 Mine
*	Molsruger Road		
	CR 5379	0.0 Ky 716	0.3 Hatcher DR
[*	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 = 54 [53] tons		
*	US 150	16.8 US 150 Bypass	18.9 Lincoln CO LN
*	US 150B	0.0 US 127	2.3 US 150

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 = 57 [56] tons
Weight Limit - Bridge over Big Bracken Creek @ milepoint 13.93
TY I = 20 tons, TY II = 38 [40] tons, TY III = 39 tons, TY IV = 53 [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 (North)
		14.8 KY 15 (South)	33.3 KY 542

Weight Limit - Bridge over Hunting Creek @ milepoint 29.07
TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons

		[30.0 Mine Access	37.5 Magoffin CO LN]
*	KY 476	0.0 Perry CO LN [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	0.0 KY 30 [10.0 Mine Access]	18.6 Magoffin CO LN

Weight Limit - Bridge over Big Caney Creek @ milepoint 0.09
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons

*	KY 1098	0.0 KY 15	20.7 Knott CO LN [14.8 Mine ACC]

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
Weight Limit - Bridge over Quicksand Creek @ milepoint 17.98
TY I = 20 tons, TY II = 43 tons, TY III = 44 tons, TY IV = 59 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 = 36 [37] tons, TY IV = 51 tons

*	KY 1111	0.0 KY 10.98 [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 = 42 tons, TY III = 46 tons, TY IV = 54 tons

*	Western KY PKWY	87.4. Ohio CO Ln	88.4 Grayson CO LN
*	US 231	[8.4 Alley-Cassetty Tipple	18.9 Ohio CO LN]
		8.6 KY 1468	8.9 Green River PKWY

	11.5 KY 70 (South)		18.9 Ohio CO LN
	[Weight Limit - Bridge over Embrys Ditch @ milepoint 9.92		
	TY I = 20 tons, TY II = 35 tons, TY III = 37 tons, TY IV = 60 tons]		
	Weight Limit - Bridge over Green River @ milepoint 12.26		
	TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 51 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		
		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	6.1 [2.2] Mine
*	KY 1328	10.3 [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 KY 70	0.3 Pyramid Mine
		[0.0 Peyton Cemetery RD	1.4 KY 70]
[*	Peyton Cemetery Road		
	CR 5028	0.6 Mine	0.9 Jolertown Ridge RD]
*	New Cut Road (South)		
	CR 5243	0.0 KY 70	0.3 C Crabtree MN [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 Addwest Mine
[*	Possum Hollow School Road		
	CR 5355	0.0 KY 70	0.7 Mine
*	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		
*	KY 70	0.5 KY 91	10.5 Mine
	Weight Limit - Bridge over Stephenson Creek @ milepoint 8.20		
	TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Donaldson Creek @ milepoint 8.42		
	TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Donaldson Creek Overflow @ milepoint 8.55		
	TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 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 and KY 7	24.8 KY 1 [35.0 Boyd CO LN]
		30.7 KY 207	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	1.2 KY 1496 [10.6 US 60 & KY 7]	11.5 I-64
	Weight Limit - Bridge over Little Fork Little Sandy River @ milepoint 2.40		
	TY I = 20 tons, TY II = 43 tons, TY III = 44 tons, TY IV = 59 tons		
	Weight Limit - Bridge over Little Fork Little Sandy River @ milepoint 4.13		
	TY I = 20 tons, TY II = 41 tons, TY III = 43 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Little Fork Little Sandy River @ milepoint 4.75		
	TY I = 20 tons, TY II = 41 tons, TY III = 43 tons, TY IV = 60 tons		

Weight Limit - Bridge over Little Fork Little Sandy River @ milepoint 5.41
TY I = 20 tons, TY II = 42 tons, TY III = 43 tons, TY IV = 60 tons
Weight Limit - Bridge over Little Fork Little Sandy River @ milepoint 5.77
TY I = 20 tons, TY II = 33 tons, TY III = 34 tons, TY IV = 45 tons
Weight Limit - Bridge over Little Fork Little Sandy River @ milepoint 7.70
TY I = 20 tons, TY II = 40 tons, TY III = 41 tons, TY IV = 55 tons
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

	ROAD	FROM	TO
*	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 Little Sandy River @ milepoint 10.12
TY I = 20 tons, TY II = 45 tons, TY III = 49 tons, TY IV = 56 tons

	ROAD	FROM	TO
*	KY 207	0.0 US 60	2.3 Greenup CO LN

CHRISTIAN COUNTY

	ROAD	FROM	TO
*	Pennyrile PKWY	7.0 US 41A	11.7 KY 1682

Weight Limit - Bridge over US 41 @ milepoint 7.91
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons

	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

	ROAD	FROM	TO
*	US 41A	4.4 I-24	13.5 Pennyrile Parkway
*	KY 1296	2.7 Campbell Cemetery RD	5.2 US 41
*	Campbell Cemetery Road CR 5418	0.0 KY 1296	1.6 T D C 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

CLAY COUNTY

	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	32.8 Jackson CO LN [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 = 36 [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	1.8	Lick FK [6.9 Leslie CO LN]
		4.9 Phillips Fork	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
		3.0 Roots Branch	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	1.1	KY 2000 [6.9 Big John BR 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 Access
*	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]
*	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 Access
[*	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]

CRITTENDEN ROAD

	ROAD	FROM	TO	
*	US 60	0.0 Livingston CO LN	23.0	Union CO LN
	Weight Limit - Bridge over Windlow Creek @ milepoint 12.4			
	TY I = 20 tons, TY II = 25 tons, TY III = 26 tons, TY IV = 43 tons			
	Weight Limit - Bridge over Repton Creek @ milepoint 14.69			
	TY I = 20 tons, TY II = 27 tons, TY III = 28 tons, TY IV = 44 tons			
	Weight Limit - Bridge over Matoon Creek @ milepoint 15.79			
	TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 60 tons			
	Weight Limit - Bridge over Hoods Creek @ milepoint 17.22			
	TY I = 20 tons, TY II = 27 tons, TY III = 28 tons, TY IV = 47 tons			

Weight Limit - Bridge over Meadow Creek @ milepoint 20.32
TY I = 20 tons, TY II = 35 tons, TY III = 37 tons, TY IV = 60 tons
* KY 120 0.0 US 60 16.6 Webster CO LN
Weight Limit - Bridge over Unnamed Stream @ milepoint 5.20
TY I = 20 tons, TY II = 39 tons, TY III = 38 tons, TY IV = 57 tons
Weight Limit - Bridge over Piney Fork Creek @ milepoint 9.05
TY I = 20 tons, TY II = 38 tons, TY III = 39 tons, TY IV = 60 tons
Weight Limit - Bridge over Piney Fork Creek @ milepoint 9.18
TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 48 tons
Weight Limit - Bridge over Slough of Trade Water River @ milepoint 16.43
TY I = 17 tons, TY II = 19 tons, TY III = 20 tons, TY IV = 33 tons
Weight Limit - Bridge over Slough of Trade Water River @ milepoint 16.53
TY I = 17 tons, TY II = 19 tons, TY III = 20 tons, TY IV = 33 tons

DAVIESS COUNTY

	ROAD	FROM	TO
*	Green River Parkway	59.5 Ohio CO LN	70.7 [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 11.78		
	TY I = 20 tons, TY II = 34 tons, TY III = 35 [37] tons, TY IV = 44 tons		
	Weight Limit - Westbound Bridge over L & N RR @ milepoint 16.66		
	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 16.66		
	TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 53 tons		
	Weight Limit - Bridge over Pup Creek @ milepoint 20.31		
	TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 45 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	12.9 Boston-Lafoon RD [15.2 KY 764 (South)]
	Weight Limit - Bridge over Barnett Creek @ milepoint 5.68 [5.7]		
	TY I = 20 tons, TY II = 44 tons, TY III = 46 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Caney Creek @ milepoint 7.78 [7.8]		
	TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Panther Creek Overflow @ milepoint 10.26 [10.3]		
	TY I = 20 tons, TY II = 36 tons, TY III = 39 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Panther Creek @ milepoint 10.46 [10.5]		
	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 Flora 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		
*	KY 331	0.0 US 60 (East)	1.9 Mine [1.8 Owensboro RVPT]
*	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		2.9 [1.6] Mine
* Flora 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	11.4 KY 719 [16.6 Mason Branch RD]
Weight Limit - Bridge over Middle Fork @ milepoint 11.30		
TY I = 20 tons, TY II = 32 tons, TY III = 33 tons, TY IV = 47 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 409	0.0 KY 7	2.7 Mine
[* 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	0.8 [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	21.0 Lee 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 = 29 tons, TY III = 30 tons, TY IV = 37 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]		
* 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 = 41 [28] tons, TY III = 43 [37] tons, TY IV = 60 [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 = 43 [28] tons, TY III = 44 [37] tons, TY IV = 58 [40] tons
Weight Limit - Bridge over Viley Pike @ milepoint 5.48
TY I = 20 tons, TY II = 43 [28] tons, TY III = 45 [37] tons, TY IV = 60 [40] tons
Weight Limit - Bridge over Southern RR @ milepoint 6.01
TY I = 20 tons, TY II = 39 [28] tons, TY III = 40 [37] tons, TY IV = 51 [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-Chinoe Road @ milepoint 17.05
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons
Weight Limit - Bridge over Tates 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-O-War Boulevard (Lexington)	0.0 US 68	3.3 US 27]

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 = 45 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 north of Price
TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 53 tons
Weight Limit - Bridge over unnamed stream @ Pilgrim Church
TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons
Weight Limit - Bridge over Abner Fork @ Melvin
TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons

*	KY 194	0.0 KY 1428	1.6 Coal Mac Mine [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 = 41 tons, TY III = 43 tons, TY IV = 60 tons]

		9.0 Addington Mine [7.4 Copperas RD]	12.2 Pike CO LN

Weight Limit - Bridge over Brushy Creek @ milepoint 12.15
TY I = 20 tons, TY II = 40 tons, TY III = 42 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

*	KY 466	2.3 Caleb FK RD [2.1 Mine]	4.1 KY 122

Weight Limit - Bridge over Left Fork of Beaver Creek @ milepoint 2.58
TY I = 16 [20] tons, TY II = 18 tons, TY III = 21 tons, TY IV = 37 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 1.2 Jett Tipple [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 5.2 Transcontinental [5.9] Mine 9.0 KY 80
[Weight Limit - Bridge over Turkey Creek @ milepoint 8.63
TY I = 20 tons, TY II = 43 tons, TY III = 48 tons, TY IV = 57 tons]
* KY 850 4.3 Pitts FK RD [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 0.0 Pike CO LN 2.5 K C Rogers Mine
6.4 Damron Coal Mine 9.5 Justice BR RD
[2.5 Mine 6.6 KY 979
6.6 KY 979 9.0 Mine]
* KY 1428 [5.7 Colliver RD 6.2 US 23
Weight Limit - Bridge over Levisa Fork @ milepoint 5.9
TY I = 15 tons, TY II = 15 tons, TY III = 15 tons, TY IV = 15 tons]
6.2 US 23 8.8 KY 194
[Weight Limit - Bridge over Cow Creek @ milepoint 8.75
TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 59 tons]
14.1 Uptown Mining 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 = 42 tons, TY III = 43 tons, TY IV = 56 tons
* KY 2557 0.0 Betsy Layne BR RD 0.3 US 23
* KY 3188 0.8 Kanawha 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]
* Bushy Fork Road
CR 5046 0.0 KY 194 0.4 Wolf BR RD
* Wolf Branch Road
CR 5046A 0.0 Bushy Fork Road 1.0 Martin CO LN
* 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 Prater Creek Mine
* Transcontinental Road (Excluding Bridge)
CR 5083 0.0 Transcontinental Tip 0.8 US 23

*	Spruce Pine Road		
	CR 5098	0.0 KY 2030	0.4 Maple Ridge Mine
*	Justice Branch Road		
	CR 5107	0.0 KY 1426	0.4 Right Fork Justice BR RD
*	Big Branch/Little Mud Creek Road		
	CR 5108	0.0 KY 2030	3.3 Island Creek Mine
*	Frog Branch Road		
	CR 5110	0.0 KY 2030	1.0 Maple Ridge Mine
*	Betsy Layne Branch Road		
	CR 5111	0.0 KY 2557	0.9 Somerset Coal Mine
*	Cedar Hill Road		
	CR 5118	0.0 KY 1426	0.6 Bebe Tipple
*	Parsons Branch Road		
	CR 5128	0.0 KY 979	0.2 Transcontinental Mine
	Weight Limit - Bridge over Mud Creek		
	TY I = 20 tons, TY II = 36 tons, TY III = 36 tons, TY IV = 36 tons		
*	Frasure Branch Road		
	CR 5134	0.0 KY 979	1.0 Joseph Mining Mine
*	Mink Branch Road		
	CR 5138	0.0 KY 979	1.9 Joseph Mining [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]		
*	Dry Branch/Mud Creek Road		
	CR 5139	0.0 KY 979	1.1 Joseph Mining Mine
*	Ned Fork Road		
	CR 5140	0.0 KY 1929	1.1 Premium Elkhorn Shannon Mine
*	Branham Creek Road		
	CR 5142	0.0 KY 979	8.3 Pike CO LN
		[0.0 KY 979	3.1 Mine
		7.7 Left FK/Tinker FK RD	8.3 Pike CO LN]
*	Barn Branch Road		
	CR 5146	0.0 Branham Creek RD	0.3 Phyllis Coal Mine
*	Left Fork/Tinker Fork Road		
	CR 5147	0.0 Branham Creek RD	0.2 Wellmore Kodiak Mine
*	Andy Branch Road		
	CR 5148	0.0 Tinker Fork RD	0.5 Ensol 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 Turner Elkhorn Mine
			[0.7 End of Road]
*	Buzzard Rock Road		
	CR 5157	0.2 Apache Mining Mine	0.5 Pike CO LN
*	Buckhorn Hollow Road		
	CR 5159	0.0 KY 979	0.4 Wheelwright Douglas #2 Mine
*	Spewing Camp Branch		
	CR 5190	0.0 KY 122	2.4 J R M Mining 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 Bebe Mine
*	Gunstock Branch Road		
	CR 5202	0.0 KY 2030	0.4 Island Creek Mine
*	Stonecoal Branch Road		
	CR 5234	0.0 KY 1101	2.0 Blackhawk Mine
*	Step Branch Road		
	CR 5247	0.0 KY 122	0.1 Transcontinental Mine
*	Goose Creek Road		
	CR 5273	0.0 Gosling Branch RD	0.6 Transcontinental T&H 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]
*	Pitts Fork Road		
	CR 5288	0.0 KY 850	1.3 Branham & Baker 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 = 30 tons, TY III = 32 tons, TY IV = 45 tons		
*	KY 34	0.0 Boyle CO LN	2.7 US 27]

GRAYSON COUNTY

	ROAD	FROM	TO
*	Western KY PKWY	88.4 Butler CO LN	119.6 Hardin CO LN
	Weight Limit - Bridge over Millwood-Pleasant View Road @ milepoint 99.08		
	TY I = 20 tons, TY II = 43 tons, TY III = 45 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Kentucky 187 @ milepoint 103.98		
	TY I = 20 tons, TY II = 40 tons, TY III = 41 tons, TY IV = 58 tons		

GREENUP COUNTY

	ROAD	FROM	TO
*	US 23	0.0 Boyd CO LN	11.2 KY 2 [11.8 KY 2541]
	[Weight Limit - Bridge over Little Sandy River @ milepoint 11.4		
	TY I = 20 tons, TY II = 41 tons, TY III = 43 tons, TY IV = 57 tons]		
		24.5 K O T Dock	28.8 Ohio ST LN
	Weight Limit - Bridge over Tygart's Creek @ milepoint 26.47		
	TY I = 20 tons, TY II = 45 tons, TY III = 45 tons, TY IV = 50 tons		
*	KY 1	11.4 KY 207	17.3 US 23
*	KY 2	10.3 Schultz Branch Road	17.2 US 23
	Weight Limit - Bridge over Little Sandy River @ milepoint 13.17		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
*	KY 207	0.0 Carter CO LN	0.5 Logtown Hollow RD
		6.9 Mine	9.2 KY 1
		[0.4 Logtown RD	9.2 KY 1
	Weight Limit - Bridge over Sandslick Creek @ milepoint 6.64		
	TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 60 tons		
*	KY 2541	1.3 Pilgrim Dock	1.6 US 23]
*	Logtown Hollow Road		
	CR 5168	0.0 KY 207	0.5 Mine
*	Stepp Drive		
	CR 5216	0.0 KY 207	0.3 Mine
*	Schultz Branch Road		
	CR 5250	0.0 KY 2	1.0 Mine

HANCOCK COUNTY

	ROAD	FROM	TO
*	US 60	0.0 Daviess CO LN	5.0 [5.5] Mine

HARDIN COUNTY

	ROAD	FROM	TO
*	Western KY PKWY	119.6 Grayson CO LN	135.8 US 31W
	Weight Limit - Bridge over Valley Creek @ milepoint 132.46		
	TY I = 20 tons, TY II = 42 tons, TY III = 43 tons, TY IV = 54 tons		
	Weight Limit - Bridge over L&N RR - Gaither Station Road @ milepoint 132.62		
	TY I = 20 tons, TY II = 45 tons, TY III = 47 tons, TY IV = 60 tons		
*	US 31W	18.8 US 31W Bypass	33.0 Meade CO LN
*	US 31WB	0.2 Western Kentucky Parkway	3.7 US 31W
	Weight Limit - Bridge over US 62, L&N, and IC RR @ milepoint 0.65		
	TY I = 20 tons, TY II = 41 tons, TY III = 41 tons, TY IV = 41 tons		

HARLAN COUNTY

	ROAD	FROM	TO
*	US 119	0.0 Bell CO LN	39.7 Letcher 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 Poore Fork Cumberland River @ milepoint 31.12		
	TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 53 tons		
	Weight Limit - Bridge over Poore Fork Cumberland River @ milepoint 33.32		
	TY I = 20 tons, TY II = 47 tons, TY III = 47 tons, TY IV = 55 tons		
	Weight Limit - Bridge over Clover Lick Creek @ milepoint 33.74		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
	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 = 25 tons, TY III = 27 tons, TY IV = 35 tons		
	Weight Limit - Bridge over Poor Fork @ milepoint 39.61		
	TY I = 20 tons, TY II = 30 tons, TY III = 31 tons, TY IV = 44 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 = 29 tons, TY III = 30 tons, TY IV = 42 tons
Weight Limit - Bridge over Fork of Crummies Creek @ milepoint 7.36
TY I = 20 tons, TY II = 31 tons, TY III = 32 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 (East) [(West)] 27.4 Leslie CO LN
* KY 38 0.0 US 421 8.5 KY 215 [13.3 Shields SCH 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 = 26 tons, TY III = 27 tons, TY IV = 38 tons]
11.9 Nance RD 14.5 Highsplint
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 Jericol Tipple 29.5 Virginia State LN
* KY 72 0.0 Bell CO LN 4.9 Rockhouse BR [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
[* 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 = 34 tons, TY III = 37 tons, TY IV = 50 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
* KY 215 0.0 KY 38 0.2 Yocum Tipple [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 2005 2.6 Lick Branch Culvert 5.1 KY 72
Weight Limit - Bridge over Yocum Creek @ milepoint 5.08
TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 60 tons
* 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 @ milepoint 0.43
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
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
* KY 2425 0.0 Mine 0.4 KY 72
* 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

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*  Slack Cemetery Road
   CR 5140          0.0 US 421 (North)                                  0.4 End [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 Catron 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 Foresters Creek RD
   Weight Limit - Bridge over Jesses Creek
   TY I = 18 tons, TY II = 18 tons, TY III = 18 tons, TY IV = 18 tons
*  Foresters Creek Road
   CR 5238          0.0 Layman-Coldiron RD                              1.8 Mine
*  Rockhouse Branch [Creek] Road
   CR 5256          0.0 KY 72                                           0.2 R B Tipple
*  Ages Creek Road
   CR 5326M         0.0 KY 38                                           0.3 [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 = 35 tons, TY III = 36 tons, TY IV = 45 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 = 37 tons, TY III = 39 tons, TY IV = 60 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                                   0.1 [0.2] KY 2097

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
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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 Pennyrile Parkway @ milepoint 38.31
TY I = 20 tons, TY II = 40 tons, TY III = 42 tons, TY IV = 56 tons

* Pennyrile Parkway (Non-Toll Segment)

32.9 US 62 [29.6 US 41] 45.2 Begin Toll Segment

Weight Limit - Bridge on exit ramp to U.S. 41 @ milepoint 45.2
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons

* Pennyrile Parkway (Toll Segment)

45.2 End 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 1.4 US 41A [2.3 Pennyrile PKWY]

Weight Limit - Bridge over Drakes Creek @ milepoint 0.49
TY I = 20 tons, TY II = 31 tons, TY III = 36 [33] tons, TY IV = 53 tons
[Weight Limit - Bridge on entrance ramp to Pennyrile Parkway @ milepoint 2.3
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 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 0.0 US 41 [3.7 US 62] 29.4 Webster CO LN

Weight Limit - Bridge over Crab Orchard Creek @ milepoint 0.82
TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 56 tons
Weight Limit - Bridge over IC RR & Pleasant Run Creek @ milepoint 3.42
TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 48 tons
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 = 27 [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 Sextet Mine & Tipple

Weight Limit - Bridge over Copperas 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 4.5 Peter Howton Road [7.1 KY 109] 18.7 US 41A

Weight Limit - Bridge over Lick Creek @ milepoint 5.92
TY I = 20 tons, TY II = 38 tons, TY III = 39 tons, TY IV = 51 tons
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 = 28 tons, TY III = 37 tons, TY IV = 40 tons

18.7 US 41A 26.4 Muhlenburg CO

Weight Limit - Bridge over Pond River @ milepoint 26.32
TY I = 20 tons, TY II = 44 tons, TY III = 45 tons, TY IV = 60 tons

[19.9 Pennyrile Parkway 23.2 KY 85]

* KY 85 0.0 KY 70 3.3 Green River 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	0.0 US 62	9.8 US 41A
	Weight Limit - Bridge over Copperas Creek @ milepoint 0.68		
	TY I = 20 tons, TY II = 25 tons, TY III = 26 tons, TY IV = 43 tons		
		[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		
	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 Warrior 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 454	0.0 US 62	2.3 KY 112
	Weight Limit - Bridge over Western KY PKWY @ milepoint 1.02		
	TY I = 20 tons, TY II = 36 tons, TY III = 37 tons, TY IV = 49 tons		
[*	KY 630	0.0 KY 262	2.0 US 41A]
*	KY 813	2.5 Drakes Creek Road	2.8 US 62
		4.2 Mine	5.1 Private Haul Road
		[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	2.4 [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
*	Wells Road		
	CR 5212	7.9 Barnsley Loop RD	8.7 Mine
*	Barnsley Loop Road		
	CR 5217	0.0 US 41A	1.5 Wells Road
*	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
*	Peter Howton Road		
	CR 5330	0.0 KY 70	0.3 Mine
*	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	0.0 Clay CO LN	4.6 KY 30 (East)
		[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 (South)
	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		
		12.5 US 421 (North)	20.9 Owsley CO LN
[*	KY 587	0.0 US 421	5.5 Brushy Ridge RD]
*	KY 2002	0.0 KY 30	4.3 Ruby Mine
*	KY 2003	0.0 KY 2002	2.9 Ruby Mine
[*	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
	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		
	CR 5248	0.0 Mildred RD	0.3 Mine]

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)		
		0.9 KY 1934	1.8 Dupont Plant

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	8.3 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 = 23 tons, TY III = 27 tons, TY IV = 44 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 = 41 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		
		8.7 US 23	13.3 Deadfall Branch RD
*	KY 172	0.0 Morgan CO LN [2.5 Mine Access]	12.4 KY 40
	Weight Limit - Bridge over Upper Laurel Creek @ milepoint 1.65		
	TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Mudlick Creek @ milepoint 11.91		
	TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 55 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 1559	2.8 Frank Vanhoose Road	6.0 US 23

Weight Limit - Bridge over Tom's Creek @ milepoint 3.53
TY I = 20 tons, TY II = 34 tons, TY III = 36 tons, TY IV = 58 tons

*	KY 1614	0.0 Morgan CO LN	1.2 KY 469
*	KY 2381	0.0 US 23	2.2 KY 302
*	KY 3214	2.3 Briar Fork Road	3.2 KY 172
*	Frank Vanhoose Road		
	CR 5061	0.0 KY 1559	0.4 Mine
*	Deadfall Branch Road		
	CR 5139	0.0 KY 40	0.6 Mine Access Road
*	Briar Fork Road		
	CR 5339	0.0 KY 3214	1.0 Morgan CO LN

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 = 40 tons, TY III = 41 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 = 39 tons, TY III = 42 tons, TY IV = 60 tons		
*	KY 80	0.0 Perry CO LN	21.1 [20.1] Floyd CO LN
*	KY 160	0.0 KY 15	5.8 A K P Coal Mine
			[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	12.5 KY 80
*	KY 550	20.6 National Mines Mine	26.6 Floyd CO LN
	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 = 30 tons, TY III = 31 tons, TY IV = 44 tons		
*	KY 899	0.0 KY 1393	4.9 Apollo Coal Mine
		7.7 National Mines 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 Mountain Clay Mine
		12.0 Sandlick Branch RD	14.1 KY 80
		[19.9 Bruce Branch RD	20.6 KY 550]
*	KY 1088	9.1 Old KY 15 [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 1098	0.0 Breathitt CO LN	12.0 KY 1087
	Weight Limit - Bridge over Laurel Fork Quicksand Creek @ milepoint 6.94		
	TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 49 tons		
*	KY 1231	0.0 KY 15	5.8 Atlas Mining Mine
			[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 = 40 tons, TY III = 42 tons, TY IV = 60 tons		
*	Patten Branch of Beaver Creek Road		
	CR 5009	0.0 KY 7	0.2 National Mines Mine
			[0.4 G.S. & M. Mine]
[*	Bruce Branch Road		
	CR 5026	0.0 KY 1087	0.7 Patsy Jane Mine]
*	Big Springs Branch Road		
	CR 5032	0.0 KY 550	0.9 National Mines 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 (Bolyn) Road
CR 5037 0.0 KY 80 0.8 Consolidation Mine
* Bates Branch Road
CR 5117 0.0 KY 7 1.4 Wheelwright Mine
* Perkins Branch-Lick Branch Road
CR 5145 0.0 KY 15 0.4 Southeast CoalMine
* 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 Golden Oak Mine
* Irishman Creek Road
CR 5203 0.0 KY 1231 2.5 R J F Coal Mine
[* Flaxpatch Branch Road
CR 5208 0.0 KY 1231 0.6 Mine]
* Defeated Creek Road
CR 5212 0.0 KY 15 3.2 Meade & Shepherd 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 = 33 tons, TY III = 33 tons, TY IV = 40 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		
*	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 Kayjay Mine	15.0 US 25E
*	KY 233	3.4 [4.6] Lynn Camp Branch RD	6.2 US 25E
*	KY 459	2.6 Little Indian Creek RD	11.7 KY 11
	Weight Limit - Bridge over Richland Creek @ milepoint 11.48		
	TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 38 tons		
[*	KY 718	0.0 KY 223	9.2 Alex Creek RD]
*	KY 1418	0.8 Hubbs Hollow Road	2.3 Clate-Perman RD
		[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
	Weight Limit - Bridge over Brush Creek		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
*	Lay Branch Road		
	CR 5169	0.0 Little Brush CK RD	0.2 K & M Mines

*	Stoney Fork Road		
	CR 5210	0.0 KY 1809	1.1 Roark Mine [1.8 Swanpond RD]
*	Hubbs Road		
	CR 5214	0.0 KY 1809	1.5 Girdner #1 Mine
	Weight Limit - Bridge over Hubbs Creek east of Bryant's Store		
	TY I = 20 tons, TY II = 24 tons, TY III = 28 tons, TY IV = 47 tons		
	Weight Limit - Bridge over Hubbs Creek @ Bain Branch		
	TY I = 3 tons, TY II = 3 tons, TY III = 3 tons, TY IV = 3 tons		
*	Sugartree Road		
	CR 5216	0.0 Hubbs RD	0.5 Terco #1 Mine
	Weight Limit - Bridge over Hubbs Creek		
	TY I = 4 tons, TY II = 4 tons, TY III = 4 tons, TY IV = 4 tons		
*	Flat Creek Road		
	CR 5243	0.0 KY 1418	2.6 Little Indian CR RD
*	Hubbs Hollow Road		
	CR 5244	0.0 KY 1418	0.8 Brenda Mine
*	Little Indian Creek Road		
	CR 5245	3.3 Flat Creek Road	3.6 KY 459
*	Lewellen Road		
	CR 5259	0.0 Hubbs Road	0.5 Jarcoal Mine
*	Old US 25E Loop #6 Road		
	CR 5304	0.6 Bailey Branch RD	1.0 US 25E
	Weight Limit - Bridge [Branch] over Bailey Creek		
	TY I = 9 tons, TY II = 9 tons, TY III = 9 tons, TY IV = 9 tons		
*	Bailey Bridge [Branch] Road		
	CR 5305	0.0 Old US 25E Loop #6 RD	0.5 Bailey Switch Tipple
	Weight Limit - Branch over Bailey Branch (Richland Creek)		
	TY I = 18 tons, TY II = 18 tons, TY III = 18 tons, TY IV = 18 tons		
*	Middle Fork Richland Creek Road		
	CR 5311	0.9 Higgins Road	1.2 H & P Mine
		[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	1.2 [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 = 36 [37] tons, TY IV = 43 tons		
	11.1 US 25	13.3 [11.8] KY 638
* KY 192	0.0 Pulaski CO LN [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 1	0.0 KY 3	3.6 KY 828
* KY 3	0.0 Martin CO LN	15.5 US 23
Weight limit - Bridge over Levisa & Tug Forks @ milepoint 14.87		
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
	15.5 US 23	24.7 KY 1
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 3S	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 = 32 tons, TY III = 33 tons, TY IV = 54 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 = 35 [38] tons, TY III = 37 [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 US 23	5.2 Martin CO LN
	[0.0 Martin CO LN	5.2 US 23]
* KY 1760	0.0 US 23	2.8 Georges Creek RD
* Fallsburg-Fullers Road		
CR 5022	0.0 US 23	0.1 Belfry #5 Tipple
* Donithon Branch Road		
CR 5118	0.0 KY 3	1.6 Lockworth Mine
[* Yellow Creek-Tug Fork Road		
CR 5122	0.0 KY 3	0.8 Mine
* Laurel Creek Road		
CR 5124	0.0 KY 3	1.7 Lockworth 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 Left FK Brushy CR RD
		[Tebco #22 Mine]
* Left Fork Brushy Creek Road		
CR 5203	0.0 Georges Creek Road	0.8 Mine

LEE COUNTY

ROAD	FROM	TO
* KY 11	0.0 Owsley CO LN	4.3 KY 52 (West)
Weight Limit - Bridge over South Fork Kentucky River @ milepoint 3.19		
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
Weight Limit - Bridge over North Fork Kentucky River @ milepoint 4.17		
TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 51 tons		
* KY 52	0.0 Estill CO LN	12.9 KY 11 (North)

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	35.4 Clay CO LN [22.6 KY 118]
Weight Limit - Bridge over Middle Fork Kentucky River @ milepoint 11.55		
TY I = 20 tons, TY II = 35 [28] tons, TY III = 36 [37] tons, TY IV = 46 tons		

Weight Limit - Bridge over Rockhouse Creek @ milepoint 23.02
TY I = 20 tons, TY II = 32 tons, TY III = 33 tons, TY IV = 51 tons

*	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 = 28 [33] tons, TY III = 34 [33] tons, TY IV = 44 tons

*	KY 80	0.0 US 421	9.7 Perry CO LN

Weight Limit - Bridge over Cutshin Creek @ milepoint 5.15
TY I = 20 tons, TY II = 27 tons, TY III = 28 tons, TY IV = 43 tons
Weight Limit - Bridge over Wooten Creek @ milepoint 6.12
TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 46 tons
Weight Limit - Bridge over MacIntosh Creek @ milepoint 8.84
TY I = 20 tons, TY II = 25 tons, TY III = 26 tons, TY IV = 42 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	10.0 Long BR [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

		15.2 Mine	16.0 Perry CO LN
*	KY 1807	0.0 KY 80	3.6 End State MAINT
*	KY 2008	0.0 KY 2009	1.5 End ST MAINT
			[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	3.1 Bear BR RD [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	2.2 [0.7] Big BR H'Cane CR RD	3.3 Wendover RD
*	Camp Creeks [Long] Fork Road		
	CR 5005	0.0 Hurricane Creek RD	1.6 Left FK [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]

*	Bear Branch Road		
	CR 5018	0.0 KY 2057	1.4 Mine & Perry CO LN
*	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	4.7 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]
*	Spruce Pine Creek Road		
	CR 5219	2.3 Mine	6.6 Rocky Hollow BR RD
*	Rocky Hollow Branch Road		
	CR 5220	0.0 US 421	0.2 Spruce Pine Creek RD

Weight Limit - Bridge over Beech Fork
TY I = 5 tons, TY II = 5 tons, TY III = 5 tons, TY IV = 5 tons

*	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 9.4 KY 806
20.7 KY 1862 27.7 US 23 [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 0.0 Perry CO LN [0.3 KY 1103] 27.6 Knott CO LN
Weight Limit - Bridge over Line Fork @ milepoint 0.17
TY I = 20 tons, TY II = 25 tons, TY III = 29 tons, TY IV = 34 tons
Weight Limit - Bridge over North Fork Kentucky River @ milepoint 2.61
TY I = 20 tons, TY II = 32 tons, TY III = 33 tons, TY IV = 48 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
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 5.2 Loggy Hollow RD 9.3 KY 7
[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]
9.3 [9.2] KY 7 10.7 Knott CO LN
* KY 113 0.0 KY 805 4.5 Millstone-Dem RD [End ST MT]
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
* KY 317 0.0 KY 805 8.9 KY 7
* KY 343 0.0 KY 317 1.5 #2 Hollow Road
Weight Limit - Bridge over Yount's Fork Creek @ milepoint 0.08
TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons
Weight Limit - Bridge over Wright's Fork @ milepoint 0.46
TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons
Weight Limit - Bridge over Wright's Fork @ milepoint 0.65
TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons
[* 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 = 37 [39] tons, TY III = 38 [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]
16.6 KY 1862 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 = 22 tons, TY IV = 22 tons		
*	Millstone-Democrat Road		
	CR 5020	1.7 Beth Energy Mine	2.7 KY 113
*	Beaverdam Branch Road		
	CR 5047	0.0 KY 7	2.0 A & E Coal Mine
[*	Loves Branch Road		
	CR 5048	0.0 KY 7	1.5 Mine]
*	Bottom Fork Road		
	CR 5068L	0.2 Tammy Ann Mine	0.7 #2 Hollow Road
*	#2 Hollow Road		
	CR 5068M	0.0 Bottom Fork Road	0.6 KY 343
*	Mayking-Cram Creek Road		
	CR 5153	0.0 KY 1862	1.5 Cram Creek RD
*	Cram Creek Road		
	CR 5169	0.9 Wampler Bros Mine	1.4 Mayking-Cram CR RD
		[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 Lake Coal Mine
	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 Lake Coal Mine
*	Whitaker Branch Road		
	CR 5259	0.0 KY 1103	2.5 Big BR-Tolson BR RD
*	Defeated Creek Road		
	CR 5265	5.1 Southeast 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 Lake Coal Mine
*	Johnson Branch Road		
	CR 5309	0.0 KY 160	0.3 Whitaker Mine
*	Bee Tree Branch Road		
	CR 5311	0.0 KY 160	1.0 Lake Coal Mine
*	Hollybush Branch Road		
	CR 5312	0.0 KY 160	0.4 Golden Oak Mine
*	Loggy Hollow Road		
	CR 5314	0.0 KY 15	1.1 Katco Mining 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 Golden Oak 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 Golden Oak Mine
*	Bull Creek-Meadow Fork Road		
	CR 5367	3.3 Golden Oak Mine	5.0 Perry CO LN

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 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 60	0.0 McCracken CO LN	29.1 Crittenden CO LN
	Weight Limit - Bridge over Cumberland River @ milepoint 12.37		
	TY I = 20 tons, TY II = 24 tons, TY III = 26 tons, TY IV = 37 tons		
	Weight Limit - Bridge over Dyers Creek @ milepoint 16.66		
	TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Mitchell Branch @ milepoint 21.31		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
	Weight Limit - Bridge over Sandy Creek @ milepoint 25.98		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
	Weight Limit - Bridge over Dry Creek @ milepoint 29.06		
	TY I = 20 tons, TY II = 28 tons, TY III = 31 tons, TY IV = 40 tons		
*	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 1.92		
	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

McCRACKEN COUNTY

	ROAD	FROM	TO
*	US 60	19.5 US 62	20.0 Livingston CO LN
	Weight Limit - Bridge over US 68 @ milepoint 19.64		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
	Weight Limit - Bridge over Tennessee River @ milepoint 19.86		
	TY I = 20 tons, TY II = 21 tons, TY III = 22 tons, TY IV = 30 tons		
*	US 62	1.2 KY 453	2.9 Lyon CO LN
	Weight Limit - Bridge over IC RR @ milepoint 12.98		
	TY I = 20 tons, TY II = 39 tons, TY III = 39 tons, TY IV = 60 tons		
	Weight Limit - Bridge over IC RR @ milepoint 13.06		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
*	US 68	0.0 US 62	1.0 I-24
	Weight Limit - Bridge over I-24 @ milepoint 1.01		
	TY I = 20 tons, TY II = 40 tons, TY III = 41 tons, TY IV = 54 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		
*	KY 1673	0.6 [0.0] Whitley CO LN	2.2 Corley Ridge RD
			[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 Shamrock #9 Mine
*	Corley Ridge Road		
	CR 5108	0.0 KY 1673	0.4 Whitley CO LN
*	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 = 33 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 = 38 tons, TY III = 40 tons, TY IV = 56 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 = 17 tons, TY II = 17 tons, TY III = 20 tons, TY IV = 22 tons
Weight Limit - Bridge over Branch of Porters Ditch @ milepoint 7.34
TY I = 11 tons, TY II = 11 tons, TY III = 11 tons, TY IV = 11 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		2.4 Brierfield Schoolhouse RD
	CR 5014	0.0 US 431	

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		0.7 Mine]
	CR 5015	0.0 Barrett Hill RD	

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	7.2 I-75 [8.6 Kit Carson DR]	10.8 KY 52

MAGOFFIN COUNTY

ROAD	FROM	TO
* Mountain PKWY	71.7 KY 30 [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	12.5 Mountain PKWAY [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 = 37 tons, TY III = 38 tons, TY IV = 42 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

*	KY 30	3.3 KY 1397 [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 [18] tons, TY II = 22 [19] tons, TY III = 23 [22] tons, TY IV = 39 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	2.7 Jake Wireman RD [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
* Jake Wireman Road
CR 5144 0.0 KY 1502 1.0 Mines
* 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
* Wright Oakley Creek Road
CR 5221 0.0 KY 1635 0.3 Mine
Weight Limit - Bridge over Oakley Creek
TY I = 6 tons, TY II = 6 tons, TY III = 6 tons, TY IV = 6 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		
		22.9 KY 292 [21.8 Laurel Creek RD]	23.2 Lawrence CO LN
*	KY 40	5.3 KY 1224 [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		
		27.8 Mine	28.9 KY 3
*	KY 645	0.0 Lawrence CO LN [KY 40]	4.7 KY 40 [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	3.6 KY 1439 [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 Creek [Branch] Road		
	CR 5105	0.0 KY 1714	0.5 [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
*	Laurel Fork-Wolf Creek Road		
	CR 5202	0.0 KY 1439	7.8 Private Access Road
*	Middle Fork of Wolf Creek Road		
	CR 5205	0.0 Mid FK Rockcastle RD	3.3 Mine Access 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 = 18 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

MEADE COUNTY

	ROAD	FROM	TO
*	US 31W	0.0 Hardin CO LN	0.6 US 60
*	US 60	8.7 KY 144	15.6 US 31W

Weight Limit - Bridge over Tank Trail @ milepoint 12.36
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons
Weight Limit - Bridge over Pinwheel Road @ milepoint 13.62
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons

*	KY 144	25.4 KY 448	28.7 US 60
*	KY 448	0.0 KY 144	5.3 KY 933

Weight Limit - Bridge over L & N RR @ milepoint 3.36
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons

*	KY 933	4.6 Olin Chemical Plant	7.4 KY 448

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	6.4 KY 342	7.7 US 68
*	KY 342	0.0 KY 33	1.5 E W Brown Power Plant

MONTGOMERY COUNTY

	ROAD	FROM	TO
*	US 460	7.3 KY 11 (North)	8.3 KY 686 (North)
*	KY 11	0.0 Powell CO LN	9.2 KY 686 (South)

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 (North)	15.4 Bath CO LN
*	KY 686	0.0 KY 11 (South)	2.7 US 460 (North)

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	15.5 KY 191	17.8 KY 7
		[13.1 KY 205	17.7 KY 7
		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
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 = 23 [25] tons, TY III = 25 tons, TY IV = 37 [38] tons

*	KY 172	[11.8 Laurel Fork RD	12.3 Old House Branch RD]
		18.7 Cinda Branch RD	22.6 Johnson CO LN [22.3 KY 1614]
*	KY 191	13.0 Steele Branch RD	14.7 US 460
[*	KY 205	0.0 Wolfe CO LN	6.8 US 460]
*	KY 437	6.3 KY 3344	12.4 KY 172 @ Relief
	Weight Limit - Bridge over Open Fork Creek @ milepoint 12.27		
	TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons		
[*	KY 650	2.9 Mine	4.0 Elliott CO LN]
*	KY 1614	0.0 KY 172	0.2 Johnson CO LN
*	KY 3344	0.0 KY 437	0.4 Mine
[*	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]
*	River Road		
	CR 5100	0.0 KY 191	0.3 Mine
[*	Jones Creek Road		
	CR 5103	0.0 Malone-Jones RD	0.4 Mine
*	Malone-Jones Creek Road		
	CR 5175	0.0 KY 7	1.3 Jones Creek RD]

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
		17.9 US 431 [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	25.5 Mine [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	0.0 Hopkins CO LN	15.4 US 431
	Weight Limit - Bridge over Pond River @ milepoint 0.20		
	TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Isaac Creek @ milepoint 3.50		
	TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons		
		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 181	15.2 Western KY PKWY	17.5 Mine
*	KY 189	6.0 Mine Access	8.8 US 62
*	KY 277	2.6 KY 602	3.8 KY 1379
*	KY 602	0.0 KY 277	0.7 US 431
*	KY 1379	0.0 KY 277	0.5 Prep Plant Access
	Weight Limit - Bridge over Unnamed Stream @ milepoint 0.25		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		

*	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
*	Caney Creek Mine Road		
	CR 5103	0.0 KY 176	0.7 Prep Plant & Mine
*	Vogue Haul Road		
	CR 5389	0.0 Henry Oaks Road	0.8 Vogue Road
*	Henry Oaks Road		
	CR 5392	2.3 Mine	4.5 Vogue Haul Road
*	Vogue Road		
	CR 5407	0.0 Vogue Haul Road	1.6 Tipple

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 KY PKWY	65.7 Muhlenberg CO LN	87.4 Butler 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 = 36 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
Weight Limit - Bridge over Arnold-Butler Road @ milepoint 85.72
TY I = 20 tons, TY II = 42 tons, TY III = 44 tons, TY IV = 60 tons

*	Green River PKW	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	15.5 Horton-Mount Pleasant RD [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 = 33 [37] tons, TY III = 35 [38] tons, TY IV = 49 [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 = 37 tons, TY III = 38 tons, TY IV = 53 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 = 34 tons, TY III = 36 tons, TY IV = 59 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 9.62
TY I = 20 tons, TY II = 33 tons, TY III = 35 tons, TY IV = 56 tons

*	KY 269	0.8 Schultztown-Cool SP RD [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
*	Horton-Mount Pleasant Road		
	CR 5124	0.0 US 62	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	0.0 US 62	1.6 Brown Badgett Mine
		1.7 Southwind Mine	2.9 US 62
*	Schultztown-Cool Springs Road		
	CR 5267	2.5 KY 269 [Mine]	3.6 Green Mine [KY 269]
*	Lone Star Road		
	CR 5313	0.0 KY 69	1.1 Tipple

	ROAD	FROM	TO
*	James Road		
	CR 5322	0.0 US 62	0.5 [0.4] KY 1245
	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		
*	Martin-Dodson Cemetery Road		
	CR 5373	0.0 US 231	0.6 Mine

OWSLEY COUNTY

	ROAD	FROM	TO
*	KY 11	0.0 Clay CO LN	17.3 Lee 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 30	0.0 Jackson CO LN	5.2 KY 847
	Weight Limit - Bridge over Little Sturgeon Creek @ milepoint 3.42		
	TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Little Sturgeon Creek @ milepoint 4.88		
	TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Little Sturgeon Creek @ milepoint 5.15		
	TY I = 20 tons, TY II = 29 tons, TY III = 30 tons, TY IV = 49 tons		
		9.4 Venable School Road	11.2 KY 11 @ Levi
*	KY 847	0.0 KY 30	4.3 Bowman Branch RD
[*	KY 1938	1.6 Minnow Branch RD	2.5 KY 11]
*	Hurricane Branch Road		
	CR 5301	0.0 Bowman Branch Road	1.1 Denham & Lewis Mine
*	Bowman Branch Road		
	CR 5303	0.0 KY 847	0.3 Hurricane Branch RD
[*	Minnow Branch Road		
	CR 5304	0.0 KY 1938	0.3 Mine]
*	Venable School Road		
	CR 5316	0.0 KY 30	0.4 Apex Mine
*	The Judd Road		
	CR 5323	2.2 Manious Road	2.4 KY 30

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 5011-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	13.6 Letcher CO LN [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 = 25 [27] tons, TY III = 28 [29] tons, TY IV = 46 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 1.4 Jackson Fork RD [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 = 20 tons, TY III = 20 tons, TY IV = 30 tons
Weight Limit - Bridge over Lott's Creek @ milepoint 2.22
TY I = 20 tons, TY II = 20 tons, TY III = 22 tons, TY IV = 28 tons]
3.9 KY 1146 (South) 14.2 KY 1146 (North) [18.1 Mine]
7.5 Dwarf-Engle Ford Road 22.3 Breathitt CO LN
Weight Limit - Bridge over Troublesome Creek @ milepoint 8.72
TY I = 20 tons, TY II = 24 tons, TY III = 27 tons, TY IV = 38 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
Weight Limit - Bridge over Troublesome Creek @ milepoint 18.30
TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 48 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 0.0 Montgomery Creek RD [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
* 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
* Dwarf-Engle Fork Road
CR 5032 0.0 KY 476 0.1 Highland Coal Mine
* Coates Branch Road
CR 5044 0.0 Ky 476 0.5 Ball Branch Mine
* Lick Branch Road
CR 5045 0.0 KY 1087 0.6 Star Fire Mine
* Cockerell Fork-Noble Branch Road
CR 5050 0.0 KY 476 1.7 Shamrock Coal Mine
* Jeff-Knott County Line Road
CR 5100 0.0 Old KY 15 Loop #1 RD 2.4 Lake Coal 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

*	Montgomery Creek Road		
	CR 5120	0.0 Letcher CO LN	1.5 KY 1095
*	Left Fork Maces Creek Road		
	CR 5131	0.0 KY 1165	1.1 Leemike Mine
*	Little Leatherwood Creek Road		
	CR 5139	0.0 KY 699	5.7 Blue Diamond 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 Lee Mine
*	Jackson Fork Road		
	CR 5152	0.0 KY 463	0.4 Blue Diamond Mine
*	Coal Waste Road		
	CR 5237	0.0 KY 699 [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 Dun Raven Tipple [River Processing Tipple]
*	Clear Fork Road		
	CR 5320	0.0 KY 28	2.3 Sam Campbell BR RD
[*	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]		
*	Barwick Road		
	CR 5330	0.0 KY 28	0.8 Breathitt CO LN
*	Right Fork Spencer Creek Road		
	CR 5332	0.0 Spencer Creek-Napfor BR RD	1.0 Vires Coal Mine
*	Spencer Creek-Napfor Branch Road		
	CR 5333	0.0 KY 28	1.9 Pine Branch Mine
*	Buckhorn-Breathitt County Line Road		
	CR 5349	0.0 KY 28	1.2 Kescoal 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 17.23		
	TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons		
	Weight Limit - Bridge over Little Creek @ milepoint 18.12		
	TY I = 20 tons, TY II = 34 tons, TY III = 33 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Shelby Creek @ milepoint 19.75		
	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 22.00		
	TY I = 20 tons, TY II = 30 tons, TY III = 31 tons, TY IV = 47 tons		
*	New US 23	0.0 KY 1384	1.4 US 23 NW of Pikeville
[*	US 23X	2.1 KY 1384	2.3 US 23]
*	US 119	0.0 US 23	29.7 W. Va. State LN
	Weight Limit - Bridge over Raccoon Creek @ milepoint 6.61		
	TY I = 18 tons, TY II = 20 tons, TY III = 23 tons, TY IV = 40 tons		
	Weight Limit - Bridge over John's Creek @ milepoint 7.94		
	TY I = 20 tons, TY II = 21 tons, TY III = 24 tons, TY IV = 37 tons		
	Weight Limit - Bridge over Bent Branch @ milepoint 9.99		
	TY I = 20 tons, TY II = 35 tons, TY III = 37 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Bent Branch @ milepoint 10.23		
	TY I = 13 tons, TY II = 13 tons, TY III = 13 tons, TY IV = 13 tons		
	Weight Limit - Bridge over Bent Branch @ milepoint 10.88		
	TY I = 12 tons, TY II = 12 tons, TY III = 12 tons, TY IV = 12 tons		
	Weight Limit - Bridge over Bent Branch @ milepoint 11.25		
	TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Bent Branch @ milepoint 11.40		
	TY I = 20 tons, TY II = 20 tons, TY III = 23 tons, TY IV = 40 [31] tons		
	Weight Limit - Bridge over Bent Branch @ milepoint 11.63		
	TY I = 11 tons, TY II = 11 tons, TY III = 11 tons, TY IV = 11 tons		
	Weight Limit - Bridge over Fork of Big Creek @ milepoint 16.41		
	TY I = 20 tons, TY II = 35 tons, TY III = 36 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Big Creek @ milepoint 17.06		
	TY I = 20 tons, TY II = 23 tons, TY III = 24 tons, TY IV = 27 tons		

Weight Limit - Bridge over Reed Fork @ milepoint 18.48
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons
Weight Limit - Bridge over Big Creek @ milepoint 20.13
TY I = 20 tons, TY II = 24 tons, TY III = 28 tons, TY IV = 47 tons
Weight Limit - Bridge over Tug River @ West Virginia State Line @ milepoint 29.7
TY I = 20 tons, TY II = 45 tons, TY III = 45 tons, TY IV = 52 tons

*	Old US 119			
		0.0 US 23		2.8 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]
		3.3 Arnold Fork Road Mine		10.4 US 23

Weight Limit - Bridge over Robinson Creek @ milepoint 6.75
TY I = 20 tons, TY II = 36 tons, TY III = 37 tons, TY IV = 53 tons
Weight Limit - Bridge over Bear Fork north of Jones Chapel @ milepoint 8.28
TY I = 20 tons, TY II = 36 [38] tons, TY III = 39 [38] tons, TY IV = 60 tons

*	KY 194	0.0 Floyd CO LN		16.8 US 119 (South)
		16.8 US 119 (North)		41.3 Kyber Coal [27.8] Mine

Weight Limit - Bridge over John's Creek @ milepiont 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 H K Corp Mine		55.7 KY 632 @ Phelps

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 Brushy Branch @ milepoint 3.27
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons
Weight Limit - Bridge over Wolf Pit Branch @ milepoint 9.93
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons
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	5.6 Fountain Blue Mine [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 8129
TY I = 20 tons, TY II = 39 [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 IV = 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 (South)
		4.8 US 119 (North)		12.7 Martin CO LN
*	KY 319	3.8 KY 1056 @ Nampa [(East)]		12.3 US 119 [5.8 Hatfield BR 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

Weight Limit - Bridge over Beefhide Creek @ Myra @ milepoint 1.60
TY I = 20 tons, TY II = 38 tons, TY III = 39 tons, TY IV = 60 tons

		8.0 Virgie Tipple		8.9 KY 122

Weight Limit - Bridge over Long Fork @ milepoint 8.08
TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 53 tons

*	KY 611	0.0 KY 195		3.5 Henry Clay Mine [6.0 US 23]
		4.3 Little Fork-Left Fork RD		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 = 60 [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 881	0.0 US 119	3.0 Brushy Fork Road
*	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 6.52		
	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
	Weight Limit - Bridge over Tug Fork Big Sandy River @ milepoint 10.10		
	TY I = 20 tons, TY II = 44 tons, TY III = 45 tons, TY IV = 53 tons		
*	KY 1373	4.8 Card Creek-Card Knob Road	6.7 US 460
*	KY 1384	[0.0 US 23	7.7 US 23X]
		0.2 Peter Fork #2 Tipple	3.8 Dog Fork-Hurricane CR RD
		6.0 Clark Elkhorn Mine	7.3 New US 23
*	KY 1426	0.0 US 23	4.9 Floyd CO LN
			[3.5 Hoopwood Branch RD]
*	KY 1441	4.4 Standard Elkhorn Mine	10.1 US 119
	Weight Limit - Bridge over Raccoon Creek @ milepoint 4.79		
	TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Raccoon Creek @ milepoint 6.04		
	TY I = 20 tons, TY II = 22 tons, TY III = 22 tons, TY IV = 22 tons		
	Weight Limit - Bridge over Raccoon Creek @ milepoint 7.96		
	TY I = 20 tons, TY II = 45 tons, TY III = 46 tons, TY IV = 60 tons		
	Weight Limit - Bridge over Burning Fork [Raccoon] Creek @ milepoint 10.00		
	TY I = 20 tons, TY II = 39 tons, TY III = 41 tons, TY IV = 58 tons		
*	KY 1469	6.0 KY Elkhorn 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
*	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 Hawkeye Mine
	Weight Limit - Bridge over Cowpen Creek @ milepoint 0.81		
	TY I = 20 tons, TY II = 39 [20] tons, TY III = 41 [21] tons, TY IV = 60 [36] tons		
*	KY 2062	0.0 KY 194	3.1 KY 194
[*	KY 2552	0.0 US 23	0.3 Shelbiana 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 Branson Coleman Mine
*	Winn Branch Road		
	CR 5011	0.0 US 119	1.3 Chloe Creek Dev 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	0.4 Utility Tipple
*	Meathouse Fork Road		
	CR 5022	0.0 KY 194	1.3 Rockhouse FK-Pigeon CR RD
*	Rockhouse Fork-Pigeon Creek Road		
	CR 5024	0.0 Meathouse FK RD	1.0 Ridgeway Coals [1.9] Mine
*	Meathouse Branch Road		
	CR 5025	0.0 KY 3154	3.2 Ember and K-Line Mines
[*	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 Eastern Coal Mine [Entrance]
*	Goody-Aflex-Burnwell Road		
	CR 5050	0.0 KY 292	1.1 Harbour Marine Mine
			[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 Coal Mac Mine [Entrance]
*	Bent Branch Road		
	CR 5074	0.0 KY 468	1.1 Gex Tipple
	Weight Limit - Bridge over Big Creek		
	TY I = 18 [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 H Mar/Island Mines [Entrance]
Weight Limit - Bridge over Big Creek
TY I = 3 ton, TY II = 3 ton, TY III = 3 ton, TY IV = 3 ton
* Halfway Branch Road
CR 5077 0.0 KY 468 0.5 Island Creek Mine [Entrance]
* Rockhouse Fork Road
CR 5078 0.0 KY 468 0.4 Island Creek Mine
[0.3 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
* Brushy Fork Road
CR 5095 0.0 KY 881 0.5 Addington Mine
Weight Limit - Bridge over Left Fork of Brushy Fork
TY I = 20 tons, TY II = 26 tons, TY III = 26 tons, TY IV = 26 tons
* Big Branch/Meathouse Creek Road
CR 5111 0.0 Martin CO LN 2.7 Little Fork 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 Liberty 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 Jex Big Hill Mine [Entrance]
* Fishtrap Ridgeline Road
CR 5160 0.0 KY 194 2.7 Hurricane Creek Road
* Hurricane Creek Road
CR 5162 2.5 Wellmore Mine 3.7 Fishtrap Ridgeline RD
* Dicks Fork Road
CR 5163 0.0 KY 194 0.6 Big Fist #4 Mine
* Lane Branch Road
CR 5168 0.0 KY 632 1.2 McCoy Elkhorn Mine [Entrance]
* Mullen Fork Road
CR 5191 0.0 KY 199 2.1 St Johnsbury 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 Blackberry CR Mine [Entrance]
* Left Fork/Blackberry Road
CR 5213 0.0 KY 1056 1.5 H Mar/Eastern Mines [ENT]
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 Blackberry CR 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 1.2 [0.2] Majestic Mine [Tipple]
* Lower Elk Creek Road
CR 5241 0.0 KY 2059 0.6 Race Fork Mine [Entrance]
* Prater Branch Road
CR 5253 0.0 KY 194 0.8 Majestic 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]
* Old Mouth Card-Feds Creek Road
CR 5282 0.0 US 460 0.3 Flannary Branch RD
* Flannary Branch Road
CR 5283 0.0 Old Mouth Card-Feds CR RD 0.2 Mouth Card Mines
* Card Creek-Card Knob Road
CR 5285 0.0 KY 1373 0.7 Clark Elkhorn Mine
1.6 Wellmore Mine [Entrance] 4.6 US 460
* Island Creek Road
CR 5287 0.0 Bane Tipple 0.6 Island Creek-Grapevine RD
[CR 5288]
* Island Creek-Grapevine Road
CR 5288 0.0 Island Creek Road [CR 5287] 1.8 Millers CR RD [0.5 CR 5289]
* Left Fork/Island Creek Road
CR 5289 0.0 Island Creek-Grapevine RD [CR 5288] 0.2 Flannary Coal Mine [Entrance]
* Millers Branch Road
CR 5290 0.0 Island Creek-Grapevine RD 2.4 Flannary Coal Mine

* Hopkins Creek Road
CR 5322 0.0 US 460 1.0 Hopkins Creek Tipple
Weight Limit - Bridge over Levisa Fork
TY I = 20 tons, TY II = 28 tons, TY III = 37 tons, TY IV = 40 tons
[* Daniel Branch Road
CR 5326 0.0 US 460 0.4 Mine Entrance]
* Harless Creek Road
CR 5330 0.0 US 460 1.5 Wellmore Mine [Entrance]
[* Dog Branch Road
CR 5332 0.0 KY 195 0.4 Mine Entrance]
* Left Fork Wolfpit Branch Road
CR 5333 0.0 Wolf Branch-Gardner Fork Road 0.8 Wellmore Mine
[* 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]
* Jimmie Creek Road
CR 5341 0.0 US 460 0.6 Wellmore Mine
* Old US 460 Loop #2 Road
CR 5353 0.3 Potter Coal Mine 0.8 US 460
* Shortridge Fork Road
CR 5355 0.4 Wellmore Mine [0.0 CR 5285] 0.9 Wellmore Private RD [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
* John Moore Branch Road
CR 5363 0.0 KY 197 0.9 Federal Tipple
* Jackson Branch Road
CR 5371 0.0 KY 197 1.7 C & D Coal Mine
* Brushy Branch Road
CR 5379 0.0 KY 195 0.8 Ratliff Elkhorn Mine
* Marrowbone Creek Road
CR 5381 0.0 KY 195 2.1 Lad/Prospect [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 Henry Clay 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 Henry Clay 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
* Wolfpit Branch-Gardner Fork Road
CR 5433 0.0 KY 195 0.9 Left Fork Wolfpit BR RD
Weight Limit - Bridge over Wolfpit Branch
TY I = 3 tons, TY II = 3 tons, TY III = 3 tons, TY IV = 3 tons
Weight Limit - Bridge over Wolfpit Creek
TY I = 3 tons, TY II = 3 tons, TY III = 3 tons, TY IV = 3 tons
* Wolfpen Branch Road
CR 5444 0.0 KY 80 0.8 Wellmore 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 Wellmore 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
* Tollage Creek Road
CR 5496 0.0 US 23 1.0 Coal Run Mine
* Harmond Branch Road
CR 5505 0.0 US 23 0.9 Amber #9 Mine
* Dog Fork/Hurricane Creek Road
CR 5522 0.0 KY 1384 1.3 Peter Fork Joline 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 0.7 Stillhouse [0.5] Mine
* Raccoon Branch Road
CR 5531 0.0 KY 1426 1.3 Jet/Cimaron Mine
* Billy Compton Road
CR 5534 0.0 Island Creek RD 1.2 Horn Const Mine
[0.2 RD BR/Sookeys CR RD]
* Island Creek Road
CR 5535 0.0 KY 1426 4.0 Corbin Coal 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 Pace Energies 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 Apache Mining Mine
* Robinson Creek Road
CR 5554 0.0 KY 122 4.1 Apache Mining 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
* Arnold Fork Road
CR 5555 0.0 KY 122 0.3 Apache Mining Mine
* Burk Branch Road
CR 5578 0.0 KY 610 0.9 Beth Energy Mine
* Lizzie Fork Road
CR 5590 0.4 Beth Energy Mine [0.0 US 23] 1.4 US 23 [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 = 28 [27] tons, TY III = 37 [35] tons, TY IV = 40 tons		
	Weight Limit - Bridge over Pitman Creek @ milepoint 10.06		
	TY I = 20 tons, TY II = 39 tons, TY III = 38 tons, TY IV = 59 tons		
*	KY 80	21.6 KY 80 Bypass [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 = 28 [22] tons, TY III = 37 [35] tons, TY IV = 40 tons		
*	KY 192	0.0 KY 80 Bypass	18.6 Laurel CO LN [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]
*	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 Ikerd Bandy 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]
*	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 Wash Ridge 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
[*	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	0.0 Crittenden CO LN [1.4 KY 109]	5.7 KY 109 in Sturgis
	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 (West)
	1.5 US 60 (East)		4.9 KY 492 [3.2 KY 1508]
* KY 360	0.5 KY 871 (South)		6.6 Island Creek Mine
* KY 492	1.9 Davis Mine RD		2.5 KY 109
* KY 871	0.0 KY 360 (South)		2.4 Hite Speece RD
* KY 1508	0.0 KY 109		2.7 Pyro Dock
	5.3 Canipe Dock		6.0 Private Haul Road

Weight Limit - Bridge over Unnamed Stream @ milepoint 5.61
TY I = 20 tons, TY II = 34 tons, TY III = 36 tons, TY IV = 59 tons

* Davis Mine Road			
CR 5227	0.0 KY 109		0.3 Private Haul Road
* Hite Speece Road			
CR 5314	0.0 KY 871		0.2 Hamilton Mine Road
* Hamilton Mine Road			
CR 5317	0.0 Hite Speece Road		0.5 Mine and Prep Plant

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	7.5 KY 790 [9.2 Denny Creek RD]		9.8 Brammer Hill Ridge RD
* KY 790	1.3 KY 776 [5.0 Brammer Hill-Delta RD]		10.5 Pulaski CO LN

Weight Limit - Bridge over Sinking Creek @ milepoint 2.02
TY I = 20 tons, TY II = 30 tons, TY III = 31 tons, TY IV = 41 tons

* Brammer Hill Ridge Road			
CR 5023	0.0 KY 776		2.2 [4.2] Mine
* Denny Creek Road			
CR 5024	0.0 KY 776		1.7 [0.4] Sizemore RD
* Brammer Hill-Delta Road			
CR 5030	0.0 KY 790		2.2 [2.4] Brammer Hill Ridge RD
* Sizemore Road			
CR 5155	0.0 Denny Creek RD		0.4 [1.7] Mine

WEBSTER COUNTY

ROAD	FROM		TO
* Pennyrile 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 (South)

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 (North)		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	0.0 Crittenden CO LN [3.6 Mine]		6.7 US 41A
* KY 132	23.6 Mine		25.9 KY 494 [28.5 KY 56]
[* KY 270	8.6 Mine		13.2 US 41A]
* KY 494	0.0 KY 132		2.2 US 41
* 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]
	0.8 Black Oak-Proctor Road		32.8 US 25T

[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
Weight Limit – Bridge over Watts Creek @ milepoint 14.17
TY I = 20 tons, TY II = 37 tons, TY III = 38 tons, TY IV = 51 tons
Weight Limit – Bridge over L&N RR @ milepoint 14.35
TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 59 tons
Weight Limit – Bridge over I-75 South Interchange @ milepoint 16.20
TY I = 20 tons, TY II = 38 tons, TY III = 40 tons, TY IV = 49 tons
Weight Limit – Bridge over South Fork of Spruce Creek @ milepoint 25.56
TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 57 tons
Weight Limit – Bridge over Spruce Creek @ milepoint 27.04
TY I = 20 tons, TY II = 37 tons, TY III = 39 tons, TY IV = 59 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 = 34 [38] tons, TY III = 36 [38] tons, TY IV = 58 [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 = 14 tons, TY II = 14 tons, TY III = 14 tons, TY IV = 14 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 = 34 tons, TY III = 36 tons, TY IV = 50 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	2.7 [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

*	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 = 10 tons, TY II = 10 tons, TY III = 10 tons, TY IV = 10 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	1.7 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	2.2 Old Jellico RD [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]
	2.4 Brenda Mine		3.6 KY 1064
[* 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		0.9 Daniel Bros [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 Tennessee ST LN [Skaggs RD]		0.1 Skaggs RD [Tennessee ST LN]
* Skaggs Branch Road			
CR 5224	0.0 Doc Siler RD		0.7 Bowlin Mine
* Keswick-Gatliff Road			
CR 5227	3.3 Upper Cane Creek RD [2.0 Mine]		8.0 KY 904
[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
* 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]
	1.0 Wash Ridge Mine		1.5 KY 628
[* Kensee Hollow Road			
CR 5326	0.0 US 25W		0.8 Mine]
* Ryans Creek Road			
CR 5335	0.0 KY 1898		1.0 Bucks Branch Road
* Old Jellico Road			
CR 5337	0.0 KY 92		1.0 Gatliff Mine
Weight Limit - Bridge over Paint Creek			
TY I = 16 tons, TY II = 16 tons, TY III = 16 tons, TY IV = 16 tons			
* Kidd Road			
CR 5344	0.0 McCreary CO LN		1.5 Stansbury 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]			
* KY 15	0.0 Breathitt CO LN		10.3 KY 651 [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]			
	13.9 KY 3040		14.0 KY 715
* 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	3.0 [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.

C. LESLIE DAWSON, Secretary/Commissioner
APPROVED BY AGENCY: October 14, 1987
FILED WITH LRC: October 15, 1987 at 10 a.m.
PUBLIC HEARING SCHEDULED: A public comment hearing will be held on this proposed administrative regulation on November 25, 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 November 20, 1987 so notify: Sandra G. Pullen, Executive's Staff Advisor, Transportation Cabinet, State Office Building, Frankfort, Kentucky 40622.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Sandra G. Pullen
(1) Type and number of entities affected: All coal mining companies. All coal trucking companies. All coal truck drivers. County governments - 73. City governments - undetermined number.
(a) Direct and indirect costs or savings to those affected:
1. First year: Coal mining companies - 0. Coal trucking companies - 0. Coal truck drivers - 0. County governments - 0. City governments - 0.
2. Continuing costs or savings: None
3. Additional factors increasing or decreasing costs (note any effects upon competition): Gross vehicle weights for those bridges listed in this administrative regulation will be less than for those not listed.
(b) Reporting and paperwork requirements: None
(2) Effects on the promulgating administrative body: None
(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: 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: None available. This regulation and annual revisions are required by statute.
(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.

EDUCATION AND HUMANITIES CABINET
Department of Education
Office of Local Services
(Proposed Amendment)

702 KAR 7:065. Designation of agent to manage high school interscholastic athletics.

RELATES TO: KRS 156.070
PURSUANT TO: KRS 156.070
NECESSITY AND FUNCTION: KRS 156.070 gives the State Board of Education the management and control of the common schools, including interscholastic athletics therein, and allows the state board to designate an agency to manage athletics pursuant to rules approved by the state board. This regulation designates such an agent for high school athletics and adopts the constitution, bylaws, and rules of said agent.

Section 1. The Kentucky High School Athletic Association (KHSAA) is hereby designated as the State Board of Education's agent to manage interscholastic athletics at the high school level in the common schools, including any private schools desiring to associate therewith and to compete with said common schools.

Section 2. The constitution, bylaws, and tournament rules of the KHSAA, 1987-88 [1986-87] are hereby approved, adopted, and incorporated herein by reference. A copy of said rules may be obtained from the Office of Local Services,

Department of Education, Frankfort, Kentucky 40601.

ALICE McDONALD, Superintendent
APPROVED BY AGENCY: October 7, 1987
FILED WITH LRC: October 14, 1987 at 10 a.m.
PUBLIC HEARING SCHEDULED: A public hearing has been scheduled on Monday, November 30, 1987, at 1 p.m., Eastern Standard Time, in the State Board Room, First Floor, Capital Plaza Tower, Frankfort, to review the regulations adopted by the State Board of Education at its October meeting. Those persons wishing to attend and testify shall contact in writing: Sheila A. Collins, Secretary, State Board of Education, First Floor, Capital Plaza Tower, Frankfort, Kentucky 40601, on or before November 25, 1987. If no requests to testify have been received by that date, the above regulation will be removed from the agenda.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Gary Bale
(1) Type and number of entities affected:
(a) Direct and indirect costs or savings to those affected: There will be no direct or indirect cost of implementing this change in regulation.
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: There will not be additional reporting or paperwork required.
(2) Effects on the promulgating administrative body: This regulation will have no effect (financial/paperwork) on the promulgating administrative body.
(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: State and local revenues will not be affected.
(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: Bylaw 5 of the "Kentucky High School Athletic Association's Constitution and Bylaws."
(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. Tiering not applied since all school boards (school) must comply with elementary and secondary interscholastic athletics.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky State Racing Commission
(Proposed Amendment)

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 prerace treatment. Medications, drugs, or substances shall be categorized into two (2) sections and shall be designated as follows: NSAID (nonsteroidal 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 workout 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 workout, but through no fault of the trainer, such workout does not appear in the past

performances, the horse shall be permitted to start and the correct workout 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 list. All off-track stables must be licensed on an annual basis by the commission and such license must be conspicuously displayed on the premises. The fee for such license shall be based on the number of stalls at the facility as follows: those with over fifty (50) stalls shall pay $250; those with twenty-one (21) to forty-nine (49) shall pay $100; and those with twenty (20) stalls or under shall pay fifty (50) dollars. Any horse being entered from an off-track stable shall have proof upon request of the commission or its representative that it has come from a licensed facility.

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 then ten (10) horses may start in any race without consent of the stewards, and no more than twelve (12) horses may start without approval of the commission.

(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 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 place 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 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 mire 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: October 12, 1987
FILED WITH LRC: October 14, 1987 at 10 a.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on November 24, 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: Mike Fulkerson
(1) Type and number of entities affected: Approximately 104 off-track stables. The commission needs to have some control over off-track stables because there have been instances where the commission and/or the racing associations have denied a license to an individual for bookmaking or drugging a horse and that same individual simply leaves the track and goes to an off-track stable for employment. Licensing the facilities will give the commission some enforcement ability to permanently keep such undesirables out of racing.
(a) Direct and indirect costs or savings to those affected:
1. First year: Cost: $10,400 total.
2. Continuing costs or savings: $10,400 each year.
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: N/A
(a) Direct and indirect costs or savings: Cost of paper license (minimal).
1. First year:
2. Continuing costs or savings:
3. Additional factors increasing or decreasing costs:
(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:
TIERING: Was tiering applied? Yes

CABINET FOR HUMAN RESOURCES
Department for Health Services
Division of Maternal and Child Health
(Proposed Amendment)

902 KAR 4:050. Kentucky family planning program.

RELATES TO: KRS 211.180, 214.185
PURSUANT TO: KRS 194.050(1), 211.090, 211.180
NECESSITY AND FUNCTION: P.L. 91-572, the "Family Planning Services and Population Research Act of 1970" and 42 CFR, Part 59, authorizes grants for family planning services. 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 the 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 Kentucky Family Planning Program in accordance with applicable federal laws and regulations.

Section 1. State Plan for Family Planning Services. The Cabinet for Human Resources hereby adopts the "Kentucky State Plan for Family Planning Services - Fiscal Year 1987-1988," ["Kentucky State Plan for Family Planning Services - Fiscal Year 1984-1985" and the "Kentucky State Plan for Family Planning Services - Fiscal Year 1985-1986 and the "Kentucky State Plan for Family Planning Services - Fiscal Year 1986-1987"] by reference as the Kentucky Family Planning regulation covering all phases of program operation including but not limited to program eligibility for services and provision for fee collections in accordance with federal regulations and guidelines, consent requirements, medical standards, quality assurance, and other relevant components of the program. A copy of the Kentucky State Plan for Family Planning Services - Fiscal Year 1987-88 has [1984-1985 (three (3) volumes) and the State Plan for Family Planning Services - Fiscal Year 1985-1986 (one (1) volume) and the State Plan for Family Planning Services - Fiscal Year 1986-1987 (one (1) volume) have] been filed with Region IV, Department of Health and Human Services, 101 Marietta Tower, Atlanta, GA 30323. A copy shall be on file and available for public inspection in the Office of the Commissioner for Health Services, 275 East Main Street, Frankfort, KY 40621.

C. HERNANDEZ, MD., Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY: September 24, 1987
FILED WITH LRC: September 30, 1987 at 3 p.m.
PUBLIC HEARING SCHEDULED: A public hearing on

this regulation has been scheduled for November 24, 1987 at 9 a.m. in the Vital Statistics Conference Room, 275 East Main Street, Frankfort, Kentucky. However, this hearing will be cancelled unless interested persons notify the following office in writing by November 19, 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: Ann W. Tarter
(1) Type and number of entities affected:
(a) Direct and indirect costs or savings to those affected: 100,700 clients; 143 clinics including all local health departments and some private nonprofit clinics.
1. First year: N/A
2. Continuing costs or savings: N/A
3. Additional factors increasing or decreasing costs (note any effects upon competition): Slight increase in sliding fee scale costs to clients as result of revised DHHS poverty income guidelines.
(b) Reporting and paperwork requirements: N/A
(2) Effects on the promulgating administrative body:
(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: Inflationary factors have increased cost per client 7% over the previous fisal year.
(b) Reporting and paperwork requirements: No additional paperwork requirements.
(3) Assessment of anticipated effect on state and local revenues: Services existing, no additional effect.
(4) Assessment of alternative methods; reasons why alternatives were rejected: Most efficient alternative.
(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: No apparent conflict.
(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. Tiering not applicable.

FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate: State compliance standards are in accordance with minimum uniform standards contained in the federal mandate for Family Planning services, Title X of P.L. 91-572 - "Population Research and Voluntary Family Planning Programs."
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: Not applicable.

CABINET FOR HUMAN RESOURCES
Department for Health Services
(Proposed Amendment)

902 KAR 8:020. Policies and procedures for local health department operations.

RELATES TO: KRS Chapter 212
PURSUANT TO: KRS 194.050, 211.090, 211.170, 211.180, 213.410
NECESSITY AND FUNCTION: KRS 211.170 directs the Cabinet for Human Resources to establish policies governing the activities of local health departments. This regulation adopts various manuals setting policies and standards for health departments.

Section 1. Local Health Policy Manual. The policies complete to October July] 15, 1986, of the "Local Health Policy Manual" governing the maintenance and operation of local health departments are hereby adopted by reference.

Section 2. Financial Management Manual. The policies complete to July 1, 1987 [set forth in the July 15, 1986, edition] of the "Financial Management Manual" governing the operation of the financial management systems used by local health departments are hereby adopted by reference.

Section 3. Patient Services Reporting System Manual. The policies set forth in the May 1, 1984, edition of the "Patient Services Reporting System Manual" governing the collection of patient health/medical services delivered by local health departments are hereby adopted by reference.

Section 4. Medical Records System Policy and Procedure Manual for Local Health Departments in Kentucky. The policies and procedures set forth in the May 1, 1984, edition of the "Medical Records System Policy and Procedure Manual for Local Health Departments in Kentucky" governing the development and maintenance of medical records in local health departments are hereby adopted by reference.

Section 5. Planning Manual for Local Health Departments. The policies set forth in the July, 1986, edition of the "Planning Manual for Local Health Departments" governing the annual program planning process and procedures of local health departments are hereby adopted by reference.

Section 6. Standards Manual for Local Health Departments. The policies set forth in the July, 1986, edition of the "Standards Manual for Local Health Departments" governing the programmatic operations of local health departments are hereby adopted by reference.

Section 7. Local Health Department Environmental Data System Operational Procedures for Weekly Environmental Activity Report, Sanitation Programs Information Formulator, and Local Health Annual Data Report. The policies set forth in the September, 1982, edition of the "Local Health Department Environmental Data System Operational Procedures for Weekly

Environmental Activity Report, Sanitation Programs Information Formulator, and Local Health Annual Data Report" are hereby adopted by reference.

Section 8. On-Line Environmental Health Management Information System. The policies set forth in the February 14, 1984, edition of the "On-Line Environmental Health Management Information System" manual are hereby adopted by reference.

Section 9. MCH Maternity Manual. The policies set forth in the July 1, 1985, edition of the "MCH Maternity Manual" governing the operation of the prenatal program conducted by local health departments are hereby adopted by reference.

Section 10. Sudden Infant Death Syndrome Program. The policies complete to October 15, 1986, of the "Sudden Infant Death Syndrome Program" manual governing the operation of the Sudden Infant Death Syndrome Program conducted by local health departments are hereby adopted by reference.

Section 11. Standards for Genetic Disease Testing, Counseling and Education Services Program. The policies set forth in the October 15, 1985, edition of the "Standards for Genetic Disease Testing, Counseling and Education Services Program" manual governing the operation of genetic disease testing and counseling clinics conducted by local health departments are hereby adopted by reference.

Section 12. Standards for Regional Pediatric Clinics. The policies set forth in the October 15, 1985, edition of the "Standards for Regional Pediatric Clinics" manual governing the operation of regional pediatric programs conducted by local health departments are hereby adopted by reference.

Section 13. Standards for Preventive Health Care in Children. The policies set forth in the December 15, 1985, edition of the "Standards for Preventive Health Care in Children" manual governing the operation of well child programs conducted by local health departments are hereby adopted by reference.

Section 14. Standards for Child Restraint Program. The policy set forth in the January 1, 1986, edition of the "Standards for the Child Restraint Program" manual governing the operation of safety seat loan programs conducted by local health departments are hereby adopted by reference.

Section 15. 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.

Section 16. Summary of Amendment. In relation to Section 2 of this regulation relating to the Financial Management Manual, the Manual is being revised effective July 1, 1987, to reflect an increase in the central administrative charge assessed against Medicare and Medicaid receipts received by local health department home health agencies. No central administrative charge will be made against Medicaid receipts received for waiver services. [(1) In relation to Section 1 of this regulation relating to the Local Health Policy Manual, the manual is being revised effective October 15, 1986 as follows: Local Health Policy 400-16 dated July 1, 1982, is being revised to clarify the Department for Health Services' Conflict of Interest Policy in Local Health Departments.]

[(2) In relation to Section 10 of this regulation relating to the Sudden Infant Death Syndrome (SIDS) Program Manual, strike pages 21 through 29 dated January 1, 1985. This revision will remove all reference to the APNEA Monitoring Program which is being discontinued.]

C. HERNANDEZ, Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY: September 23, 1987
FILED WITH LRC: September 24, 1987 at 11 a.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for November 24, 1987, at 9 a.m. in the Vital Statistics Conference Room, 1st Floor, CHR Building, 275 East Main Street, Frankfort, Kentucky. However, this hearing will be cancelled unless interested persons notify the following office in writing by November 19, 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: Phillip R. Spangler
(1) Type and number of entities affected: 18 Local Health Department Home Health Agencies.
(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): N/A
(b) Reporting and paperwork requirements: No additional.
(2) Effects on the promulgating administrative body: As a result of the proposed regulation, the Home Health Program, Department for Health Services, would access additional revenues to provide expanded central support services to local health department home health agencies.
(a) Direct and indirect costs or savings: None
1. First year: None
2. Continuing costs or savings: N/A
3. Additional factors increasing or decreasing costs: N/A
(b) Reporting and paperwork requirements: No additional.
(3) Assessment of anticipated effect on state and local revenues: Restricted revenues will increase by approximately $400,000 annually. Local: See #6.
(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: N/A

(6) Any additional information or comments: Net operational revenues available to local health department home health agencies will not be reduced. The revenues generated from the increased charge will be used to cover the transfer of costs of functions back to the State Agency. (This change represents a shift in technical support and the applicable accounting to the state agency.)

TIERING: Was tiering applied? No. N/A

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 September 15, 1987, 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 <u>October</u> [September] 15, 1987, 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 <u>October</u> [September] 15, 1987, 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 <u>October</u> [September] 15, 1987, edition of the "Western State Hospital Policy Manual" consisting of thirty-three (33) 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 <u>October</u> [September] 15, 1987, 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.

Section 12. Summary of Amendments.

<u>Section 4 - Eastern State Hospital Policy Manual</u>

<u>Vol D 1 - Sec 1, P. 26. Unusual Occurrence This is a revision to send a copy of the report to the Risk Manager, and to delete the section signed by the physician.</u>

<u>Sec 2, P-10 Town Pass/Leave Pass. This is revised so that patients returning from pass may be monitored for safety precautions.</u>

<u>P 36 - Patients Returning From Leave. This is revised so that patients returning from leave may be monitored for safety precautions.</u>

<u>Section 5 - Central State Hospital Policy Manual</u>

<u>Vol E1 - Section B #2 - Smoking Policy is repealed.</u>

<u>Vol E1 - Section G No. 1 - Nursing Service - revised policy - under the policy the last four sentences were added. Under Procedure - No. 1, 2, 4 and 10 were added as these revisions are to reflect that responsibility and accountability are major components in the every day operation of the Nursing Department and statements were also added to indicate that the nursing process is utilized and that a sufficient number of qualified registered nurses are on duty at all times.</u>

Section G No. 2 - Registered Nurse Coverage - revised policy - Under Procedure No. 2 the wording "PRN Pool" was added to the sentence. Under Procedure No. 3 in sentence No. 1 the wording "has followed the minimal staffing guidelines" was added. Also under Procedure 3 (B) Nursing Administrator was deleted. These revisions were made to reflect a change in the minimum number of Registered Nurses that is to be assigned to the shift at all times. A statement was also added to indicate that a Registered Nurse from the PRN pool may be requested to assist with coverage.

Section G No. 5 - License to Practice Nursing - revised policy - under policy in the second sentence the wording "current temporary license or temporary work permit" was added. Procedure #2 is a new procedure and in procedure #3 in the first sentence the words (RN or LPN) were added. This policy revision was made to reflect that the nurse must show her/his actual nursing license to the Charge Nurse or Supervisor for accuracy.

Section G No. 9 - Documed - new policy to be added. The Documed is a cabinet that was purchased to meet the needs for pharmacy control after hours. The new policy was written as a procedural guideline for nursing staff.

Section 6 - Western State Hospital Policy Manual

Vol F 29 - Recreation Therapy Manual
A complete manual is submitted with minor revisions in a few places to coincide with guidelines for Individual Treatment Planning, a new summer schedule, and to meet the needs of Learning and Habilitation patients more accurately.

Vol F 33 - Employee Health Policies
#8 - A new policy on Infection Control in Hospital Personnel.

Section 10 - Kentucky Correction Psychiatric Center Policy Manual

Vol J1, Sec B #39 - A new policy on death of a patient.

Vol J4 #1A - Is repealed.

[Section 1. Oakwood Policy Manual

DST-0-1A	1A	More clearly delineates annual Interdisciplinary Program Plan from semiannual individual Program Review.
	3A	Omits reference to revising or updating goals and objectives at will by individual charting requirements.
	5A	Specifies nursing goals to be developed for all residents.
DST-0-2	3C	Prohibits formal discharge from the facility for any AWOL resident.
	14A	Omits reference to consolidating form numbers with Policy Manuals.
DST-0-3	14C	Clarifies procedures for utilization and documentation of manual restraints.
	20B	Updates terminology and procedures in light of current regulations and trends for behavior management.
Oakwood	A - 2	Volume II
DST-0-8A	5D	Reflects current Peerview/Medicaid and 202B requirements for certification.
DST-0-8B	7A	Prohibits formal discharge for resident who is AWOL.
DST-0-9	1A	Specifies comprehensive psychological evaluation every two years rather than twice yearly.
DST-1-1	4B	Policy deleted. References weekly meetings.
DST-1-3	8B	Specifies ID tags for all furniture and equipment valued at $50 or more.
	13F	Identifies social worker's role in purchasing and inventory procedures.
	25A	Omits specified dates for pest control service.
DST-1-5	13A	Clarifies procedure for directing law enforcement officials on third shift.
Oakwood	A - 3	Volume III
DST-2-1	12B	Removes restriction against admitting client with communicable disease.
DST-2-2	12B	Omits reverence to emergency vehicle as ambulance and updates driving procedures.
DST-2-3	2A	Delineates procedures following Novacain injections.
DST-2-4	1A	Provides for administrative responsibility of the lab to be delegated to Director of Nursing rather than Medical Manager.
DST-4-2	16D	Stipulates individual razors for each resident.
DST-4-3	2A	Stipulates that Interdisciplinary Team determine resident's readiness to attend community church rather than specified staff.
	5A	Stipulates Interdisciplinary Team to identify goals and assignments in on-grounds work training.
DST-4-4	2A	Increases supervision responsibilities of medically restricted residents while swimming.
	4A	Revises lifeguard responsibilities.
	5A	Assigns total responsibility for monitoring pool chlorine and pH levels to lifeguard.

Section 4 - Eastern State Hospital Policy Manual
Vol Da - Sec I
p. 70a New policy on Needle Stick Injuries

page 33 - A revision of the Visitors Procedure policy for closer patient supervision and protection.

Section 5 - Central State Hospital Policy Manual

B No. 12 - Incident Reports - Follow-up Procedures - revised to delete some wording

under Procedure #2 and omit one word in Procedure #3.

B No. 13 - Administrative Officer of the Day - Revised to change time from 5 p.m. to 4:30 p.m. Also, Item No. 12 had the charge nurse changed to read shift supervisor.

Section HH - Treatment Program

HH 1.05 - Acute Psychiatric Treatment Program - revised to organize the treatment categories into units under Procedure No. 5.

HH 1.10 - Admissions - revised to describe the admission system as it effects the patient's movement from intake to assessment.

HH 1.40 - Patient Name Bands and Privileges - revised due to CSH's move to a new physical plant.

HH 1.60 - Photograph of Patient - revised to delete repetitions, and to add procedure number 4 regarding cuts and bruises.

HH 1.70 - Referrals for Admission - revised to eliminate descriptive material not pertinent.

HH 2.30 - Referral under Chapter 504 of the Penal Code - revised to address all the provisions of Chapter 504 of the penal code.

HH 4.50 - Patient Leave Status - revised to delete outdated terminology and replace it with current information.

HH 4.80 - Return from Home Visit & Convalescent Leave - revised to add new date and the new Hospital Director's signature.

HH 4.85 - Transfer of patient to another Unit - revised to add Item No. 11 and Item No. 12 under the Procedure section.

HH 5.15 - Crash Carts (Emergency Equipment Cart) - new emergency cart protocal.

HH 5.65 - Patient room Assignments - new policy written to reflect that race, color or national origin will not be a determining factor in the assignment of rooms.

HH 5.70 - Pets - revised to mean that while patients have availability to pets as therapeutic modality, they will not have direct ownership during their period of hospitalization.

HH 8.10 - Acceptable Initials & Abbreviation - revised to add new and enlarged list of abbreviations.

HH 8.50 - Recordkeeping - Orders Written by O.D.'s - revised with new date and the new Hospital Directors Signature.

HH 8.60 - Progress Notes - revised to address documentation.

HH 9.08 - Patient's Daily Activity schedule - revised to change "chart schedule" to read "activity schedule" under No. 3 in the Procedure Section.

HH 9.45 - Occupational Therapy - revised - this policy was deleted from Section H - Activity Therapy to be added in the Treatment Program.

HH 9.48 - Patient Education - revised to reflect that instructions and counseling given to the patient are consistent with that of the responsible medical practitioner.

HH 9.50 - Therapeutic Recreation - revised; Recreational Therapy renamed Therapeutic Recreation.

HH 10.05 - Alcohol (ETOH) Blood Level - revised in Procedure #3, Shelby Building lab to read Unit J refrigerator, Infirmary Medicine room. Same change made in Procedure #4.

HH 10.25-1 - Anesthesia Services - revised to change "Clonotherapy" to read "Electroconvulsive Therapy" and all three paragraphs had some wording changed. This is to comply with accreditation standards of the Joint Commission on Accreditation of Hospitals.

HH 10.40 - Dexamethasone Suppression Test (DST) - revised to make change in Item No. 8 under Procedure to Unit J refrigerator Infirmary Medicine Room in place of Shelby Wing.

HH 10.50 - Serum & Urine Drug Screening - revised to make change in Item 4 under Procedure to add Unit J refrigerator Infirmary Medicine Room in place of Shelby Building.

HH 10.80 - Physical Examination - revised to make change in Item 1 under Procedure to read "Physicians assigned to Admission Unit C", are responsible for admitting patients' physical examinations..."

HH 10.82 - Precautions for Patients Diagnosed with AIDS or R/O AIDS - revised to alert the hospital precautions for patients with AIDS or R/O AIDS.

HH 10.97 - Mortality Review by Medical Staff - new policy and form added to allow a more thorough and relevant investigation of any death of patient in the hospital or while on Convalescent Leave from the hospital.

HH 11.50 - Visitation of Patients - revised to make changes in Item No. 1 to limited visitation to immediate family only.

H 2 - Recreational Therapy - delete

H 3 - Occupational Therapy - delete

HH 4.55 - Patients Taken Out of the Hospital - delete

HH 8.55 - Problem Appraisal Scales - deleted

HH 10.87 - Sodium Amytal Interview - deleted because the technique of interviewing the patient by injection of intravenous sodium amytal has been considered to be obsolete and furnishing no information which cannot be obtained by use of other drugs which are safer, e.g. lorazepan.

E-2 Nursing Manual

Sec 2 No. 13 - Glucoscan Testing - new policy has been approved to provide guidelines and policies as to the procedures for obtaining immediate blood glucose readings.

Sec 2 No. 5 - Patient Flow Sheet, Documentation On & Form - The policy was written to indicate that the flow sheet is kept in the patient's medical record and filled out on each shift by the assigned nursing personnel.

Sec 14 No. 4 - PRN (as needed) Pool - New policy written to reflect that on-call nurses will be used to meet nurse staffing needs.

Section 6 - Western State Hospital Policy Manual

F2 - Nursing Manual - Cover Page and Table of Contents reflect revisions. The following are revised to be in keeping with current acceptable practices in nursing care:

Unit II	Procedure #7	Intramuscular injections;
	Procedure #1	Artificial respiration;
	Procedure #3	Cardiopulmonary resuscitation;
	Procedure #6	Neurological Assessment;
Unit 5	Procedure #1	Hand washing;
Unit 6	Procedure #12	Application of heat;
	Procedure #13	Application of cold.

F4 - Dental Clinic - Revised cover page and introduction reflect the current contract.

F18 - Barber and Beautician Services - manual was reviewed and signature page reflects date of review.

F11 - X-ray Clinic - Manual was reviewed with new cover page.

Policy #2 was revised according to Center for Disease Control guidelines.

Policy #4 was revised on utilization of the community hospital.

Policy #11 was revised concerning use of paper gowns.

F19 - EEG, EKG & Physical Therapy.

Cover page was revised, alone with the policy on disease control to follow Center for Disease Control guidelines.

F22 - Laundry Department

Policies 1, 2 and 8 have been changed because the laundry services has been contracted to an outside firm.

F12 - Diet Manual

Pages 36 to 44, 46 to 54 are revised to comply with the newly revised publications of the American Diabetes Association Inc., and the American Dietetics Association.

F27 - Occupational Therapy

#17 - New policy is established to specify that OT staff may use state vehicles to transport patients.

#18 - A new policy is established to insure that OT staff receive hospital memos.

#1 - this policy is revised to reflect changes in charting.

#2 - this policy is revised in accordance with the Quality Assurance.

#4 - this was revised to adapt to the Quality Assurance Plan.

#7 - The treatment session schedules were changed.

#9 - Chart Audits. This policy reflects a change resulting from chart audits.

F32 - Employee Health Procedures

A new Infection Control policy for employees has been added.

F33 - Infection Control Manual

Policy #6 on Infection Control in Hospital Personnel is added.

Section 10 - Kentucky Correctional Psychiatric Center Policies and Procedures.

J1 - B1 - Seclusion and Restraints

The attached General Hospital Policy and Procedure, "Seclusion and/or Restraints," has been revised to more clearly state the procedures now being used for seclusion/restraint in this facility. Administrative Lock-down and Cool-downs have been added and the procedure for each more clearly defined.

Policy #J-4/3a = Blood/Body Fluids - Cleaning of Spills is a new policy.

Policy #J-4/10 = "Contraband" changed to read "Security"; juice cans, glass ampules, etc., added to policy statement. Old item G changed to Item H and the word "contraband" changed to read "security."

Policy #J-4/18 - #6, temperature of 100 degrees upon admission with no other symptoms - added to policy statement. Item C under procedures has been added. Old item C changed to Item D, item E changed to item J to reflect proper sequence of events. Old items F thru J changes to items D through I to reflect change of old item E.

Policy #J-4/23 = Item A - "needles" changed to "syringes and needles". Item C is new and added to reflect current CDC recommendations. Old items C thru F changed to D through G to reflect the addition of new item C. Item D - sentence changed to read " The staff member shall then notify the Infection Control Nurse and the Nursing Shift Supervisor." Item E - the phrase "...the employee was exposed to, if the patient source is needed," was deleted upon recommendation of the Pharmacy & Therapeutics Committee.]

DENNIS D. BOYD, Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY: October 9, 1987
FILED WITH LRC: October 15, 1987 at 10 a.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for November 24, 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 November 19, 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 ongoing 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 affect 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:
(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
Department for Health Services
(Proposed Amendment)

902 KAR 16:010. Disability determinations program.

RELATES TO: KRS 194.030(8) [(6)], 205.200, 205.245[, 205.520]
PURSUANT TO: KRS 194.050
NECESSITY AND FUNCTION: The Cabinet for Human Resources has responsibility, under KRS 194.050 [Chapter 205] to adopt, administer and enforce such rules and regulations as are necessary to implement programs mandated by federal law [administer programs of public assistance in accordance with Titles IV-A and XIX of the Social Security Act, and KRS 205.245]. The cabinet is [also] responsible, under Section 404.1503 of Chapter III of Title 20 of the Code of Federal Regulations, for determinations of disability under the provisions of Titles II and XVI of the Social Security Act. This regulation incorporates into regulatory form, by reference, materials used in determinations of disability under Titles II and XVI [, IV-A, XVI and XIX] of the Social Security Act, and KRS 205.245. The program for making disability determinations shall be referred to herein as the disability determinations program.

Section 1. Incorporation by Reference. The cabinet shall incorporate by reference materials used in the implementation of the disability determinations program.

Section 2. Listing of Incorporated Materials. The following materials are hereby incorporated by reference, effective on the date shown:
(1) Social Security Disability Rulings, effective August 1, 1987 [September 1, 1986];
(2) Social Security Disability Program Operations Manual, Part 04, Chapters 200 through 295, and 305 through 342, effective August 1, 1987 [September 1, 1986]; and
(3) Social Security Administration instructional messages, effective May 1, 1986.

Section 3. All documents incorporated by reference herein may be reviewed during regular working hours in the Division of Disability Determinations, Department for Health Services, 275 East Main Street, Frankfort, Kentucky.

C. HERNANDEZ, M.D., Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY September 24, 1987
FILED WITH LRC: October 7, 1987 at 1 p.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for November 24, 1987 at 9 a.m. in the Vital Statistics Conference Room, 275 East Main Street, Frankfort, Kentucky. However, this hearing will be cancelled unless interested persons notify the following office in writing by November 19, 1987 of their desire to appear and testify at the hearing: Ryan M. Halloran, General Counsel, Cabinet for Human Resources, 275 East Main Street, 4 West, Frankfort, Kentucky 40621.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Ben Fannin, Division Director
(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: 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: These materials update the instructional material on the Social Security disability program. There are no measurable costs on program administered by the cabinet.
TIERING: Was tiering applied? No. Not applicable to the disability determinations program.

CABINET FOR HUMAN RESOURCES
Department for Health Servicese
(Proposed Amendment)

902 KAR 17:010. State health plan.

RELATES TO: KRS Chapters 194, 216B, Executive Order 86-366
PURSUANT TO: KRS 194.050, Executive Order 86-366
NECESSITY AND FUNCTION: [The Health Planning and Resources Development Act, 42 USC 300 M-3 requires participating states to adopt by procedures set out in the United States Code, a state health plan.] The Cabinet for Human Resources is authorized by KRS 194.050 to adopt such rules and regulations as are necessary to operate the programs and fulfill the responsibilities vested in the cabinet. The cabinet and the Statewide Health Coordinating Council are responsible for development of the state health plan. [implement programs mandated by federal law, or to qualify for the proper administration of the cabinet and its programs.] The Commission for Health Economics Control in Kentucky utilizes the state health plan in review of applications for certificates of need to establish and modify health services and health facilities in the Commonwealth. The function of this regulation is to assist in the inventory of existing health resources and to set planning goals and guidelines.

Section 1. The Kentucky State Health Plan 1986-1988, was adopted by the Statewide Health Coordinating [State Health Planning] Council on November 8, 1985, amended on January 22, 1986, [and] January 9, 1987, and December 11, 1987, and approved by Governor Martha Layne Collins as the document that sets out planning policies and guidelines for use by the Commission for Health Economics Control in Kentucky. A copy of the Kentucky State Health Plan 1986-1988 as amended on January 22, 1986, [and] January 9, 1987, and December 11, 1987, is on file in the Office of the Commissioner for Health Services, 275 East Main Street, Frankfort, Kentucky 40621 and is open and available for public inspection during normal business hours.

Section 2. The Review Criteria and Standards Section, pages 181 [167] through 207 [190], of the Kentucky State Health Plan 1986-1988 is hereby adopted by reference as regulations of the Cabinet for Human Resources as if fully set out herein.

C. HERNANDEZ, M.D., Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY: October 13, 1987
FILED WITH LRC: October 15, 1987 at 10 a.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for November 23, 1987, at 1 p.m. in the Department for Social Insurance Conference Room, 3rd Floor, CHR Building, 275 East Main Street, Frankfort, Kentucky. However, this hearing will be cancelled unless interested persons notify the following office in writing by November 18, 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: Greg Lawther, Director
(1) Type and number of entities affected: The State Health Plan will assist in the containment of health care costs in the Commonwealth.
(a) Direct and indirect costs or savings to those affected: See above.
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: The proposed amendments will have no effect on reporting or paperwork requirements.
(2) Effects on the promulgating administrative body:
(a) Direct and indirect costs or savings: The proposed amendments will not result in any increased costs to the cabinet.
1. First year:
2. Continuing costs or savings:
3. Additional factors increasing or decreasing costs:
(b) Reporting and paperwork requirements: The proposed amendments will not result in any new reporting or paperwork requirements for the cabinet.
(3) Assessment of anticipated effect on state and local revenues:
(4) Assessment of alternative methods; reasons why alternatives were rejected: KRS Chapter 13A necessitates incorporation, by reference, of portions of the plan.
(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. Not applicable.

CABINET FOR HUMAN RESOURCES
Department for Health Servicese
(Proposed Amendment)

902 KAR 17:020. State health plan process.

RELATES TO: KRS [194.025(3),] 194.050(1), 216B.015(23), Executive Order 86-366
PURSUANT TO: KRS 194.050(1)
NECESSITY AND FUNCTION: KRS 194.050 requires the Secretary for Human Resources to adopt, administer and enforce all rules and regulations necessary to operate the programs and fulfill the responsibilities vested in the Cabinet for Human Resources. The cabinet and the Statewide Health Coordinating Council are responsible for development of the state health plan. The Commission for Health Economics Control in Kentucky utilizes the state health plan in the review of applications for certificates of need to establish and modify health services and health facilities in the Commonwealth. [This regulation implements the agreement between the cabinet and the Secretary of the Department of Health and Human Services to carry out the provisions of the Health Planning and Resources Development Act of 1974 (Public Law 93-641) and its subsequent amendments.]

Section 1. Purpose. The purpose of this regulation is to establish the process by which the state health plan is prepared, amended, and revised. The state health plan shall serve as a major health policy document which provides a coordinated approach for identifying statewide health needs and addressing major health issues.

Section 2. Definitions. (1) "Council" means the State Health Coordinating Council [established pursuant to the cabinet's agreement with the Secretary of the Department of Health and Human Services, under the Health Planning and Resources Development Act, as amended,] which for administrative purposes is attached to the Department for Health Services, Cabinet for Human Resources.

(2) "Cabinet" means the Cabinet for Human Resources [acting as the State Health Planning and Development Agency pursuant to its contract with the Secretary of the Department for Health and Human Services under the Health Planning and Resources Development Act, as amended].

(3) "State health plan" means the document duly adopted by the Statewide Health Coordinating [State Health Planning] Council and approved by the Governor.

Section 3. State Health Plan Development. (1) The cabinet shall determine the statewide health needs of the Commonwealth after consultation with the council and after providing reasonable opportunity for the submission of written recommendations respecting such needs from appropriate state agencies and other agencies designated by the Governor for the purpose of making such recommendations.

(2) The cabinet shall prepare, review at least triennially and, revise as necessary, a preliminary state health plan.

(3) The cabinet shall submit the preliminary state health plan to the council for approval or disapproval and for use in developing the state health plan.

(4) The council shall review the preliminary state health plan and direct the cabinet to make revisions and amendments as necessary.

(5) The preliminary state health plan shall become the proposed state health plan upon the approval of its contents by the council.

(6) Upon approval of the preliminary state health plan by the council, the cabinet shall file a proposed regulation with the Legislative Research Commission which incorporates by reference those policies, planning criteria, and review standards which are utilized by the Commission on Health Economics Control in Kentucky [Health Facilities and Health Services Certificate of Need and Licensure Board,] pursuant to KRS Chapter 216B.040, in the commission's [board's] consideration of proposal's consistency with the state health plan.

(7) Prior to submission of the proposed state health plan to the Governor, the council and the cabinet shall conduct a joint public hearing on the proposed plan to receive comments orally or in writing from interested parties. This hearing shall serve as the public hearing required by [federal law for the entire plan, as well as the public hearing required by] KRS Chapter 13A for those portions of the plan incorporated by reference into the proposed regulation filed by the cabinet pursuant to subsection (6) of this section.

(8) Not less than thirty (30) days prior to such hearing, the cabinet shall publish in at least two (2) newspapers of general circulation in the state, a notice of the council's consideration of the proposed plan, the time and place of the hearing, the place at which interested persons may consult the plan prior to the hearing and the place and period within which written comments on the proposed plan may be submitted.

(9) The council shall give written consideration to all comments received at the public hearing. The statement of consideration shall summarize the comments received at the hearing, specify what changes are being made in the plan in response to comments, and, if changes are not being made, specify the reasons for not changing the plan. A copy of the statement of consideration shall be available for public review and shall be provided to all persons who submitted comments on the plan.

(10) The cabinet shall prepare a statement of consideration and file it with the Legislative Research Commission pursuant to KRS Chapter 13A for those portions of the plan incorporated by reference into the proposed regulation filed by the cabinet pursuant to subsection (6) of this section. The cabinet's statement of consideration shall be based on the response of the council to the comments received.

(11) After approval of the proposed state health plan and any revisions or amendments made subsequent to the public hearing, the council shall submit the proposed plan to the Governor for approval or disapproval.

(12) If the Governor determines the proposed plan does not effectively meet statewide health needs as determined by the cabinet and disapproves the proposed plan, the Governor shall make public a detailed statement of the

basis for the determination and shall specify the changes in the plan which the Governor determines are needed to meet such needs. The council shall review the changes in the plan which the Governor specifies and shall implement any such revisions within thirty (30) days. Such revisions shall not be subject to the provisions of subsections (7), (8), and (9) of this section.

(13) All revisions and amendments to the state health plan except those specified by the Governor under subsection (10) of this section shall follow the procedures set forth in this regulation for development of the plan.

C. HERNANDEZ, M.D., Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY: October 13, 1987
FILED WITH LRC: October 15, 1987 at 10 a.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for November 23, 1987, at 1 p.m. in the Department for Social Insurance Conference Room, 3rd Floor, CHR Building, 275 East Main Street, Frankfort, Kentucky. However, this hearing will be cancelled unless interested persons notify the following office in writing by November 18, 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: Greg Lawther, Director

(1) Type and number of entities affected: This regulation specifies: the process by which the State Health Plan is developed. The plan affects all citizens of the Commonwealth. The proposed amendments simply update references in the regulation and have no regulatory impact.

(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: 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

(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:

(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: None

TIERING: Was tiering applied? No. Not applicable.

CABINET FOR HUMAN RESOURCES
Department for Social Insurance
Division of Management & Development
(Proposed Amendment)

904 KAR 2:015. Supplemental programs for the aged, blind and disabled.

RELATES TO: KRS 205.245
PURSUANT TO: KRS 194.050

NECESSITY AND FUNCTION: The Cabinet for Human Resources is responsible under Title XVI of the Social Security Act as amended by Public Law 92-603 to administer a state funded program of supplementation to all December, 1973, recipients of aid to the aged, blind and disabled, hereinafter referred to as AABD, disadvantaged by the implementation of the Supplemental Security Income Program, hereinafter referred to as SSI. KRS 205.245 provides not only for the mandatory supplementation program but also for supplementation to other needy aged, blind and disabled persons. This regulation sets forth the provisions of the supplementation program.

Section 1. Mandatory State Supplementation. Mandatory state supplementation payments must be equal to the difference between the AABD payment for the month of December, 1973, plus any other income available to the recipient as of that month and the total of the SSI payment and other income. Also included are those former aged, blind or disabled recipients ineligible for SSI due to income but whose special needs entitled them to an AABD payment as of December, 1973. Mandatory payments must continue until such time as the needs of the recipient as recognized in December, 1973, have decreased or income has increased to the December level.

(1) The mandatory payment is increased only when income as recognized in December, 1973, decreases, the SSI payment is reduced but the recipient's circumstances are unchanged, or the standard of need utilized by the department in determining optional supplementation payments for a class of recipients is increased.

(2) In cases of man and wife, living together, income changes after September, 1974, will result in increased mandatory payment only if total income of the couple is less than December, 1973, total income.

Section 2. Optional State Supplementation. Optional state supplementation is available to those persons meeting technical requirements and resource limitations of the aged, blind or disabled medically needy program as contained in 907 KAR 1:011 and 907 KAR 1:004 (except as otherwise specified herein) who require special living arrangements and who have insufficient income to meet their need for care. Special living arrangements include residence in a personal care home as defined in 902 KAR 20:036 or family care home as defined in 902 KAR 20:041 or situations in which a caretaker must be hired to provide care other than room and board. A supplemental payment is not made to or on behalf of an otherwise eligible individual when the caretaker service is provided by the spouse, parent (of an adult disabled child or a minor child), or adult child (of an aged or disabled parent) who is living with the otherwise eligible individual. When this circumstance

exists and a person living outside the home is hired to provide caretaker services, the supplemental payment may be made. Application for SSI, if potential eligibility exists, is mandatory.

Section 3. Resources Considerations. In determining countable resources and the effect of resources on eligibility, the following policies are applied.

(1) The upper limit for resources for an individual and for a couple is set at $1,700 and $2,550, respectively, effective January 1, 1986; at $1,800 and $2,700, respectively, effective January 1, 1987; at $1,900 and $2,850, respectively, effective January 1, 1988; and at $2,000 and $3,000, respectively, effective January 1, 1989.

(2) Income producing property with a net equity of $6,000 or less is excluded.

(3) The first $4,500 of equity value in an automobile is excluded; if used for employment, to obtain medical services, or if specially equipped (e.g., as for use by the handicapped) there is no upper limit on value.

(4) Burial reserves (life insurance, prepaid burial policy, etc.) up to $1,500 are excluded. The face value of life insurance is considered when determining the total value of burial reserves if the face value of the life insurance is less than $1,500. Burial spaces are excluded from consideration when computing the value of burial reserves.

(5) A homestead, household items, and personal items are excluded.

(6) Resources determined in accordance with subsections (2), (3), and (4) of this section to be in excess of excluded amounts must be considered countable resources when determining whether the individual or couple exceeds the upper limits specified in subsection (1) of this section. If resources exceed the upper limits, the individual or couple is ineligible.

Section 4. Income Considerations. In determining the amount of optional supplementation payment, total net income of the applicant or recipient, or applicant or recipient and spouse, including any payments made to a third party in behalf of an applicant or recipient, is deducted from the standard of need with the following exceptions:

(1) Income of the ineligible spouse is conserved for the needs of the ineligible, non-SSI spouse and/or minor dependent children in the amount of one-half (1/2) of the SSI standard for an individual for each person adjusted by deduction of sixty-five (65) dollars and one-half (1/2) of the remainder from monthly earnings of spouse. Income of the eligible individual is not conserved for the needs of the ineligible spouse and/or minor dependent children. When conserving for the needs of the minor dependent children, income of the children must be appropriately considered so that the amount conserved does not exceed the allowable amount. When the eligible individual and spouse each have earnings, the earnings must be combined prior to the application of the earnings disregard of sixty-five (65) dollars and one-half (1/2) of the remainder.

(2) If one (1) member of a couple is institutionalized and the SSI spouse maintains a home, income in the amount of the SSI standard for one (1) is conserved for the spouse.

Section 5. Standard of Need. (1) The standard, based on living arrangement, from which income as computed in Section 4 of this regulation is deducted to determine the amount of optional payment is as follows:

(a) Personal care home: not less than $<u>532</u> [517], effective <u>12/1/87</u> [1/1/87];

(b) Family care home: not less than $430, effective 1/1/87;

(c) Caretaker.

1. Single individual, or eligible individual with ineligible spouse (one who is not aged, blind, or disabled): not less than $369, effective 1/1/87;

2. Married couple, both eligible (aged, blind, or disabled), with one (1) requiring care: not less than $534, effective 1/1/87;

3. Married couple, both eligible and both requiring care: not less than $572, effective 1/1/87.

(2) In couple cases, both eligible, the couple's income is combined prior to comparison with the standard of need, and one-half (1/2) of the deficit is payable to each.

Section 6. Institutional Status. No aged, blind or disabled person shall be eligible for state supplementation while residing in a personal care home or family care home unless such home is licensed under KRS 216B.010 to 216B.131.

Section 7. Residency. (1) To be eligible, an applicant or recipient must be a citizen of the United States, or an alien legally admitted to this country or an alien who is residing in this country under color of law. An alien must have been admitted for permanent residence. The applicant or recipient must also be a resident of Kentucky. Generally, this means the individual must be residing in the state for other than a temporary purpose; however, there are exceptions with regard to applicants for or recipients of a state supplementary payment and institutionalized individuals. The residency criteria specified in federal regulations at 42 CFR 435.403 shall be applicable except as otherwise specified herein.

(2) Supplemental payments may be made to Kentucky residents residing outside the state only when the individual has been placed in the other state by this state. In these situations, the other requirements for eligibility shown in other sections of this regulation shall be applicable, except that with regard to the requirement shown in Section 6 of this regulation, the licensure shall be in accordance with a similar licensure act of the other state. If there is no similar licensure act in the other state, the payment may be made only if this state determines that, except for being in another state, the facility meets standards for licensure under the provisions of KRS 216B.010 to 216B.131. To be eligible for a supplemental payment while placed out-of-state the individual must require the level of care provided in the out-of-state placement, there must be no suitable placement available in Kentucky, and the placement must be pre-authorized by staff of the Department for Social Insurance.

(3) When determining residency, ability of the individual to indicate intent (to become a

Kentucky resident) must be considered if the individual is institutionalized. The individual is considered incapable of indicating intent if:

(a) His/her I.Q. is forty-nine (49) or less or he/she has a mental age of seven (7) or less, based on tests acceptable to the department; or

(b) He/she is judged legally incompetent; or

(c) Medical documentation, or other documentation acceptable to the state, supports a finding that he/she is incapable of indicating intent.

(4) An individual is institutionalized if he/she is residing in a facility providing some services other than room and board. Personal care facilities are considered to be institutions.

(5) For any non-institutionalized individual under age twenty-one (21) whose eligibility for a supplemental payment is based on blindness or disability, his/her state of residence is Kentucky if he/she is actually residing in the state.

(6) For any non-institutionalized individual age twenty-one (21) or over, his/her state of residence is Kentucky if he/she is residing in the state and has the intention to remain permanently or for an indefinite period (or, if incapable of indicating intent, is simply residing in the state).

(7) For any institutionalized individual living in Kentucky who is under age twenty-one (21) or who is age twenty-one (21) or older and became incapable of indicating intent before age twenty-one (21), the state of residence is Kentucky if:

(a) The state of residence of the individual's parents, or his/her legal guardian if one has been appointed, is Kentucky; or

(b) The state of residence of the parent applying for the supplemental payment on behalf of the individual is Kentucky, when the other parent lives in another state and there is no appointed legal guardian.

(8) For any institutionalized individual living in Kentucky who became incapable of indicating intent at or after age twenty-one (21), the state of residence is Kentucky if he/she was living in Kentucky when he/she became incapable of indicating intent. If this cannot be determined, the state of residence is Kentucky unless he/she was living in another state when he/she was first determined to be incapable of indicating intent.

(9) For individuals subject to determinations of residency pursuant to subsections (7) and (8) of this section, the state of residency is Kentucky when the individual is residing in Kentucky, and a determination of residency applying those criteria does not show the individual to be a resident of another state.

(10) For an individual subject to a determination of residency pursuant to subsections (7) and (8) of this section, the state of residence is Kentucky when Kentucky and the state which would otherwise be the individual's state of residency have entered into an interstate residency agreement providing for reciprocal residency status; i.e., when a similarly situated individual in either state would by written agreement between the states be considered a resident of the state in which he is actually residing.

(11) For other institutionalized individuals (i.e., those individuals who are both age twenty-one (21) or over and capable of indicating intent), the state of residence is Kentucky if the individual is residing in Kentucky with the intention to remain permanently or for an indefinite period.

(12) Notwithstanding subsections (3) through (11) of this section, any individual placed by the cabinet in an institution in another state may, with appropriate preauthorization, be considered a resident of Kentucky, and any individual placed in an institution in Kentucky by another state shall not be considered a resident of Kentucky.

(13) An individual receiving a mandatory state supplemental payment from Kentucky shall be considered a resident of Kentucky so long as he/she continues to reside in Kentucky. An individual receiving a mandatory or optional supplemental payment from another state shall not be considered a resident of Kentucky.

(14) An individual eligible for and receiving a supplemental payment in October, 1979, shall be considered a Kentucky resident through July 4, 1984, even if he/she does not meet the residency requirements specified in this section, so long as such individual continues to reside in Kentucky and his/her receipt of supplementary payments has not since October, 1979 been interrupted by a period of ineligibility.

(15) Notwithstanding the preceding provisions of this section, a former Kentucky resident who becomes incapable of indicating intent while residing out of this state shall be considered a Kentucky resident if he/she returns to this state and he/she has a guardian, parent or spouse residing in this state. Such individual shall not be considered a Kentucky resident on the basis of this subsection whenever, subsequent to that time, he/she leaves this state to reside in another state except when the provisions of subsection (11) of this section are met. An individual leaving the state may, however, reestablish Kentucky residency by returning to the state if he has a guardian, parent or spouse residing in this state.

MIKE ROBINSON, Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY: October 2, 1987
FILED WITH LRC: October 7, 1987 at 1 p.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for November 24, 1987 at 9 a.m. in the Vital Statistics Conference Room, 1st Floor, CHR Building, 275 East Main Street, Frankfort, Kentucky. However, this hearing will be cancelled unless interested persons notify the following office in writing by November 19, 1987 of their desire to appear and testify at the hearing: Ryan M. Halloran, General Counsel, Cabinet for Human Resources, 275 East Main Street, 4 West, Frankfort, Kentucky 40621.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: James E. Randall

(1) Type and number of entities affected: Approximately 4,309 state supplementation personal care home recipients.

(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:
(a) Direct and indirect costs or savings:
1. First year: Cost - $786,400
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: 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:
TIERING: Was tiering applied? No. State supplementation program is administered statewide.

CABINET FOR HUMAN RESOURCES
Department for Social Insurance
Division of Management & Development
(Proposed Amendment)

904 KAR 3:010. Definitions.

RELATES TO: KRS 194.050
PURSUANT TO: KRS 194.050
NECESSITY AND FUNCTION: The Cabinet for Human Resources has responsibility to administer a Food Stamp Program as prescribed by the Food Stamp Act of 1977, as amended, and 7 CFR Part 270 through 280. KRS 194.050 provides that the secretary, shall by regulation, develop policies and operate programs concerned with the welfare of the citizens of the Commonwealth. This regulation sets forth definitions for terms used by the cabinet in regulations pertaining to the Food Stamp Program.

Section 1. Definition of terms utilized in regulations relating to the Food Stamp Program are as follows:
(1) "Application for participation" means the form designed or approved by Food and Nutrition Service, hereinafter referred to as FNS, which is completed by a household member or authorized representative; or for household consisting solely of public assistance recipients, it may also mean the application form used to apply for public assistance, including attachments approved by FNS, which is completed by a household member or authorized representative.
(2) "Authorization to participate card," ATP, means the document which is issued by the state agency to a certified household to show the allotment the household is authorized to receive on presentation of such document.
(3) "Authorized representative" means an individual designated by a household member to act on behalf of the household in one (1) or all of the following capacities: making application for the program, obtaining the coupons, using the coupons. Authorized representatives will be disqualified for program abuse in accordance with 7 CFR 273.1(f).
(4) "Boarder" means an individual(s) to whom a household furnishes lodging and meals for compensation in accordance with 7 CFR 273.1(c). Boarders may participate, in accordance with 7 CFR 273.1(c), as part of the household with whom they reside but only at the household's request and provided said household meets Food Stamp Program eligibility requirements, but not as a separate household.
(5) "Certification" means the action necessary to determine eligibility of a household. Such action includes interviews, verification and decisions.
(6) "Communal dining facility" means a public or nonprofit private establishment, approved by FNS, which prepares and serves meals for elderly persons, or for supplemental security income (SSI) recipients and their spouses, a public or private nonprofit establishment (eating or otherwise) that feeds elderly persons or SSI recipients and their spouses, and federally subsidized housing for the elderly at which meals are prepared for and served to the residents. It also includes private establishments that contract with an appropriate state or local agency to offer meals at concessional prices to elderly persons or SSI recipients and their spouses.
(7) "Coupons" mean any stamp, coupon or type of certificate issued in accordance with the Food and Nutrition Service regulations for the purchase of eligible food.
(8) "Date of entry" or "date of admission" means the date established by the Immigration and Naturalization Service as the date the sponsored alien was admitted for permanent residence.
(9) "Drug addiction or alcoholic treatment and rehabilitation program" means any drug addiction or alcoholic treatment and rehabilitation program conducted by a private nonprofit organization or institution which is certified by the cabinet or agencies designated by the Governor as responsible for the administration of the state's programs for alcoholics and drug addicts.
(10) "Elderly or disabled member" means a member of a household who meets the criteria set forth in 7 CFR Part 271.2.
(11) "Eligible foods" means any of the following:
(a) Any food or food product intended for human consumption except alcoholic beverages, tobacco, and hot foods and hot food products prepared for immediate consumption;
(b) Seeds and plants to grow foods for the personal consumption of eligible households;
(c) Meals prepared and delivered by an authorized meal delivery service to households eligible to use coupons to purchase delivered meals; or meals served by a communal dining facility for the elderly, for SSI households or both, to households eligible to use coupons for communal dining;
(d) Meals prepared and served by an authorized drug addict or alcoholic treatment and rehabilitation center to eligible households;
(e) Meals prepared and served by an authorized group living arrangement facility to residents who are blind or disabled recipients of benefits under Title II or Title XVI of the Social Security Act; or

(f) Meals prepared and served by an authorized shelter for battered women and children to its eligible residents.

(g) In the case of homeless food stamp households, meals prepared for and served by an approved authorized public or private nonprofit establishment (e.g., soup kitchen, temporary shelter) that feeds homeless persons. The state shall approve these facilities based on the following criteria. The facility must:

1. Be a nonprofit establishment;

2. Be a licensed food service establishment; and

3. Provide meals to the homeless.

(12) "Excluded household member" means individuals residing with a household but excluded when determining the household's size for purposes of assigning a benefit level to the household or of comparing the household's monthly income with income eligibility standards. The excluded household member's income and resources shall be considered available to the remaining household members in accordance with 7 CFR 273.11(c). The following are excluded household members and may not participate as separate households:

(a) Ineligible aliens. Individuals not meeting citizenship or alien status requirements as set forth in 7 CFR 273.4(a).

(b) SSN disqualified. Individuals disqualified for failure to provide a social security number as set forth in 7 CFR 273.6.

(c) Intentional program violation disqualified. Individuals disqualified for intentional program violation set forth in 7 CFR 273.16.

(13) Employment and training program. A program consisting of one (1) or more work, training, education, or job search components.

(14) "Federal fiscal year" means a period of twelve (12) calendar months beginning with each October 1 and ending with September 30 of the following calendar year.

(15) "FNS" means the Food and Nutrition Service of the United States Department of Agriculture.

(16) "Food Stamp Act" means the Food Stamp Act of 1977 (Pub. L. 95-113) including any subsequent amendments thereto.

(17) "Group living arrangement" means a public or private nonprofit residential setting that serves no more than sixteen (16) residents and is appropriately certified. Residents must be blind or disabled and receiving benefits under Title II or Title XVI of the Social Security Act to be eligible for food stamps.

(18) "Head of household" is the person in whose name the application for participation is made. For the purpose of failure to comply with work registration, employment and training, and voluntary quit requirements, head of household shall be the primary wage earner as defined in 7 CFR 273.1(d)(2).

(19) "Household" means an individual(s) living alone or with others or a group of individuals living together where living quarters are shared.

(a) A household may be composed of any of the following individuals or groups of individuals, provided that such individuals or groups of individuals are not residents of an institution, residents of a commercial boarding house, or living with others and paying compensation to others for meals and lodging except as otherwise specified in subsection (4) of this section:

1. An individual living alone;

2. An individual living with others, but customarily purchasing food and preparing meals for home consumption separate and apart from the others;

3. A group of individuals living together for whom food is customarily purchased in common and for whom meals are prepared together for home consumption;

4. An individual who is sixty (60) years of age or older living with others (and the spouse of such individual) who is unable to purchase and prepare meals because he/she suffers from a disability considered permanent under the Social Security Act or suffers from a nondisease-related, severe, permanent disability, provided that the income of the others, excluding the income of said individual's spouse, with whom said individual resides does not exceed 165 percent of the federal income poverty guidelines.

(b) In no event shall separate household status or nonhousehold member status be granted to:

1. Parents and natural, adopted or stepchildren, unless at least one (1) parent is elderly or disabled as defined in subsection (10) of this section or unless three (3) generations live together and one (1) of the children has minor children and meals are prepared separately;

2. Children under eighteen (18) years of age under the parental control of an adult member of the household;

3. A spouse of a member of the household;

4. Siblings (natural, adopted, half or stepbrothers and sisters), unless at least one (1) sibling is elderly or disabled as defined in subsection (10) of this section, or one (1) sibling has minor children and meals are prepared separately.

(20) "Identification (ID) card" means a card which identifies the bearer as eligible to receive and use food coupons.

(21) "Immigration and Naturalization Service (INS)" means the Immigration and Naturalization Service, United States Department of Justice.

(22) "Institution of higher education" means any institution providing post high school education, which normally requires a high school diploma or equivalency certificate for a student to enroll, including but not limited to colleges, universities, and vocational or technical schools.

(23) "Meal delivery service" means a political subdivision, a private nonprofit organization, or a private establishment with which the cabinet has contracted for the preparation of meals at concessional prices to elderly persons and their spouses, and to the physically or mentally handicapped and persons otherwise disabled, and their spouses, such that they are unable to adequately prepare all of their meals.

(24) "Medicaid" means medical assistance under Title XIX of the Social Security Act, as amended.

(25) "Nonassistance household" hereinafter referred to as NA, means a household containing members who are not included in a public assistance household, hereinafter referred to as PA, grant.

(26) "Nonprofit cooperative food purchasing venture" means any private nonprofit association of consumers whose members pool their resources to buy food.

(27) "Nonhousehold member" means individuals

residing with a household but not considered household members in determining the household's eligibility or allotment. The following are considered nonhousehold members and if otherwise eligible, may participate in the program as separate households:

(a) Roomers. Individuals to whom a household furnishes lodging, but not meals, for compensation.

(b) Live-in-attendants. Individuals who reside with a household to provide medical, housekeeping, child care or other similar personal services.

(c) Others. Other individuals who share living quarters with the household but who do not customarily purchase food and prepare meals with the household.

(d) The following are considered nonhousehold members and are ineligible to participate in the program as separate households:

1. Ineligible students. Students not meeting eligibility requirements as set forth in 7 CFR 273.5.

2. Persons disqualified for noncompliance with the work requirements of 7 CFR 273.7.

(28) "Overissuance" means the amount by which coupons issued to a household exceeds the amount such household was eligible to receive.

(29) "Public assistance" hereinafter referred to as PA, means any of the programs authorized by the Social Security Act of 1935, as amended; old age assistance, aid to families with dependent children (AFDC), including AFDC for children of unemployed parents, aid to the blind, aid to the permanently and totally disabled and aid to aged, blind or disabled.

(30) "Retrospective budgeting" means the computation of a household's food stamp allotment for an issuance month based on actual income and circumstances which existed in a previous month.

(31) "Shelter for battered women and children" means a public or private nonprofit residential facility that serves battered women and children. If such a facility serves other individuals, a portion of the facility must be set aside on a long-term basis to serve only battered women and children.

(32) "Sponsor" means a person who executed an affidavit(s) of support or similar agreement on behalf of an alien as a condition of the alien's entry/admission into the United States as a permanent resident.

(33) "Sponsored alien" means an alien lawfully admitted for permanent residence as an immigrant as defined in sections 101(a)(15) and 101(a)(20) of the Immigration and Nationality Act.

(34) "Spouse" refers to either of two (2) individuals:

(a) Who would be defined as married to each other under applicable state law; or

(b) Who are living together and are holding themselves out to the community as husband and wife by representing themselves as such to relatives, friends, neighbors, or tradespeople.

(35) "Striker" means anyone involved in a strike or other concerted stoppage of work by employees (including a stoppage by reason of expiration of a collective-bargaining agreement) and any concerted slowdown or other concerted interruption of operations by employees, unless otherwise exempt from work registration for reasons other than employment. Said exemption must have existed on the day prior to the strike in order for an individual to not be considered a striker.

(36) "Supplemental security income (SSI)" means monthly cash payments made under the authority of:

(a) Title XVI of the Social Security Act, as amended, to the aged, blind and disabled;

(b) Section 1616(a) of the Social Security Act; or

(c) Section 212(a) of Public Law 93-66.

(37) "Thrifty food plan" means the diet required to feed a family of four (4) persons consisting of a man and a woman twenty (20) through fifty (50), a child six (6) through eight (8), and a child nine (9) through eleven (11) years of age, determined in accordance with the Secretary of United States Department of Agriculture's calculations. The cost of such diet shall be the basis for uniform allotments for all households regardless of their actual composition, except that the Secretary of the United States Department of Agriculture shall make household-size adjustment in the thrifty food plan taking into account economies of scale.

(38) "Underissuance" means the amount by which the allotment to which the household was entitled exceeds the allotment which the household received.

Section 2. Provisions contained in this regulation shall become effective October [April] 1, 1987.

MIKE ROBINSON, Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY: September 25, 1987
FILED WITH LRC: September 30, 1987 at 3 p.m.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for November 24, 1987 at 9 a.m. in the Vital Statistics Conference Room, 1st Floor, CHR Building, 275 East Main Street, Frankfort, Kentucky. However, this hearing will be cancelled unless interested persons notify the following office in writing by November 19, 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: James E. Randall

(1) Type and number of entities affected: The change to this regulation enforces the state's authority to approve homeless meal providers so they can in turn apply to FNS to accept food stamps. Also the definition of separate households has been amended.

(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:

(2) Effects on the promulgating administrative body: Minimal

(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: No significant impact on

state or local revenues.
(4) Assessment of alternative methods; reasons why alternatives were rejected: Federal requirements do not allow for alternatives, so none considered.
(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: 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. Federal requirements must be applied uniformly, statewide, therefore tiering was not necessary/possible.

CABINET FOR HUMAN RESOURCES
Department for Social Services
Division of Family Services
(Proposed Amendment)

905 KAR 1:010. Application for permission to place or receive child.

RELATES TO: KRS 199.470(4), 199.473, 199.520, 199.572
PURSUANT TO: KRS 194.050, 199.472
NECESSITY AND FUNCTION: This regulation is to provide clear procedures for the application for permission to place or receive a child, the disposition of a child preceding the granting or denying of permission to place or receive a child, and the investigation of the circumstances surrounding the natural parents of a child to be placed or received under the law of independent adoption. The function of this regulation is to set forth the procedure in independent adoptions from the point of application to place or receive a child to the point of granting or denying permission to place or receive a child. The regulation includes provisions relating to obtaining health history from the biological parents and to determine the natural mother and father's feelings about possible future contact with the adopted person.

Section 1. Application for permission to place or receive a child shall be filed in duplicate, in writing with the Secretary of the Cabinet for Human Resources in care of the Commissioner of the Department for Social Services, by means of certified or registered mail.

Section 2. The application for permission to place or receive a child shall be considered officially filed when received at the office of the Commissioner of the Department for Social Services. However, the application shall not be considered filed unless it contains all required information.

Section 3. The return receipt of certified or registered mail shall be proof of the filing of application.

[Section 4. The Secretary of the Cabinet for Human Resources or his designated representative shall have sixty (60) days in which to grant or deny said application for permission for the placement or receiving of the child. The sixty (60) days shall commence upon the date of its official filing.]

Section 4. [5.] The application for permission to place or receive a child shall contain the following:
(1) Names and addresses of persons wishing to receive a child;
(2) Names and addresses of the mother and father of child to be placed or received. If the identity of the father is unknown, such fact should be stated;
(3) The name and date of birth or expected date of birth of child to be placed or received;
(4) Present address of child to be placed or received;
(5) A statement of whether custody of the child has been awarded to any agency or person other than the birth parents; and
(6) Names and addresses of any attorneys, intermediaries or agents.

Section 5. [6.] Forms for application for permission to place or receive a child may be obtained at the various local Department for Social Services offices or at the central office in Frankfort.

Section 6. [7.] The application for permission to place or receive a child shall be signed by the person or persons wishing to receive a child, the person wishing to place the child, or both.

Section 7. [8.] An application for permission to place or receive a child may be made prior to birth of the child.

Section 8. [9.] The return receipt of the application for permission to place or receive a child shall be the implied permission of the Secretary of the Cabinet for Human Resources for the placement of the child in temporary care other than with the applicants. [During the time between the filing of the application for permission to place or receive a child and the decision of the Cabinet for Human Resources granting or denying the application, the responsibility for providing for the care of the child cannot rest with the Cabinet for Human Resources. The said responsibility shall remain with the parents of the child or their agent.]

Section 9. [10.] The Cabinet for Human Resources may cooperate with the applicants in finding suitable temporary placement for the child, pending the disposition of the application for permission to place or receive a child. [The return receipt of the application for permission to place or receive a child shall be the implied permission of the Secretary of the Cabinet for Human Resources for the placement of the child in temporary care.]

Section 10. [11.] During the time between the filing of the application for permission to place or receive a child and the decision of the Cabinet for Human Resources granting or denying the application, the responsibility for providing for the care of the child cannot rest with the Cabinet for Human Resources unless a court has placed a child with the cabinet, with the agreement of the cabinet, after the filing of the application. The said responsibility shall remain with the parents of the child or

their agent. [The Cabinet for Human Resources shall cooperate with the applicants in finding suitable temporary placement for the child, pending the disposition of the application for permission to place or receive a child.]

Section 11. [12.] The child shall not be physically placed in the home of the proposed receiving parents until final permission to do so has been granted by the Secretary of the Cabinet for Human Resources or his designee; however, if the child has already been placed in the home, consideration shall be given to allowing the child to remain during the evaluation. The child shall not be placed prior to application for the purpose of avoiding the provisions of this regulation and KRS 199.470(4) and 199.473.

Section 12. [13.] When an application for permission to place or receive a child has been filed with the Secretary of the Cabinet for Human Resources, the Commissioner of the Department for Social Services shall cause an investigation to be made of the proposed receiving home, keeping in mind at all times, the best interest of the child.

Section 13. [14.] (1) When the biological parents reside in Kentucky, a representative of the Cabinet for Human Resources shall make every effort to interview the mother and/or father of the child to be placed or received for the following purposes: [purpose of determining whether or not the mother and father are aware of the ethnic and religious background of the receiving parents and whether or not they agree to the placement of the child with the proposed receiving parents. All parties shall cooperate fully in making the parents of the child to be placed or received available to a representative of the Cabinet for Human Resources. Nothing in this regulation shall require the representative of the Cabinet for Human Resources to interview the parents of the child to be placed or received if the said parents cannot be found in the Commonwealth of Kentucky.]

(a) To determine whether or not the mother and father are aware of the ethnic and religious background of the receiving parents;

(b) To determine whether or not they agree to the placement of the child with the proposed receiving parents;

(c) To obtain health history and sociological information on the child's family; and

(d) To determine the mother and father's feelings about possible future contact with the adopted person.

(2) Efforts shall be made to have parents interviewed, for the purposes listed above, or home evaluations completed through interstate procedures when parents or prospective adoptive families live out of state. All parties shall cooperate fully in making the parents of the child to be placed or received available to a representative of the Cabinet for Human Resources or the out-of-state agency. If after diligent efforts the biological parents cannot be interviewed, or if the material cannot be obtained, the Secretary of the Cabinet for Human Resources or his designee shall not be precluded from approving the placement.

Section 14. [15.] When the cabinet's investigation has been completed, the applicants shall be notified by registered or certified mail of the decision of the Secretary of the Cabinet for Human Resources or his designee [decision], either granting or denying said permission for the placement or receiving of the child. If the permission is granted, the child may be placed in the home of the receiving parents forthwith, provided all other requirements have been met. If the permission is denied, the receiving parents or the birth parents may, within ten (10) days after notice of refusal, appeal the decision to the circuit court.

Section 15. [16.] When a child has been placed in a proposed receiving home with the permission of the Secretary of the Cabinet for Human Resources or his designee, the proposed receiving parents may file the petition for adoption in the circuit court in the county of their residence three (3) months after the date of the child's placement in their home in accordance with KRS 199.470(4).

ANNA GRACE DAY, Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY: October 13, 1987
FILED WITH LRC: October 15, 1987 at 10 a.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for November 24, 1987, at 9 a.m. in the Department for Health Services Auditorium, 275 East Main Street, Frankfort, Kentucky. Those interested in attending this hearing shall notify in writing the following office by November 19, 1987: Ryan Halloran, General Counsel, Cabinet for Human Resources, 275 East Main Street, Frankfort, Kentucky 40621.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Eugenia Jump
(1) Type and number of entities affected: Statewide
(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 change, just clarification.
(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: No change, just clarification.
(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: None

TIERING: Was tiering applied? No. Applies statewide.

CABINET FOR HUMAN RESOURCES
Department for Medicaid Services
(Proposed Amendment)

907 KAR 1:004. Resource and income standard of medically needy.

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 requirements of Title XIX of the Social Security Act. KRS 205.520(3) empowers the cabinet, by regulation, to comply with any requirement that may be imposed or opportunity presented by federal law for the provisions of medical assistance to Kentucky's indigent citizenry. This regulation sets forth the resource and income standards by which eligibility of the medically needy is determined.

Section 1. Resource Limitations and Exclusions of the Medically Needy. The following provisions are applicable with regard to computation of allowable resources:

(1) The upper limit for resources for family size of one (1) and for family size of two (2) is set at $1,700 and $3,400 respectively, effective January 1, 1986; at $1,800 and $3,600 respectively, effective January 1, 1987; at $1,900 and $3,800 respectively, effective January 1, 1988; and at $2,000 and $4,000 respectively, effective January 1, 1989, with fifty (50) dollars for each additional member.

(2) A homestead, occupied or abandoned, household equipment, and farm equipment without limitation on value are excluded from consideration.

(3) Equity of $6,000 in income-producing, nonhomestead real property, business or nonbusiness, essential for self-support, is excluded from consideration. In addition, for AFDC related MA only cases the value of otherwise countable real property (whether income producing or nonincome producing) may be excluded from consideration for six (6) months if a good faith effort is being made to dispose of the property properly; an additional three (3) months may be allowed for the disposal at the request of the recipient if efforts to dispose of the property within the six (6) month period have been unsuccessful.

(4) Equity of $4,500 in automobiles is excluded from consideration; however, if an automobile is used for employment, to obtain medical treatment of a specific or regulation medical problem, of if specially equipped (e.g., as for use by the handicapped) the total value of such automobile is excluded.

(5) Burial reserves of up to $1,500 per individual, which may be in the form of burial agreement(s) (prepaid burials or similar arrangements), trust fund(s), life insurance policies, or other identifiable funds are excluded from consideration. The cash surrender value of life insurance is considered when determining the total value of burial reserves. When burial funds are commingled with other funds, the applicant has up to thirty (30) days to separately identify the burial reserve amount. Interest or other appreciation of value of an excluded burial reserve is excluded so long as such amount is left to accumulate as a part of the burial reserve.

(6) Burial spaces, plots, vaults, crypts, mausoleums, urns, caskets, and other repositories which are customarily and traditionally used for the remains of deceased persons are excluded from consideration as a countable resource without regard to value.

(7) Resources determined in accordance with subsections (3), (4), and (5) of this section to be in excess of excluded amounts must be considered countable resources when determining whether the individual or family group exceeds the upper limits specified in subsection (1) of this section. If resources exceed the upper limits, the individual or family group is ineligible.

(8) The following exclusions are also applicable as stated:

(a) Proceeds from the sale of a home are excluded from consideration for three (3) months from date of receipt if used to purchase another home.

(b) Resources of a blind or disabled person necessary to fulfill an approved plan for achieving self-support are excluded from consideration.

(c) Payments or benefits from federal statutes, other than Title XVI (Supplemental Security Income), are excluded from consideration (as either a resource or income) if precluded from consideration in Title XVI determinations of eligibility by the specific terms of the statute.

(d) Disaster relief assistance is excluded from consideration.

(e) Cash or in-kind replacement for repair or replacement of an excluded resource is excluded from consideration if used to repair or replace the excluded resource within nine (9) months of the date of receipt.

Section 2. Income and Resource Exemptions. Income and resources which are exempted from consideration for purposes of computing eligibility for the comparable money payment program (Aid to Families With Dependent Children and Supplemental Security Income) shall be exempted from consideration by the cabinet, except that the AFDC earned income disregard (first thirty (30) dollars and one-third (1/3) of the remainder) may not be allowed in determining eligibility for medical assistance only.

Section 3. Income Limitations of the Medically Needy. Eligibility from the standpoint of income is determined by comparing adjusted income as defined in Section 4 of this regulation, of the applicant, applicant and spouse, or applicant, spouse and minor dependent children with the following scale of income protected for basic maintenance:

Size of Family	Annual	Monthly
1	$2,400	$200
	[2,300	192]
2	2,900	242
	[2,700	225]
3	3,400	284
	[3,200	267]
4	4,100	342
	[3,900	325]

5	4,800	400
	[4,600	383]
6	5,500	459
	[5,200	433]

For each additional member, $600 annually or fifty (50) dollars monthly is added to the scale. The change shown in this section of the regulation shall be effective with regard to determinations of eligibility made on or after December 1, 1987.

Section 4. Additional Income Considerations. (1) In comparing income with the scale as contained in Section 3 of this regulation, gross income is adjusted as follows in all cases with exceptions as contained in Section 5 of this regulation:

(a) [(1)] In cases of adults and children, the standard work related expenses of adult members and out-of-school youth are deducted from gross earnings. For those with either full-time or part-time employment the standard work expense deduction is seventy-five (75) dollars per month. All earnings of an in-school child are disregarded. Full-time and part-time employment, and school attendance, shall be as defined in 904 KAR 2:016, Standards for need and amount; AFDC.

(b) [(2)] In cases of adults and children, dependent care as a work expense is allowed not to exceed $160 per child or incapacitated adult per month for full-time employment (as defined in subsection (1) of this section) or $110 per child or incapacitated adult per month for part-time employment (as defined in subsection (1) of this section). A dependent care work expense deduction is allowed only when the dependent is included in the assistance unit.

(2) The following special factors are applicable for pregnant women, infants and children eligible pursuant to Section 9401 of the Omnibus Budget Reconciliation Act of 1986 (OBRA 86):

(a) Such pregnant women and children may have family income up to, but not to exceed, 100 percent of the nonfarm income official poverty guidelines as promulgated by the Department of Health and Human Services, United States Government, and revised annually, and the updated official poverty guidelines to be used for a year will be the latest poverty guidelines available as of July 1 of the particular state fiscal year;

(b) Pregnant women, infants and children who would be eligible under the provisions of OBRA 86 except for income in excess of the allowable standard may not become eligible by spending down to the official poverty guidelines;

(c) Available liquid assets for the family may not exceed the usual upper limits specified for the medically needy, and all other resources shall be disregarded; and

(d) The Aid to Families with Dependent Children (AFDC) budgeting methodology (except for application of the AFDC earned income disregard of the first thirty (30) dollars and one-third (1/3) of the remainder) shall be used.

Section 5. Individuals in Chronic Care Institutions. For aged, blind or disabled individuals in chronic care facilities, the following requirements with respect to income limitations and treatment of income shall be applicable.

(1) In determining eligibility, the appropriate medically needy standard is used as are appropriate disregards and exclusions from income. In determining patient liability for the cost of institutional care, gross income is used as shown in subsections (2) and (3) of this section.

(2) Income protected for basic maintenance, effective July 1, 1986, is forty (40) dollars monthly in lieu of the figure shown in Section 3 of this regulation. All income in excess of forty (40) dollars is applied to the cost of care except as follows:

(a) Available income in excess of forty (40) dollars is first conserved as needed to provide for needs of the spouse and minor children up to the appropriate family size amount from the scale as shown in Section 3 of this regulation.

(b) Remaining available income is then applied to the incurred costs of medical and remedial care that are not subject to payment by a third party, including Medicare and health insurance premiums and medical care recognized under state law but not covered under the state's Medicaid plan.

(3) The basic maintenance standard allowed the individual during the month of entrance into or exit from the long term care facility shall reasonably take into account home maintenance costs.

(4) When an individual loses eligibility for a supplementary payment due to entrance into a participating long term care facility, and the supplementary payment is not discontinued on a timely basis, the amount of any overpayment is considered as available income to offset the cost of care (to the Medical Assistance Program) if actually available for payment to the provider.

Section 6. Spend-down Provisions. No technically eligible individual or family is required to utilize protected income for medical expenses before qualifying for medical assistance. Individuals with income in excess of the basic maintenance scale as contained in Section 3 of this regulation may qualify for any part of a three (3) month period in which medical expenses incurred have utilized all excess income anticipated to be in hand during that period.

Section 7. Consideration of State Supplementary Payments. For an individual receiving state supplementary payments, that portion of the individual's income which is in excess of the basic maintenance standard is applied to the special need which results in the supplementary payment.

Section 8. Special Needs Contributions for Institutionalized Individuals. Voluntary payments made by a relative or other party on behalf of a long term care facility resident or patient shall not be considered as available income if made to obtain a special privilege, service, or item not covered by the Medical Assistance Program. Examples of such special services or items include television and telephone service, private room and/or bath, private duty nursing services, etc.

Section 9. Pass-through Cases. Increases in social security payments due to cost of living increases but for which the individual would be eligible for supplemental security income

benefits or state supplementary payments, and which are received after April 1, 1977, shall be disregarded in determining eligibility for medical assistance benefits; such individuals shall remain eligible for the full scope of program benefits with no spend-down requirements. Beginning on November 1, 1986, the additional amount specified in Section 12202 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) shall be disregarded, i.e., that amount of social security benefits to which certain widows or widowers were entitled as a result of the recomputation of benefits effective January 1, 1984, and except for which (and subsequent cost of living increases) such individuals would be eligible for federal supplemental security income benefits; eligibility as a result of such disregard shall not exist prior to July 1, 1986. To be eligible, applicants must apply within fifteen (15) months of the date of the Act, i.e., by July 1, 1987.

Section 10. Relative Responsibility. For purposes of the Medical Assistance Program, spouses are considered responsible for spouses and parents are considered responsible for dependent minor children. Effective for determinations of eligibility made on or after December 1, 1987, children under age twenty-one (21) living with parents (but not including children age eighteen (18) and above who are blind or disabled) are considered dependent minor children for purposes of deeming of income and resources under the Medicaid Program even if such children are emancipated under state law. Stepparents are responsible for their stepchildren as shown in this section and Section 11 of this regulation. This responsibility, with regard to income and resources, is determined as follows:

(1) "Living with" is defined as sharing a common living arrangement or household, but not including living in the same room in a long term care facility. "Living apart" is defined as not sharing a common household, whether due to estrangement, disability, or illness. Effective July 1, 1987, a husband and wife sharing a room or comparable accommodation in a long term care facility may be considered to be "living with" each other after they have continuously shared such a room or accommodation for six (6) months, if treating such husband and wife as living apart would prevent either of them from receiving medical assistance.

(2) In cases of aged, blind, or disabled applicants or recipients living with their eligible spouse, total resources and adjusted income of the couple is considered in relation to the resource and income limitations for a family size of two (2), or if other dependents live with the couple, the appropriate family size including the dependents.

(3) In cases of aged, blind or disabled applicants or recipients living with an ineligible spouse, income from the ineligible spouse shall be deemed as available to the eligible spouse as outlined below.

(a) Determine the potential spend-down amount of the eligible individual by comparing the countable income to the Medically Needy Income Level (MNIL) for one (1) as shown in Section 3 of this regulation.

(b) Allocate to other dependents in the household from the ineligible spouse income in an amount equal to one-half (1/2) of the MNIL for a family size of one (1) for each dependent.

(c) If the ineligible spouse's income is more than one-half (1/2) of the MNIL for a family size of one (1), combine the income of the ineligible spouse with that of the eligible individual and compare that figure with the MNIL for a couple to determine the spend-down amount.

(d) Compare the amount resulting from paragraph (a) of this subsection with the result of paragraph (c) of this subsection and determine eligibility using the spend-down amount, if any, which is greater.

(e) Resources shall be considered in the same manner as for an eligible spouse.

(4) In cases of aged, blind, or disabled couples, living apart for any reason other than institutionalization, both of whom are concurrently applying for or receiving MA only, income and resources are considered in relation to resource and income limitations for a family size of two (2), or if other dependents live with either spouse, the family size including such dependents, but only for the first six (6) months after the month of separation, that such couple lives apart; however, if mutual consideration of income and resources causes the individuals to lose eligibility as a couple, eligibility for the individuals is determined in accordance with subsection (4) of this section. If the separation is due to the institutionalization of a spouse, mutual consideration of income ceases in the month after the month of separation but resources are considered mutually available to each other the month of separation and the six (6) months following that month.

(5) In cases of an aged, blind, or disabled individual living apart from a spouse (for a reason other than institutionalization) who is not a recipient of MA only, eligibility is determined on a couple basis for the month of separation and as a single individual after the month of separation.

(6) For an individual whose case is being worked as if he/she were a single individual due to living apart from his/her spouse, as shown in Section 10(3) and (4) of this regulation, who has jointly held resources with his/her spouse, one-half (1/2) of the jointly held resource would be considered a resource; except that the entire amount of a jointly held checking or savings account is considered a resource if the resource may be accessed independently of the spouse.

(7) Total resources and adjusted income of parent(s) and children for whom application is made is considered in relation to limitations for family size. Excluded, however, is the income and/or resources of an SSI parent and the SSI essential person spouse whose medical assistance eligibility is based on inclusion in the SSI case. Resources and income of an SSI essential person, spouse or nonspouse, whose medical assistance eligibility is not based on inclusion in the SSI case must be considered.

(8) In cases of a blind or disabled child under eighteen (18) living with his/her parent(s) (including stepparent, if applicable), total resources and adjusted income of the parent(s) is related to limitations for family size, including the applicant or recipient child and other dependent children of parent using the adult scale. The income and resources of the parent(s) shall also be considered available to such child who is aged eighteen (18) through

twenty-one (21), if in school, when to do so will work to the child's benefit and the individual was aged eighteen (18) through twenty-one (21) in September, 1980, and was MA eligible at that time.

(9) Income and resources of parent(s) are not considered available to a child living apart from the parent(s), but any continuing contribution actually made is considered as income. Living apart may mean living in a medical institution, special school or in foster care and such status continues even if the child makes visits to the parent(s) home. For comparison with the resource and income limitations, the child's individual resources and/or income are considered in relation to family size of one (1).

(10) When a recipient (but not including a child) in a family case has income and resources considered in relation to family size and enters a long term care facility, his/her income and resources are considered in the same manner as previously for up to one (1) year. For such an individual, the forty (40) dollars maintenance standard is not applicable since his/her needs are considered with that of other family members. When a child in a family case is in the long term care facility, eligibility of the child is determined in the same manner for up to a year but his/her liability for the cost of care is determined by allowing to the child from his/her own income forty (40) dollars and considering the remainder available for the cost of care. (Note: in this situation any welfare payment made to the child is disregarded when determining liability for cost of care.) The eligibility of the individual, with regard to income and resources, must be determined on the basis of living apart from the other family members whenever it becomes apparent that the separation will last for more than one (1) year.

Section 11. Treatment of Income of the Stepparent or Parent/Legal Guardian of a Minor Parent/Legal Guardian (hereinafter referred to as a "Grandparent") and Effect on Eligibility of the Assistance Group. An incapacitated (as determined by the department) stepparent's income, or a grandparent's income, is considered in the same manner as for a parent if the stepparent or grandparent is included in the family case. When the stepparent or grandparent living in the home is not being included in the family case the stepparent's or grandparent's gross income is considered available to the spouse or minor parent in accordance with the policies set forth in this section.

(1) Disregards/exclusions from income. The following disregards/exclusions from income shall be applied:

(a) The first seventy-five (75) dollars of the gross earned income of the stepparent or grandparent who is employed full time or part time (with full-time and part-time employment as defined in Section 4(1) of this regulation).

(b) An amount equal to the medically needy income limitations scale as shown in Section 3 of this regulation for the appropriate family size, for the support of the stepparent or grandparent and any other individuals living in the home but whose needs are not taken into consideration in the medical assistance eligibility determination and are claimed by the stepparent or grandparent as dependents for purposes of determining his/her federal personal income tax liability.

(c) Any amount actually paid by the stepparent or grandparent to individuals not living in the home who are claimed by him/her as dependents for purposes of determining his/her personal income tax liability.

(d) Payments by the stepparent or grandparent for alimony or child support with respect to individuals not living in the household.

(e) Income of a stepparent or grandparent receiving supplemental security income.

(f) Verified medical expenses for the stepparent or grandparent and his/her dependents in the home.

(2) Determining eligibility of the children. When a stepparent or grandparent has available income remaining after disregards/exclusions are applied, such income may be deemed to the spouse (of the stepparent) or minor parent (child of the grandparent) but not to the stepchild(ren) or grandchild(ren). Eligibility of the stepchild(ren) or grandchild(ren) is determined in the following manner in order to take this requirement into consideration.

(a) The available income deemed to the spouse or minor parent shall be the lesser of the amount available or the medically needy income level for one (1), as shown in Section 3 of this regulation.

(b) The income of the spouse or minor parent (including the amount deemed) shall be combined with that of the child(ren) and the total compared against the medically needy income level for the appropriate family size. If there is no excess income, the child is eligible. If there is an excess, the excess amount may be spent down in the usual manner.

(3) Determining eligibility of the spouse or minor parent. Available income of the stepparent or grandparent remaining after exclusions/disregards are applied must be considered fully available to the spouse or minor parent. The eligibility of the spouse or minor parent is therefore determined in the same manner as shown in subsection (2) of this section, except that the full amount available (including that portion of the available income, if any, which is in excess of the medically needy income level for one (1)) is deemed to the spouse or minor parent.

(4) When the spouse or minor parent, or both the spouse or minor parent and child(ren) has a spend-down case(s), uncovered incurred medical expenses of all members of the budget unit may be used to meet the spend-down amount(s).

Section 12. Companion Cases. When spouses or parent(s) and children living in the same household apply separately for assistance, relative responsibility must be taken into consideration.

(1) In the case of an application for assistance for a dependent child(ren), the income, resources and needs of the parent(s) must be included in the determination of need of the child(ren) even when the parent(s) applies for assistance for himself/herself on the basis of age, blindness, or disability (except as shown in subsection (3) of this section).

(2) In the case of a spouse, income and resources of both spouses are combined and compared against the medically needy income and resources limits for a family size of two (2) even though a separate determination of eligibility must be made for each individual.

(3) In the case of families with children with a parent eligible for supplemental security income (SSI), neither the income, resources, nor needs of the SSI eligible individual are to be included in the determination of eligibility of the children.

Section 13. Treatment of Lump-sum Income. The following policy is effective January 1, 1986: for adult related cases, lump-sum income is prorated over the three (3) month period following the agency's notice of receipt by the client, with any amount spent by the client prior to notification of the agency deducted from the total considered available; any portion of the income remaining available after the three (3) month period is considered in relation to resource limitations; for AFDC related cases, lump sum income is divided by the medically needy income level and prorated over the resultant number of months.

Section 14. Transferred Resources. When an applicant or recipient transfers a nonexcluded resource(s) for the purpose of becoming eligible for medical assistance, the value of the transferred resource(s) will be considered a resource to the extent provided for by this section. The provisions of this section are applicable to both family related cases and medical assistance only cases based on age, blindness, or disability.

(1) The disposal of a resource, including liquid assets, at less than fair market value shall be presumed to be for the purpose of establishing eligibility unless the individual presents convincing evidence that the disposal was exclusively for some other purpose. If the purpose of the transfer is for some other reason or if the transferred resource was considered an excluded resource at the time it was transferred, the value of the transferred resource is disregarded. If the resource was transferred for an amount equal to at least the assessed value for tax purposes, the resource will be considered as being disposed of for fair market value. Notwithstanding the preceding, if the assessed agricultural value is used for tax purposes the transfer must be for an amount equal to the fair market value.

(2) After determining that the purpose of the transfer was to become or remain eligible, the cabinet shall first add the uncompensated equity value of the transferred resource to other currently held resources to determine if retention of the property would have resulted in ineligibility. For this purpose, the resource considered available shall be the type of resource it was prior to transfer, e.g., if nonhomestead property was transferred, the uncompensated equity value of the transferred property would be counted against the permissible amount for nonhomestead property. If retention of the resource would not have resulted in ineligibility, the value of the transferred resource would thereafter be disregarded.

(3) If retention would result in ineligibility, the cabinet will consider the excess transferred resource available for up to twenty-four (24) months, subject to the following conditions:

(a) The value of the total excess resources considered available (including the uncompensated equity value of the transferred resource) shall be reduced by $500 for each month that has elapsed since the transfer, beginning with the month of transfer; except

(b) The reduction provided for in paragraph (a) shall not be applicable with regard to any month in which the individual received medical assistance but was actually ineligible due to the provisions of this section.

(4) For those recipients who were receiving assistance on February 28, 1981, this section is applicable only with respect to resources transferred subsequent to that date.

(5) The uncompensated value may be excluded from consideration when good cause exists. A waiver of consideration of the uncompensated amount will be granted subject to the following criteria:

(a) "Good cause" means that an expense (or loss) was incurred by the individual or family group due to a natural disaster, fire, flood, storm or earthquake; or illness resulting from accident or disease; or hospitalization or death a member of the immediate family; or civil disorder or other disruption resulting in vandalism, home explosions, or theft of essential household items.

(b) The exclusion may not exceed the amount of the incurred expense or loss.

(6) If the individual is in a long term care facility, the actual cost of long term care (rather than the $500) may be deducted from the uncompensated value excess on a monthly basis.

Section 15. Special Provisions for AIS/MR Recipients. Effective April 1, 1983, medical assistance eligibility for participants in the program of alternative intermediate services for the mentally retarded (AIS/MR) shall be determined taking into consideration the special provisions contained in this section.

(1) The income and resources of the parent(s) and/or spouse shall not be considered available to the AIS/MR participant.

(2) Income protected for basic maintenance of the AIS/MR participant shall be the standard for the federal supplemental security income program.

(3) When eligibility is determined for a spend-down case, the attributed cost of care against which monthly available income of the AIS/MR participant shall be applied shall be the projected annual average cost of care for all participants divided by twelve (12) and rounded to the nearest dollar.

(4) Eligibility shall continue on the same monthly basis as for an institutionalized individual when the cost of care is greater than the recipient's monthly income or the recipient is eligible based on the special income level of 300 percent of the SSI level as specified in 907 KAR 1:011, Technical eligibility requirements.

(5) Determinations of eligibility for medical assistance of the AIS/MR participant's parent(s), spouse, and/or dependent children shall be made on the same basis as if the participant was institutionalized.

Section 16. Special Provisions for Hospice Recipients. Effective October 1, 1986, medical assistance eligibility for participants under the Medicaid hospice benefit shall be determined (when necessary to establish eligibility for medical assistance benefits for cases with income in excess of the usual basic maintenance standard) taking into consideration the special provisions contained in this section.

(1) Income protected for basic maintenance of the hospice participant shall be the standard for the federal supplemental security income (SSI) program.

(2) When eligibility is determined for a spend-down case, the attributed cost of care against which monthly available income of the hospice participant shall be applied shall be the hospice routine home care per diem (for the hospice providing care) as established by the Medicare program.

(3) Eligibility shall continue on the same monthly basis as for an institutionalized individual when the cost of care is greater than the recipient's monthly income or the recipient is eligible based on the special income level of 300 percent of the SSI level as specified in 907 KAR 1:011, Technical eligibility requirements.

(4) A hospice participant may be eligible for benefits based on this section only if he/she has elected coverage under the Medicaid hospice benefit rather than the regular Medicaid program.

Section 17. Special Provisions for Recipients Participating in the Home and Community Based Services Waiver Program. Effective January 1, 1987, medical assistance eligibility for participants under the home and community based (HCB) services waiver program shall be determined (when necessary to establish eligibility for medical assistance benefits for cases with income in excess of the usual basic maintenance standard) taking into consideration the special provisions contained in this section.

(1) Income protected for basic maintenance of HCB services program participants who are eligible under the special income level shown in this section shall be the standard used for an individual in the federal supplemental security income (SSI) program.

(2) HCB services program participants with income not in excess of 300 percent of the SSI standard for an individual shall be determined to be eligible as categorically needy under a special income level (i.e., the special income level is 300 percent of the SSI standard).

(3) Patient liability and relative responsibility is determined in the same manner as if the HCB services program participant was institutionalized except that excess income of responsible relatives will be considered available to the HCB participant with the cost of HCB services projected.

(4) If an HCB services program participant has income in excess of 300 percent of the SSI standard, eligibility of the participant is determined in the usual manner for an individual who is institutionalized, with the cost of HCB services projected, except that the amount protected for basic maintenance is the usual medically needy standard for an individual in his own home as shown in Section 3 of this regulation.

Section 18. Treatment of Potential Payments from Medicaid Qualifying Trusts. When an individual (or his/her spouse for the individual's benefit) creates (other than by will) a trust (or similar legal device) with amounts payable to the same individual, such trust shall be considered a "Medicaid qualifying trust" if the trustee(s) of the trust are permitted to exercise discretion as to the amount of the payments from the trust to be paid to the individual. In this circumstance the amount considered available to the trust beneficiary shall be the maximum amount the trustee(s) may (using the trustee's discretion) pay in accordance with the terms of the trust, regardless of the amount actually paid. The cabinet may, however, consider as available only that amount actually paid if to do otherwise would create an undue hardship upon the individual; the criteria for determining "undue hardship" shall be established by the cabinet.

Section 19. Implementation. The amendments to this regulation will be effective <u>with regard to determinations of eligibility made on or after October</u> [on June] 1, 1987 except as otherwise specified herein.

R. HUGHES WALKER, Commissioner
MIKE ROBINSON, Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY: September 30, 1987
FILED WITH LRC: September 30, 1987 at 3 p.m.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for November 24, 1987 at 9 a.m. in the Vital Statistics Conference Room, 1st Floor, CHR Building, 275 East Main Street, Frankfort, Kentucky. However, this hearing will be cancelled unless interested persons notify the following office in writing by November 19, 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: 9,000 to 12,500 actual or potential Medicaid 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:

1. First year: $250,000 (costs)*

2. Continuing costs or savings: $250,000 (costs)

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: *Assumes that approximately 2,000 medically needy individuals will be impacted by increasing the medically needy income scale; the impact for adding 7,000 to 10,500 pregnant women and children is shown in 907 KAR 1:011.

TIERING: Was tiering applied? No. Not appicable 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 does not provide compliance standards.
2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: Not applicable.
3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: Not applicable.

CABINET FOR HUMAN RESOURCES
Department for Medicaid Services
(Proposed Amendment)

907 KAR 1:011. Technical eligibility requirements.

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, hereinafter referred to as MA, to Kentucky's indigent citizenry. This regulation sets forth the technical eligibility requirements of the MA Program.

Section 1. The Categorically Needy. All individuals receiving Aid to Families with Dependent Children, Title IV-E benefits, Supplemental Security Income or Optional or Mandatory State Supplementation are eligible for MA as categorically needy individuals. In addition, the following classifications of needy persons are included in the program as categorically needy and thus eligible for MA participation.

(1) Children in foster family care or private nonprofit child caring institutions dependent in whole or in part on a governmental or private agency;
(2) Children in psychiatric hospitals or medical institutions for the mentally retarded;
(3) Pregnant women;
(4) Children of unemployed parents;
(5) Children in subsidized adoptions dependent in whole or in part on a governmental agency;
(6) Families terminated from the Aid to Families with Dependent Children (AFDC) program because of increased earnings or hours of employment;
(7) Children (but not their parents) who meet the income and resource requirements of the Aid to Families with Dependent Children program, who were born after September 30, 1983 and who are under the age of five (5); and effective July 1, 1987, children (but not their parents) who meet the income and resource requirements of the Aid to Families with Dependent Children Program, who are under eighteen (18) years of age (or under age nineteen (19) if a full-time student in a secondary school or the equivalent level of vocational or technical training and if expected to complete the program before age nineteen (19));
(8) A child(ren) born to a woman eligible for and receiving medical assistance, so long as the child(ren) has not reached his/her first birthday, resides in the household of the woman, and the woman remains eligible for such assistance. In this situation, an application is deemed to have been made and the child found eligible for MA as of the date of birth;
(9) Effective June 1, 1987, individuals in institutions meeting appropriate patient status criteria who (if not institutionalized) would not be eligible for supplemental security income (SSI) or optional state supplementation benefits due to income, may be eligible under a special income level which is set at 300 percent of the SSI benefit amount payable for an individual with no income. Eligibility for similar hospice participants and similar participants in the waiver projects of home and community based services for the mentally retarded and the aged, blind or disabled may also be determined under this provision. Eligibility of an individual whose gross income exceeds 300 percent of the previously specified SSI benefit amount may not be determined in accordance with this provision;
(10) Effective July 1, 1987, qualified severely impaired individuals as specified in Section 9404 of P.L. 99-509 and Sections 2, 3 and 4 of P.L. 99-643 (to the extent such coverage is mandatory in this state); [and]
(11) Effective July 1, 1987, individuals who lose SSI eligibility but would be eligible for SSI benefits except for entitlement to or an increase in child's insurance benefits based on disability as specified in Section 6 of P.L. 99-643; and
(12) Effective October 1, 1987, women during pregnancy (and as though pregnant through the end of the month containing the 60th day of a period beginning on the last day of pregnancy), and infants and children under two (2) years of age, as permitted by Section 9401 of the Omnibus Budget Reconciliation Act of 1986, subject to the following:
(a) Such pregnant women, infants and children are required to meet the income and resource requirements for this eligibility group as specified in 907 KAR 1:004, Resource and income standard of medically needy; and
(b) When an infant or child eligible under this provision is receiving covered inpatient services on a birthday which will make him/her ineligible due to age, the infant or child will remain eligible until the end of the stay for which the covered inpatient services are furnished so long as the infant or child remains otherwise eligible except for age.

Section 2. The Medically Needy. Other individuals (including children as shown in Section 1(7) of this regulation), and pregnant women meeting income and resource standards of the medically needy program), meeting technical requirements comparable to the categorically needy group, but with sufficient income to meet their basic maintenance needs may apply for MA with need determined in accordance with income and resource standards prescribed by regulation of the Cabinet for Human Resources. Included within the medically needy eligible groups are

pregnant women during the course of their pregnancy; a woman who, while pregnant, is eligible for, has applied for, and has received medical assistance, shall continue to be eligible as though she were pregnant until the end of the month containing the 60th day of a period beginning on the last day of her pregnancy (i.e., the day on which her child is born or the pregnancy is otherwise terminated). For individuals covered on January 1, 1985 pursuant to this section, the usual three (3) month rule on retroactivity (as shown in Section 3(15)) will apply.

Section 3. Technical Eligibility Requirements. Technical eligibility factors of families and individuals included as categorically needy under Section 1(1) through (6) of this regulation, or as medically needy under Section 2 of this regulation are:

(1) Children in foster care, private institutions, psychiatric hospitals or mental retardation institutions must be under eighteen (18) years of age (or under age nineteen (19) if a full-time student in a secondary school or the equivalent level of vocational or technical training and if expected to complete the program before age nineteen (19));

(2) Pregnant women are eligible only upon medical proof of pregnancy, except as otherwise specified in Section 2 of this regulation;

(3) Unemployment relating to eligibility of both parents and children is defined as:

(a) Employment of less than 100 hours per month, except that the hours may exceed that standard for a particular month if the work is intermittent and the excess is of a temporary nature as evidenced by the fact that the individual was under the 100 hour standard for the prior two (2) months and is expected to be under the standard during the next month;

(b) The individual has prior labor market attachment consisting of earned income of at least fifty (50) dollars during six (6) or more calendar quarters ending on March 31, June 30, September 30, or December 31, within any thirteen (13) calendar quarter period ending within one (1) year of application, or the individual within twelve (12) months prior to application received unemployment compensation;

(c) The individual is currently receiving or has been found ineligible for unemployment compensation;

(d) The individual is currently registered for employment at the state employment office, and available for full-time employment;

(e) The unemployed parent must not have refused suitable employment without good cause as determined in accordance with 45 CFR Section 233.100(a)(3)(ii);

(f) The unemployed parent must meet the requirements for independent employment search as specified herein. That is:

1. The unemployed parent must make not less than twenty-four (24) contacts with prospective employers in each three (3) month period following an approval, reinvestigation or reapproval.

2. The unemployed parent may not contact the same prospective employer more than once in each calendar month.

3. If the unemployed parent does not meet the requirement for the minimum number of employment contacts during the three (3) month period, the parent may, prior to or upon receipt of the advance notice of proposed discontinuance, meet the requirement for the number of contacts for the prior three (3) month period. These contacts shall not offset the requirement for employer contacts during the three (3) month period following the next approval, reinvestigation or reapproval.

(4) Under the definition contained in subsection (3) of this section, a parent shall not be considered as unemployed if he is:

(a) Temporarily unemployed due to weather conditions or lack of work when it is anticipated he can return to work within thirty (30) days; or

(b) On strike, or unemployed as a result of involvement in a labor dispute when such involvement would disqualify the individual from eligibility for unemployment insurance in accordance with KRS 341.360; or

(c) Unemployed because he voluntarily quit his most recent work for the purpose of attending school; or

(d) A farm owner or tenant farmer, unless he has previously habitually required and secured outside employment and currently is unable to secure outside employment; or

(e) Self-employed and not available for full-time employment.

(5) An aged individual must be at least sixty-five (65) years of age.

(6) A blind individual must meet the definition of blindness as contained in Titles II and XVI of the Social Security Act relating to RSDI and SSI.

(7) A disabled individual must meet the definition of permanent and total disability as contained in Titles II and XVI of the Social Security Act relating to RSDI and SSI.

(8) For families losing AFDC eligibility solely because of increased earnings or hours of employment, medical assistance shall continue for four (4) months to all such family members as were included in the family grant (and children born during the four (4) month period) if the family was eligible for and received AFDC in any three (3) or more months during the six (6) month period immediately preceding the month in which it became ineligible for AFDC. The four (4) month period begins on the date AFDC is terminated. If AFDC benefits are paid erroneously for one (1) or more months in such a situation, the four (4) month period begins with the first month in which AFDC was erroneously paid, i.e., the month in which the AFDC should have been terminated.

(9) Families losing AFDC eligibility solely due to loss of the thirty (30) dollars disregard or the one-third (1/3) disregard from earnings shall be deemed AFDC eligible for nine (9) months after the termination of the disregard, and shall as a result be eligible for continued medical assistance for the nine (9) month period. The nine (9) month period begins on the date the AFDC should have been terminated. Coverage for medical assistance is extended to all family members who were included in the grant (and children born during the nine (9) month period).

(10) Families losing AFDC eligibility as a result (wholly or partly) of the collection or increased collection of child or spousal support, and who were eligible for and received AFDC in at least three (3) of the six (6) months immediately preceding the month in which such ineligibility begins, shall be deemed AFDC

eligible for Title XIX purposes for four (4) months beginning with the month in which ineligibility begins. If AFDC benefits are paid erroneously for one (1) or more months in such a situation, the four (4) month period begins with the first month in which AFDC was erroneously paid, i.e., the month in which the AFDC should have been terminated. Coverage for medical assistance is extended to all family members losing eligibility as a result of the receipt of the child or spousal support. The extended eligibility provision contained herein is applicable only with respect to families discontinued on or after July 18, 1984 and before October 1, 1988.

(11) Parents may be included for assistance in the cases of families with children including natural and adoptive parents. Other relatives who may be included in the case (one (1) only) are caretaker relatives to the same extent they may be eligible in the Aid to Families with Dependent Children Program.

(12) An applicant who is deceased may have eligibility determined in the same manner as if he was alive, in order to pay medical bills during the terminal illness.

(13) Children of the same parent, i.e., a "common" parent, residing in the same household shall be included in the same case unless this acts to preclude eligibility of an otherwise eligible household member. Effective April 1, 1986, for new approvals and at time of reinvestigation for other cases, the family unit must be determined in the same manner as is required for AFDC cases, except that if a family member(s) is pregnant the unborn child(ren) will be considered as a family member(s) for budgeting purposes.

(14) The following citizenship and/or residency requirements will be applicable:

(a) To be eligible, an applicant or recipient must be a citizen of the United States, or an alien legally admitted to this country or an alien who is residing in this country under color of law (except as specified in paragraph (b) of this subsection). An alien must have been admitted for permanent residence except as shown in paragraphs (b), (c) and (d) of this subsection. The applicant or recipient must also be a resident of Kentucky. Generally, this means the individual must be residing in the state for other than a temporary purpose; however, there are exceptions with regard to recipients of a state supplementary payment and institutionalized individuals. The conditions for determining state residency are specified in federal regulations at 42 CFR 435.403, which are hereby incorporated by reference.

(b) Effective January 1, 1987, an alien not legally admitted to this country or residing in this country under color of law may be eligible for medical assistance under the following circumstances and conditions:

1. The alien must meet all other requirements for receipt of medical assistance, however, an alien qualifying as a categorically needy recipient need not actually receive an AFDC or federal supplemental security income (SSI) cash payment so long as the alien meets the income resource and categorical requirements of the applicable cash assistance program;

2. The alien must have (or have had within the usual period for retroactive eligibility) an emergency medical condition, defined as a medical condition (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in placing the patient's health in serious jeopardy, serious impairment to bodily functions or serious dysfunction of any bodily organ or part;

3. Approval of eligibility shall be for a time limited period, with such period to include the month in which the medical emergency began and the next following month, with the added provision that the eligibility period may be extended for an appropriate period of time upon presentation to the cabinet of acceptable documentation that the medical emergency will exist for a more extended period of time than is allowed for in the time limited eligibility period; and

4. The medical assistance to which the alien shall be entitled is limited to the medical care and services (including limited follow-up) necessary for the treatment of the emergency medical condition of the alien.

(c) Effective May 5, 1987, select groups of aliens who are illegally residing in this country may qualify for legalization of residence status under Section 201 of P.L. 99-603 [99-613]. Such aliens are prohibited from Medicaid eligibility for a period of five (5) years (beginning on the date temporary resident status is granted) except as follows:

1. The aged, blind or disabled may be eligible;

2. Children under age eighteen (18) may be eligible;

3. Pregnant women may be eligible for pregnancy related services only; and

4. All such aliens may qualify for emergency services to the extent specified in paragraph (b) of this subsection and with the limitations shown therein.

(d) Effective June 1, 1987, aliens qualifying for legalization of status as seasonal agricultural workers under Section 302 of P.L. 99-603 [99-613] are subject to the same coverage limitations as shown in paragraph (c) of this subsection.

(15) An individual may be determined eligible for medical assistance for up to three (3) months prior to the month of application if all conditions of eligibility are met. The effective date of medical assistance is generally the first day of the month of eligibility. For individuals eligible on the basis of unemployment, eligibility may not exist for the thirty (30) day period following the starting date of the unemployment. In these cases, the effective date of eligibility may be as early as the first day following the end of the thirty (30) day period if all other conditions of eligibility are met. For individuals eligible on the basis of desertion, a period of desertion must have existed for thirty (30) days, and the effective date of eligibility may not precede the first day of the month in which the thirty (30) day period ends. For individuals eligible on the basis of utilizing their excess income for incurred medical expenses, the effective date of eligibility is the day the spend-down liability is met.

(16) "Child" means a needy dependent child under the age of eighteen (18) (or under age nineteen (19) if a full-time student in a secondary school or the equivalent level of vocational or technical training and if expected to complete the program before the age nineteen (19)), who is not otherwise emancipated,

self-supporting, married, or a member of the armed forces of the United States, and who is a recipient of or applicant for public assistance. Included within this definition is an individual(s) meeting the age requirement specified above, previously emancipated, who has returned to the home of his parents, or to the home of another relative, so long as such individual is not thereby residing with his spouse.

(17) Benefits shall be denied to any family for any month in which any legally liable caretaker relative with whom the child is living is, on the last day of such month, participating in a strike, and no individual's needs shall be considered in determining eligibility for medical assistance for the family if, on the last day of the month, such individual is participating in a strike. The definition of a strike includes a strike or other concerted stoppage of work by employees (including a stoppage by reason of expiration of a collective bargaining agreement) and any concerted slowdown or other concerted interruption of operations by employees.

(18) Effective May 1, 1987, an individual sanctioned (removed) from an AFDC case due to failure to meet an AFDC technical eligibility requirement may not be eligible for medical assistance as a medically needy individual unless such individual is separately eligible for medical assistance without regard to eligibility as a member of the group from which such individual has been sanctioned.

Section 4. Institutional Status. No individual shall be eligible for MA if a resident or inmate of a nonmedical public institution. No individual shall be eligible for MA while a patient in a state tuberculosis hospital unless he has reached age sixty-five (65). No individual shall be eligible for MA while a patient in a state institution for mental illness unless he is under age eighteen (18) (or under age nineteen (19) if a full-time student in a secondary school or the equivalent level of vocational or technical training and if expected to complete the program before age nineteen (19)) or is sixty-five (65) years of age or over.

Section 5. Emergency Shelters. Effective July 1, 1985, an individual (or family group) who is in an emergency shelter for a temporary period of time may be eligible for medical assistance even though the shelter is considered a public institution under certain conditions. These conditions are as follows:

(1) The individual (or family group) must be a resident of an emergency shelter no more than three (3) months in any twelve (12) month period.

(2) The individual (or family group) must not be in the facility serving a sentence imposed by the court, or awaiting trial.

(3) The individual (or family group) must be otherwise eligible when outside the emergency shelter; that is, eligibility must have existed immediately prior to admittance to the shelter, or it must exist immediately after leaving the shelter.

Section 6. Application for other Benefits. As a condition of eligibility for medical assistance, applicants and recipients must apply for all annuities, pensions, retirement and disability benefits to which they are entitled, unless they can show good cause for not doing so. Good cause is considered to exist when such benefits have previously been denied with no change of circumstances, or the individual does not meet all eligibility conditions. Annuities, pensions, retirement and disability benefits include, but are not limited to, veterans' compensations and pensions, retirement and survivors disability insurance benefits, railroad retirement benefits, and unemployment compensation. Notwithstanding the preceding, no applicant or recipient shall be required to apply for federal benefits when the federal law providing for such benefits shows the benefit to be optional and that the potential applicant or recipient for such benefit need not apply for such benefit when to do so would, in his opinion, act to his disadvantage.

Section 7. Assignment of Rights to Medical Support. By accepting assistance for or on behalf of a child, a recipient is deemed to have made an assignment to the Cabinet for Human Resources of any medical support owed for the child not to exceed the amount of medical assistance payments made on behalf of the recipient.

Section 8. Third Party Liability as a Condition of Eligibility. Any individual applying for or receiving medical assistance shall be required as a condition of eligibility to cooperate with the Cabinet for Human Resources in identifying, and providing information to assist the cabinet in pursuing, any third party who may be liable to pay for care or services available under the Medicaid Program unless such individual has good cause for refusing to cooperate as determined by the cabinet taking into consideration the best interests of the individuals involved. A failure of the individual to cooperate without good cause shall result in ineligibility of the individual.

Section 9. Provision of Social Security Numbers. Beginning May 1, 1985, each applicant for or recipient of medical assistance shall be required to provide a social security number as a condition of eligibility. However, no one shall be denied eligibility or discontinued from eligibility due to a delay in receipt of a social security number from the Social Security Administration when appropriate application for such number has been made. For recipients, the requirement shall be effective with the first full reinvestigation occurring on or after May 1, 1985.

R. HUGHES WALKER, Commissioner
MIKE ROBINSON, Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY: September 30, 1987
FILED WITH LRC: September 30, 1987 at 3 p.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation has been scheduled for November 24, 1987 at 9 a.m. in the Vital Statistics Conference Room, 275 East Main Street, Frankfort, Kentucky. However, this hearing will be cancelled unless interested persons notify the following office in writing by November 19, 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: 7,000 to 10,500 potential or actual Medicaid 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:
1. First year: $11 million, costs, estimated.
2. Continuing costs or savings: $16.3 million, costs, estimated, after two years.
3. Additional factors increasing or decreasing costs: Phase-in, additional children covered.
(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: None
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 does not provide compliance standards.
2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: Not applicable.
3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: Not applicable.

PROPOSED REGULATIONS RECEIVED THROUGH OCTOBER 15

GENERAL GOVERNMENT CABINET
Kentucky Real Estate Commission

201 KAR 11:220. Errors and omissions insurance requirements.

RELATES TO: KRS 324.395
PURSUANT TO: KRS 324.395
NECESSITY AND FUNCTION: To set forth procedures and standards for obtaining insurance independently.

Section 1. Insurance companies providing real estate errors and omissions insurance for real estate licensees must provide a signed certification to the insured licensee containing the language prescribed by the commission which will confirm that the obligations of the insurance company meets the minimum requirements set forth in this regulation. Licensees who choose to be insured by other than the group insurance policy obtained by the commission, shall file the certification with their license renewal application in accordance with KRS 324.395(6).

Section 2. The insurance for which the certification has been executed may not be terminated, cancelled, lapsed or nonrenewed without the insurance company having provided the commission with prior written notice.

Section 3. The minimum requirements for the coverage contained in the insurance policy for which the certification has been executed shall provide that:
(1) Coverage shall be that known as real estate agents errors and omissions insurance or real estate agents professional liability insurance.
(2) The limit of liability shall be no less than $100,000 for any one claim nor less than $1,000,000 annual aggregate limit of liability, including the cost of investigation and defense.
(3) The maximum deductibles, which may be separate deductibles, may not exceed $2,500 for judgment or settlement and $1,000 for the cost of investigation and defense.
(4) Coverage shall apply for any covered claim resulting from a licensed activity that occurred subsequent to April 1, 1987 unless such claim had been made against the licensee before the present insurance policy's inception or is insured by a previous insurance policy.

Section 4. Except as provided in Section 5 of this regulation, coverage may not exclude claims brought against the insureds arising out of an act or failure to act by the insured licensee when performing a professional service for which a license is required by the Commonwealth of Kentucky under KRS 324.010.

Section 5. Coverage may exclude claims brought against the insureds, regardless of whether the professional service involves an activity for which a license is required by the Commonwealth of Kentucky:
(1) Arising out of a dishonest, fraudulent, criminal or malicious act, error, or omission, if committed by, at the direction of, or with the knowledge of the insured;
(2) Arising as a result of the insolvency of the insured;
(3) Brought about or contributed to by any inability or failure to pay or collect premium, escrow or tax money;
(4) Brought about by any employee or former employee arising out of the contract of employment with the insured and alleging breach

thereof;

(5) Arising out of any injury or damage which the insured either expected or intended;

(6) For bodily injury, sickness, disease or death of any person or physical injury to or destruction of or loss of use of tangible property;

(7) Arising out of libel, slander, defamation of character, false arrest or imprisonment, wrongful entry or eviction or other invasion of the right of private occupancy, or publications or utterances in violation of an individual's right of privacy, or malicious prosecution;

(8) Arising out of services performed by the insured which are subject to the Employee Retirement Income Security Act of 1974 as amended;

(9) Arising out of any violation of the Securities Act of 1933 as amended or the Securities Exchange Act of 1934 as amended or any state blue sky or securities law or similar state or federal statutes;

(10) Arising out of the conversion, misappropriation, commingling, or defalcation of funds or other property;

(11) Brought against a real estate property manager for failure to effect or maintain adequate levels or types of insurance;

(12) Arising out of unlawful discrimination;

(13) Arising out of liability assumed by the insured under any indemnity, hold harmless or similar provisions or agreements, but this exclusion does not apply to liability the insured would have in the absence of such agreements;

(14) Arising out of the insured's business and brought by or on behalf of an investor, shareholder or partner in any corporation, limited or general partnership, real estate trust or venture in which the insured has, or had, a participating interest, directly or indirectly, in the profits or losses thereof, or in connection with the insured's activities as an underwriter, sponsor, partner, joint or coventurer or member in any real estate partnership, venture or syndicate;

(15) Arising out of, relating to or based upon the dispersal, discharge, escape, release or saturation of smoke, vapors, soot, fumes, acids, alkalies, toxic chemicals, liquids, gases or other material, irritant, contaminant or pollutant in or into the atmosphere, or on, onto, upon, in or into surface or subsurface, including soil, water or watercourses, objects and any tangible or intangible matter, whether sudden or not, by whomever or whatsoever made, including, but not limited to, any public, private or governmental person, concern, body, entity, agency, office or corporation; or

(16) That are excluded by the Nuclear Energy Liability Exclusion Endorsement (broad form) filed by the Insurance Services Office, Inc. with the Kentucky Department of Insurance and identified as form #IL 00 21 11 85.

Section 6. The insurance company and the licensee may agree that the insurance policy issued to the licensee may contain deductibles higher than those established in this regulation as the maximum deductibles and/or it may contain terms, conditions, limitations and exclusions other than those established by this regulation as the minimum required coverages, provided the insurance company, by having executed the certification, shall remain liable to pay on behalf of the insured licensee all amounts in excess of the prescribed maximum deductibles or all amounts from any other claims excluded or limited by provisions more restrictive than the required minimum coverages if the defendant licensee fails to promptly do so. In the event, however, that the insurance company is required by having executed the certification to make payments to claimants or in defense of a claim that would not have been required by the terms and conditions of the policy except for this provision, the insurance company shall not be precluded from using any legal remedy for securing reimbursement of such amounts from the insured licensee.

SUSAN G. STOPHER, Executive Director

APPROVED BY AGENCY: September 9, 1987

FILED WITH LRC: September 22, 1987 at 11 a.m.

PUBLIC HEARING SCHEDULED: A public hearing has been scheduled on November 23, 1987 at 1 p.m. 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 S. 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: No other method, since this is mandated 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: Will provide clarification of certificate process required by KRS 324.395.

TIERING: Was tiering applied? No. Not applicable.

DEPARTMENT OF AGRICULTURE

302 KAR 20:210. Pseudorabies surveillance.

RELATES TO: KRS Chapter 257
PURSUANT TO: KRS 257.030
NECESSITY AND FUNCTION: The prevention of the spread of pseudorabies, via the movement (both intrastate and interstate) of feeder pigs within market channels. Breeding swine in Kentucky on farms which produce and sell feeder pigs will be required to be tested as will breeding swine on farms of origin which produce feeder pigs imported into Kentucky.

Section 1. Definitions. As used in this regulation and unless the context clearly requires otherwise:
(1) Breeding swine shall mean "male and female porcines which are sexually intact (i.e., not altered), six (6) months of age and older."
(2) Feeder pigs (feeding swine) shall mean "porcines of the male (altered) or female sex between weaning and three (3) to four (4) months of age approximately which are produced for the purpose of being fed for slaughter."
(3) Complete herd testing shall mean "a test of all breeding swine within a herd six (6) months of age or older for brucellosis and pseudorabies."
(4) Pseudorabies monitored herd shall mean "a herd in which percentage testing (representative sampling) has been accomplished on the total number of breeding sows in the total herd," and in accord with the following formula:
(a) In herds of ten (10) sows or less - all sows must be tested;
(b) In herds of eleven (11) to thirty-five (35) sows - ten (10) sows are required to be tested;
(c) In herds of thirty-six (36) sows or more - thirty (30) percent or thirty (30) sows must be tested, whichever is less.
(5) Validated brucellosis free herd shall mean "a herd of swine that has qualified for and has been issued a validated brucellosis free herd certificate signed by the State Animal Health Official and the Area Veterinarian in Charge (AVIC). The validated brucellosis free herd status is valid for twelve (12) months, unless evidence of brucellosis is found in the herd."
(6) Qualified pseudorabies negative herd shall mean qualified pseudorabies negative herd status is attained by subjecting all swine over six (6) months of age to an official pseudorabies serological test and obtaining a negative result on all animals. All additional requirements are listed in 9 CFR (Code of Federal Regulations) Chapter 1 (1-1-87 Edition) page 224.

Section 2. Testing Requirements for Breeding Swine in Herds which Produce Feeder Pigs. Effective January 1, 1988, all feeder pigs sold in Kentucky must originate from herds in which testing of the breeding swine has been done for pseudorabies and negative serological results can be demonstrated according to one of the following testing schedules:
(1) Complete herd testing as defined in Section 1(3) of this regulation;
(2) Pseudorabies monitoring testing as defined in Section 1(4) of this regulation.

Section 3. Exemptions. Specific exemptions from the requirements of Section 2 of this regulation shall be:
(1) Feeder pigs which originate from a qualified pseudorabies negative herd. When moving, the feeder pigs must be accompanied by a pseudorabies surveillance card as outlined in Section 4 of this regulation.
(2) Feeder pigs may be individually tested (and identified) for pseudorabies and found serologically negative within thirty (30) days prior to sale or entry.

Section 4. Procedures. The following procedures shall be used to effect compliance with this regulation:
(1) A pseudorabies surveillance card (PS card) will be issued by the state veterinarian to owners of swine herds who market feeder pigs when negative serologies are demonstrated from blood samples obtained by licensed, accredited veterinarians from specific percentages of their breeding swine. The minimum percentage allowed for receiving a PS card will be the monitoring formula (see Section 1(4) of this regulation). Complete herd testing (Section 1(3) of this regulation) will be initiated simultaneously with this regulation for statewide swine validated brucellosis free status. The blood samples taken in this federally funded program will also be utilized for pseudorabies serology to qualify herd owners for issuance of their pseudorabies surveillance cards.
(2) The specific steps to be taken to accomplish the issuance of the pseudorabies surveillance card and the manner in which the PS cards shall be used in marketing feeder pigs are as follows:
(a) The herd owner will contact his veterinarian and request testing of his breeding swine. The owner shall direct the veterinarian as to the number of his breeding swine desired to be tested as follows:
1. When the herd owner selects pseudorabies monitoring testing (Section 1(4) of this regulation), payment for the veterinarian's farm call and the charges for obtaining the blood samples are the owner's responsibility.
2. When the herd owner selects complete herd testing (all breeding swine) (Section 1(3) of this regulation), federal fee basis funds and state funds will, upon availability, pay the veterinarian for the farm call and the sample collections from the animals.
(b) The veterinarian will then submit the samples and the necessary documentation on submission forms supplied by the state veterinarian and signed by the veterinarian and the herd owner. The number of animals bled and the total number of breeding swine (boars and sows) on the premise will be clearly stated on the sample submission forms as well as the individual animal identification numbers of all swine bled. The samples will be sent (serum only) to a state diagnostic laboratory for brucellosis and pseudorabies testing.
(c) The test results will be mailed to the state veterinarian's office by the diagnostic laboratory.
(d) Simultaneous with the mailing of the serum samples to the diagnostic laboratory, the veterinarian and the herd owner shall complete the pseudorabies surveillance card request form (these will be issued to participating practicing veterinarians on request) and mail

same, with both signatures, to the state veterinarian's office.

(e) The pseudorabies surveillance cards will be issued directly from the state veterinarian's office to the herd owner when all requirements have been met.

(f) The PS cards will be used by herd owners to market feeder pigs within Kentucky and to move feeder pigs into other states requiring surveillance testing or monitoring for pseudorabies. At livestock markets in Kentucky, individual groups of feeder pigs will be identified by metal ear tags when herd owners (sellers) present their PS cards.

(g) The PS cards will expire one (1) year from the date the swine are bled.

Section 5. Other Movements. (1) Licensed livestock dealers may purchase feeder pigs for resale provided that original pseudorabies surveillance and individual feeder pig identification can be maintained. At no time shall pigs purchased in accordance with this section be kept on premises with pigs from herds without pseudorabies surveillance.

(2) Feeder pigs purchased pursuant to this section shall be marketed no sooner than thirty (30) days after the original purchase, as prescribed in 302 KAR 20:070. Dealers shall present invoices with the original pseudorabies surveillance card numbers when presenting their feeder pigs to markets.

DAVID E. BOSWELL, Commissioner

APPROVED BY AGENCY: September 29, 1987

FILED WITH LRC: October 8, 1987 at 3 p.m.

PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on November 24, 1987 at 10 a.m. in the Ground Floor Auditorium 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 days before the hearing date, the hearing may be cancelled.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Michael McDonald, DVM, State Veterinarian

(1) Type and number of entities affected: 3,000 or 4,000 swine herds.

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

1. First year: Maximum testing cost of $150 per separate entity which will result in a savings of 1.5 to 3 million dollars to the swine industry as a whole.

2. Continuing costs or savings: This regulation offers an option to swine producers of either testing the minimum requirement of swine at a cost to them (never more than $150) or testing all breeding swine on their farm which will be paid by federal and state funds. Therefore, depending on the individuals choice, the testing could be done at no cost to the herd owner or at a cost of no more than $150.

3. Additional factors increasing or decreasing costs (note any effects upon competition): Kentucky exports approximately 80 percent of the feeder pigs it produces. Eighty-five percent of those exported go to Illinois, Indiana, and Tennessee. These three states have all recently imposed a requirement that feeder pigs entering their states must have originated from a herd monitored for pseudorabies. To insure that our feeder pig industry is able to maintain its marketing ability to other states, this regulation is a necessity. It has been projected by Dr. Lee Meyer, U.K. Agricultural Economist, that if nothing is done, in the near future, we can expect an economic loss of 1.5 million dollars to 3.0 million ... something the agricultural industry of Kentucky cannot handle. (See report filed with regulation in Regulation Compiler's office.)

(b) Reporting and paperwork requirements: The herd veterinarian will be required to conduct needed paperwork as in all testing procedures.

(2) Effects on the promulgating administrative body:

(a) Direct and indirect costs or savings:

1. First year: $74,795 including supplies, equipment and payments to veterinarians.

2. Continuing costs or savings: The maximum estimated cost is $68,635 per year which includes $40,000 paid directly to veterinarians for testing of swine and $28,635 for tags, test kits and printing of forms.

3. Additional factors increasing or decreasing costs: As additional employees, space or equipment are not foreseen as necessary, there should be no additional cost factors.

(b) Reporting and paperwork requirements: The veterinarians will submit test charts to the office of the state veterinarian. The state office will keep track of the herds tested, the test results and issue pseudorabies surveillance cards (market cards). This information will be entered on computer, veterinarians will be paid monthly and pseudorabies surveillance cards will be issued annually upon completion of testing requirements.

(3) Assessment of anticipated effect on state and local revenues: The feeder pig industry in Kentucky has an estimated income of between 15 and 18 million dollars annually. This industry will face a 3 million dollar loss if these regulations are not passed because of testing regulations either in effect or being enacted by surrounding states as they will not meet the export feeder pig requirements.

(4) Assessment of alternative methods; reasons why alternatives were rejected: The alternative methods studied were (a) continue with the regulations as presently written which would mean that Kentucky feeder pigs would not meet the import requirements of surrounding states, (b) test the percentage of swine required by other states and let the farmer be responsible for total cost which would place the swine industry in a financial crisis, (c) test the percentage of swine required by other states and let the state be responsible for total cost which would place the Department of Agriculture in a financial crisis, or (d) to enact this regulation as recommended by the Swine Health and Industry Advisory Council and approved by the Kentucky Board of Agriculture.

After careful study by the swine industry membership and the Division of Livestock Sanitation, the proposed regulation is the only method available which will protect the swine feeder pig industry without putting undue financial hardship on either the individual

members of the swine industry or the Commonwealth of Kentucky. The amount spent on this program will be returned to the state through tax revenues.

(5) Identify any statute, administrative regulation or government policy which may be in conflict, overlapping, or duplication: This regulation is consistent with: 302 KAR 20:040, Entry into Kentucky; 302 KAR 20:065, Sale and exhibition of livestock in Kentucky; and 302 KAR 20:070, Stockyards.

(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:

TIERING: Was tiering applied? No. Because it effects all segments of the industry equally.

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
Department for Environmental Protection
Division for Air Quality

401 KAR 59:310. New nonmetallic mineral processing plants.

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 nonmetallic mineral processing plants.

Section 1. General References. (1) This regulation adopts by reference the federal regulation for new nometallic mineral processing plants, 40 CFR 60, Subpart 000, except as modified in Section 2 of this regulation. The methods for determining compliance with this regulation are filed by reference in 401 KAR 50:015.

(2) In the federal regulation adopted by reference in this regulation, except as specified in this section, "Administrator" shall be read as "secretary," "U.S. EPA" and "Agency" shall be read as "cabinet," and "this subpart" shall be read as "this regulation."

(3) The changes in subsection (2) of this section shall not apply to the substitution and additions to the federal regulation as specified in Section 2 of this regulation.

(4) The changes in subsection (2) of this section shall not apply to 40 CFR 60.676(g).

Section 2. The federal regulation for new nonmetallic mineral processing plants contained in 40 CFR 60, Subpart 000, as published in the Code of Federal Regulations, Title 40, Parts 53 to 60, July 1, 1986, are hereby adopted and filed herein by reference, with the following substitution and additions:

(1) Substitution. For the purpose of this regulation, the following paragraphs shall be substituted for 40 CFR 60.672(e):

"(e) If any transfer point on a conveyor belt or any other affected facility is enclosed in a building which can be entered safely, and in which Reference Method 9 can be applied in accordance with guidance provided by the U.S. EPA, then each enclosed affected facility must comply with the emission limits in paragraphs (a), (b), and (c) of this section, or the building enclosing the affected facility or facilities must comply with the following emission limits:

"(1) No owner or operator shall cause to be discharged into the atmosphere from any building enclosing any transfer point on a conveyor belt or any other affected facility any visible fugitive emissions except emissions from a vent as defined in 40 CFR 60.671.

"(2) No owner or operator shall cause to be discharged into the atmosphere from any vent of any building enclosing any transfer point on a conveyor belt or any other affected facility emissions which exceed the stack emissions limits in paragraph (a) of this section."

(2) Additions.

(a) For the purpose of this regulation, a new paragraph (f) shall be added to 40 CFR 60.672 as follows:

"(f) If any transfer point on a conveyor belt or any other affected facility is enclosed in a buiding which cannot be entered safely, or if Reference Method 9 cannot be applied inside the building in accordance with guidance provided by the U.S. EPA, then the building enclosing the affected facility or facilities must comply with the following requirements:

"(1) No owner or operator shall cause to be discharged into the atmosphere from any vent of any building enclosing any transfer point on a conveyor belt or any other affected facility emissions which exceed the stack emissions limits in paragraph (a) of this section.

"(2) No owner or operator shall cause to be discharged into the atmosphere from any building enclosing any transfer point on a conveyor belt or any other affected facility any visible emissions except emissions from a vent as defined in 40 CFR 60.671; or

"(3) The owner or operator must comply with the requirements of 401 KAR 59:010 or 401 KAR 63:010, as appropriate."

(b) Reports required in 40 CFR 60.676(b) shall also be submitted to the Division for Air Quality at the address given in Section 4(2)(a) of this regulation.

Section 3. Summary. The federal regulation adopted by reference in Section 2 of this regulation, 40 CFR 60, Subpart 000, as modified herein, promulgates standards of performance for those affected facilities in fixed or portable nonmetallic mineral processing plants which commenced construction, modification, or reconstruction after August 31, 1983. The affected facilities are each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, and enclosed truck or railcar loading station. 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) 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 for Air Quality:

(a) Director's Office, Division for Air Quality, Frankfort Office Park, 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 Westen Avenue, Bowling Green, Kentucky 42101, (502) 843-5475;

(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.

MARY HELEN MILLER, Secretary

APPROVED BY AGENCY: October 15, 1987

FILED WITH LRC: October 15, 1987 at noon

PUBLIC HEARING SCHEDULED: A public hearing to receive comments on this proposed amendment will be conducted on November 30, 1987 at 10 a.m. (EST) in the auditorium in 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, Ms. Martha L. Hall, Chief, Regulation Development Section, Division for Air Quality, 18 Reilly Road, Frankfort Office Park, 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 new source performance standards (NSPS) for new nonmetallic mineral processing plants, 40 CFR 60, Subpart 000, except as modified by one substitution and two additions. The Division for Air Quality believes these modifications are necessary to clarify the intent of the federal regulation by ensuring that the compliance tests can be performed in a safe, reasonable, and practical manner. The federal regulation applies to affected facilities that commenced construction, modification, or reconstruction after August 31, 1983. In the Federal Register of August 1, 1985 (50 FR 31337), the U.S. EPA promulgated a new federal NSPS regulation, 40 CFR 60, Subpart 000, limiting emissions of particulate matter from nonmetallic mineral processing plants. The cabinet is adopting by reference the federal regulation, 40 CFR 60, Subpart 000, with some modifications, so that Kentucky can be granted delegation of authority to implement and enforce the provisions of the federal regulation. Available information indicates that there are 17 sources in Kentucky which are presently subject to this regulation. Those sources had previously installed control equipment or use previously prescribed procedures in order to obtain a construction and/or operating permit. If those sources are complying with their permit conditions and regulations that are currently in effect, then it is expected that they will not have to add control equipment or change their method of operation. There are also numerous existing sources which, if they were to undergo construction or modification, would be subject to the requirements in the federal regulation. Any existing source may replace equipment with new equipment of equal or smaller capacity without being subject to this regulation. However, when the last piece of equipment on a production line is replaced, then each affected facility on the entire production line becomes subject to this regulation. 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 expected to be incurred. Cost estimates by the U.S. EPA for the federal regulation indicate that the industry-wide annualized costs in the fifth year following promulgation of the regulation would increase by $34 million. This increase represents, on an average, less than two percent of the price of a ton of product. 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): None

(b) Reporting and paperwork requirements: Some additional amount of reporting and paperwork will be required of sources subject to this regulation. New sources will be required to apply for construction and operating permits. The reporting and recordkeeping requirements appear in 40 CFR 60.676.

(2) Effects on the promulgating administrative body: None presently; the following applies for sources which construct in the future.

(a) Direct and indirect costs or savings:

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: The division considered adopting by reference the federal regulation without any modifications; however, the division believes that the federal regulation's testing requirements for affected facilities enclosed within buildings could be unenforceable because of safety, size, or visual constraints. Correspondence with U.S. EPA indicates that the modifications made in this

regulation reflect the intent of the federal regulation. Therefore, the division believes that the intent of this regulation, as modified, is the same as the intent of the federal regulation. Kentucky is promulgating this regulation, as modified, so that Kentucky can be granted the delegation of authority to implement and enforce the provisions of the federal regulation

(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 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 source for 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: This regulation adopts by reference the federal regulation on New Source Performance Standards (NSPS) for new nonmetallic mineral processing plants, 40 CFR 60, Subpart 000, which was promulgated in the Federal Register of August 1, 1985 (50 FR 31337). This regulation applies to those specified affected facilities at nonmetallic mineral processing plants and other nonmetallic mineral processing operations which have commenced construction, modification, or reconstruction after August 31, 1983. This regulation does not apply to nonmetallic mineral processing equipment which is already subject to another new source performance standard. The regulation sets standards for emissions of particulate matter and for opacity of emissions, and specifies requirements for monitoring of wet scrubber operations and for recordkeeping and reporting. The cabinet is adopting by reference the federal regulation, as modified, so that the effect and intent of Kentucky's regulation will be the same as that of the federal regulation.

TIERING: Was tiering applied? Yes, Tiering is used throughout this regulation. One example of tiering is in the size limitations for different types of nonmetallic mineral processing plants. Common clay plants and pumice plants are exempt from the regulation if their capacity is less than 10 tons per hour; fixed sand and gravel plants and crushed stone plants are exempt if their capacity is less than 25 tons per hour; and portable sand and gravel plants are exempt if their capacity is less than 150 tons per hour. Another example of tiering is in the different opacity standards for fugitive emissions from crushers and other affected facilities. Crushers must meet an opacity of no more than 15 percent, while other affected facilities must meet 10 percent opacity.

FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate. (Cite federal mandate.) This regulation adopts by reference the federal regulation, 40 CFR 60, Subpart 000, with the exception of modifications to clarify the U.S. EPA's intent. The intent and effect of this regulation are the same as the intent and effect of 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 similar in intent and effect 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
Office of Minority Affairs

600 KAR 4:010. Certification of disadvantaged, minority and women business enterprises.

RELATES TO: KRS Chapters 96A, 174, 176, 177, 183

PURSUANT TO: KRS 13A.120, 174.080

NECESSITY AND FUNCTION: Title 49 of the Code of Federal Regulations Part 23 requires that most recipients of funds from the United States Department of Transportation (USDOT) implement a program to support the fullest possible participation of firms or business enterprises owned and controlled by minorities, women and socially and economically disadvantaged individuals in USDOT programs. The Kentucky Transportation Cabinet as a recipient of USDOT funds is required by the federal regulation to have a program of certification of disadvantaged, minority and women business enterprises. This administrative regulation establishes the procedures and criteria for the Transportation Cabinet's certification program.

Section 1. Definitions. (1) "Applicant" means any corporation, partnership, sole proprietorship, or joint venture applying with the Transportation Cabinet for certification as a disadvantaged, minority or women business enterprise.

(2) "Approval" means that the applicant meets disadvantaged, minority or women business enterprise or joint venture eligibility criteria as outlined in 49 CFR Part 23 and as required by this administrative regulation.

(3) "Certification" means the process whereby the Transportation Cabinet determines if an applicant meets disadvantaged, minority or women business enterprise or joint venture criteria.

(4) "Challenge" means an action of a third party which takes issue with the socially and economically disadvantaged status of certified disadvantaged business enterprise program participants or applicants for DBE certification.

(5) "Decertified" means that a firm or business enterprise which has been certified by the Transportation Cabinet which certification has not expired, as a disadvantaged, minority or women business enterprise or joint venture has been determined to be ineligible and is,

therefore, no longer entitled to the rights and privileges accorded to those who are certified by the Transportation Cabinet as a disadvantaged, minority or women business enterprise or joint venture.

(6) "Denial" means that the applicant does not meet disadvantaged, minority or women business enterprise or joint venture eligibility criteria as outlined in 49 CFR Part 23 and as required by this administrative regulation.

(7) "Disadvantaged business enterprise" or "DBE" means a small business concern as defined pursuant to Section 3 of the Small Business Act and implementing regulations:

(a) Which is at least fifty-one (51) percent owned by one (1) or more socially and economically disadvantaged persons; or, in the case of any publicly owned business, at least fifty-one (51) percent of the stock of which is owned by one (1) or more socially and economically disadvantaged individuals; and

(b) Whose management and daily business operations are controlled by one (1) or more of the socially and economically disadvantaged individuals who own it.

(8) "Joint venture" means an association of two (2) or more businesses to perform a specified business contract for profit for which purpose the businesses combined their property, capital, efforts, skills and knowledge.

(9) "Minority" means a person who is a citizen or lawful permanent resident of the United States and who is:

(a) Black (a person having origins in any of the black racial groups of Africa);

(b) Hispanic (a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race);

(c) Portugese (a person of Portugese, Brazilian, or other Portugese culture or origin, regardless of race);

(d) Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands);

(e) American Indian and Alaskan native (a person having origins in any of the original peoples of North America); or

(f) Members of other groups, or other individuals, found to be economically and socially disadvantaged by the Small Business Administration under Section 8(a) of the Small Business Act, as amended (15 U.S.C. 637(a)).

(10) "Minority business enterprise" or "MBE" means a small business concern, as defined pursuant to Section 3 of the Small Business Act and implementing regulations, which is owned and controlled by one (1) or more minorities or women. This definition applies only to financial assistance programs. For the purposes of this part, owned and controlled means a business:

(a) Which is at least fifty-one (51) percent owned by one (1) or more minorities or women or, in the case of a publicly owned business, at least fifty-one (51) percent of the stock of which is owned by one (1) or more minorities or women; and

(b) Whose management and daily business operations are controlled by one (1) or more such individuals.

(11) "Notice" means written notice from the Transportation Cabinet or Office of Minority Affairs delivered certified mail to the business address listed on the application form.

(12) "Onsite inspection" means conducting an interview with principals of the firm at its primary place of business, reviewing business-related documents, and inspecting business facilities.

(13) "Socially and economically disadvantaged individuals" means those individuals who are citizens of the United States (or lawfully admitted permanent residents) and who are black Americans, Hispanic Americans, native Americans, Asian-Pacific Americans, Asian-Indian Americans, or women and any other minorities or individuals found to be disadvantaged by the Small Business Administration pursuant to Section 8(a) of the Small Business Act. The Transportation Cabinet rebuttable presumption that individuals listed in the groups below are socially and economically disadvantaged. The Transportation Cabinet also may determine, on a case-by-case basis, that individuals who are not a member of one (1) of the following groups are socially and economically disadvantaged:

(a) "Black Americans," which includes persons having origins in any of the black racial groups of Africa;

(b) "Hispanic Americans," which includes persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;

(c) "Native Americans," which includes persons who are American Indians, Eskimos, Aleuts, or native Hawaiians;

(d) "Asian-Pacific Americans," which includes persons whose origins are from Japan, China, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Samoa, Guam, the U.S. Trust Territories of the Pacific, and the Northern Marianas;

(e) "Asian-Indian Americans," which includes persons whose origins are from India, Pakistan, and Bangladesh; and

(f) "Women."

(14) "Women business enterprise" or "WBE" means a disadvantaged or minority business enterprise which is owned and controlled by one (1) or more women.

Section 2. Application Process. (1) Application for certification as a DBE, MBE, or WBE shall be made on forms prescribed and furnished by the Transportation Cabinet. Each application form shall be completed in full. All documentation required by the application shall be attached to the completed application. The person signing the application shall identify his position with the business enterprise applying for certification. The completed application shall be submitted to the Transportation Cabinet, Office of Minority Affairs.

(2) If the application is not complete, the Office of Minority Affairs shall return the application to the applicant firm requesting that the omitted information be included. An incomplete application shall not be considered by the Office of Minority Affairs.

(3) The Office of Minority Affairs may perform an onsite inspection of any new applicant. Failure of the applicant firm to participate in the onsite inspection shall be sufficient cause for the Office of Minority Affairs to deny the application.

(4) An out-of-state applicant as a prerequisite to consideration of certification by the Office of Minority Affairs shall be

certified as a DBE, MBE or WBE by the state transportation agency responsible for certifying firms under 49 CFR Part 23 in the state in which the firm has residence.

(5) The Office of Minority Affairs may request additional information in order to determine if an applicant firm should be certified. Failure of the applicant firm to provide the requested information shall be cause for the Office of Minority Affairs to deny the application.

Section 3. Evaluation of Application. (1) The Transportation Cabinet, Office of Minority Affairs shall use the eligibility standards set forth in 49 CFR Part 23.53 to determine the eligibility of a firm to be certified or recertified as a MBE. The Office of Minority Affairs shall use the eligibility standards set forth in 49 CFR Part 23.53; 49 CFR Part 23, Subpart D, Appendix A, Appendix B and Appendix C to determine the eligibility of a firm to be certified or recertified as a DBE or WBE. To be certified a firm shall perform a commercially useful function as set forth in 49 CFR Part 23.47.

(2) The Office of Minority Affairs shall issue a determination of eligibility for certification within ninety (90) days of receipt of a completed application provided that a challenge as set forth in Section 8 of this administrative regulation has not been received.

Section 4. Certification of Applicant Firm. (1) If an application for certification as a DBE, MBE or WBE is approved by the Transportation Cabinet, Office of Minority Affairs and a challenge to the status of a firm from a third party as set forth in Section 8 of this administrative regulation is not received during the time the Office of Minority Affairs is evaluating the application, the notification required by Section 4(2) of this administrative regulation shall be the notice to the applicant firm of certification as a DBE, MBE or WBE.

(2) Certification as a DBE, MBE or WBE is valid for one (1) year from the date of notice of certification.

(3) Records of a certified firm shall be retained for a period of not less than five (5) years from the date of notice of certification.

(4) Certification of a business enterprise shall expire immediately upon any change in ownership or control of the business enterprise. The business enterprise may submit a new application to the Office of Minority Affairs to be considered for certification under the new ownership or control. If, within seven (7) days of the change in ownership or control, the firm notifies the Office of Minority Affairs of the change, the office may extend the expired certification for a brief period of time and with reasonable conditions placed on the firm.

Section 5. Recertification. (1) At least thirty (30) days prior to its certification expiration a certified DBE, MBE or WBE that intends to continue its certification shall submit an application to the Transportation Cabinet, Office of Minority Affairs. The application shall be in the same form and require the same information as in Section 2 of this administrative regulation.

(2) Certification of a DBE, MBE or WBE which has requested recertification at least thirty (30) days prior to the date of certification expiration shall not expire unless the Office of Minority Affairs denies the request for recertification as set forth in Section 5 of this administrative regulation.

(3) If a firm is notified that its request for recertification is denied and the reasons therefore, the firm may request a predetermination meeting within ten (10) days of the date of the notice. If the firm fails to request a predetermination meeting within the ten (10) days, its request for recertification shall be denied.

(4) The predetermination meeting, if requested, shall be held in accordance with the procedures specified in Section 9 of this administrative regulation.

(5) If the Office of Minority Affairs' decision after the predetermination meeting is that the request for recertification shall be denied, the denial shall be effective immediately. However, the firm may appeal that decision in accordance with Section 10 of this administrative regulation.

Section 6. Denial of Certification. (1) If an application for certification as a DBE, MBE, or WBE is denied by the Transportation Cabinet, Office of Minority Affairs, the notification required by Section 4(2) of this administrative regulation shall set forth the reasons for denial.

(2) A denial may be appealed to the Transportation Cabinet within thirty (30) days of the notice. The appeal shall be filed in accordance with Section 10 of this administrative regulation.

(3) An applicant firm may not reapply for certification for one (1) year from the effective date of denial. The effective date of denial shall be the date of the notice if the denial is not appealed. If the denial is appealed and the denial is upheld the effective date of the denial shall be the date of the notice of final action on behalf of the Transportation Cabinet.

Section 7. Decertification. (1) The Transportation Cabinet, Office of Minority Affairs may perform periodic reviews of each certified DBE, MBE or WBE during its certification period to verify continued eligibility of the firm. If the Office of Minority Affairs finds noncompliance with the eligibility criteria or the certified firm fails to provide reasonable information requested by the Office of Minority Affairs as a part of the periodic review, the office may initiate a decertification proceeding.

(2) The Office of Minority Affairs shall notify the certified firm of the pending decertification. The notice shall specify the reasons for the pending decertification. The firm may request a predetermination meeting within ten (10) days of the notice. If the firm fails to request a predetermination meeting within the ten (10) days, it shall be decertified.

(3) The predetermination meeting, if requested, shall be held in accordance with the procedures specified in Section 9 of this administrative regulation.

(4) If the Office of Minority Affairs' decision after the predetermination meeting is that the firm shall be decertified, the firm may appeal that decision in accordance with Section

10 of this administrative regulation.

(5) The effective date of the decertification is thirty (30) days after the date the notice of decertification is mailed to the firm providing the firm does not appeal the decertification to the Transportation Cabinet. If a firm appeals the decertification, the effective date of the decertification shall be the date of the final ruling of the Secretary of the Transportation Cabinet as set forth in Section 10 of this administrative regulation. Decertification shall be for a specific period of time but not less than one (1) year.

Section 8. Challenge of DBE Certification. (1) Any third party may challenge the socially and economically disadvantaged status of any individual, except an individual who has a current 8(a) certification from the Small Business Administration, rebuttably presumed to be socially and economically disadvantaged if that individual is an owner of a firm certified by or seeking certification from the Transportation Cabinet, Office of Minority Affairs as a DBE. The challenge shall be made in writing to the Office of Minority Affairs.

(2) With its letter, the challenging party shall include all information available to it relevant to a determination of whether the challenged party is in fact socially and economically disadvantaged.

(3) The Office of Minority Affairs shall determine, on the basis of the information provided by the challenging party, if there is reason to believe that the challenged party is in fact not socially and economically disadvantaged.

(4) If the Office of Minority Affairs determines that there is not reason to believe that the challenged party is not socially and economically disadvantaged, the office shall so inform the challenging party in writing. This terminates the proceeding.

(5) If the Office of Minority Affairs determines that there is reason to believe that the challenged party is not socially and economically disadvantaged, the office shall notify the challenged party that his status as a socially and economically and disadvantaged individual has been challenged. The notice shall identify the challenging party and summarize the grounds for the challenge. The notice shall also require the challenged party to provide to the Office of Minority Affairs, within a specified reasonable time, information sufficient to evaluate his status as a socially and economically disadvantaged individual. Failure to provide the requested information within the time limit shall be cause for the DBE to be decertified or to be denied certification.

(6) If the social and economic disadvantaged status of a new applicant is challenged, the challenge proceedings shall be completed prior to completion of the certification.

(7) The Office of Minority Affairs shall evaluate the information available and make a proposed determination of the social and economic disadvantage of the challenged party. The office shall notify both parties of this proposed determination, setting forth the reasons for its proposal.

(8) Either party may request a predetermination meeting within ten (10) days of the date of the notice. If neither party requests a predetermination meeting within the ten (10) days, the proposed determination of the Office of Minority Affairs shall become the final determination, i.e., the challenged party shall either be decertified or continue to be certified.

(9) The predetermination meeting, if requested, shall be held in accordance with Section 9 of this administrative regulation. However, both parties shall be allowed to attend the meeting or respond in writing to the proposed determination.

(10) In making the determinations called for in subsections (3) and (7) of this section and Section 9 of this administrative regulation as it relates to challenge, the Office of Minority Affairs shall use the standards set forth in 49 CFR Part 23, Subpart D, Appendix C.

(11) During the pendency of a challenge under this section, the presumption that the challenged party is a socially and economically disadvantaged individual shall remain in effect.

(12) The decision of the Office of Minority Affairs in subsection (4) of this section or after an appeal and hearing before the Secretary of the Transportation Cabinet as set forth in Section 10 of this administrative regulation may be appealed to the United States Department of Transportation, by the adversely affected party to the proceeding under the procedures of 49 CFR Part 23.55.

Section 9. Predetermination Meeting. (1) A predetermination meeting with the Office of Minority Affairs may be requested by any party as set forth in Sections 7 and 8 of this administrative regulation. The request shall be made in writing, signed and dated.

(2) The Transportation Cabinet, Office of Minority Affairs shall schedule the predetermination meeting between five (5) and ten (10) days after receipt of the request for the predetermination meeting. Upon agreement between the Office of Minority Affairs and all affected parties the meeting may be scheduled later than the ten (10) days.

(3) The Office of Minority Affairs shall notify all affected parties in writing of the date, time and location of the predetermination meeting.

(4) The predetermination meeting shall be an informal proceeding. The predetermination meeting shall provide the opportunity for the affected parties to present evidence or arguments, either written or oral, on the matter being considered by the Office of Minority Affairs. The affected parties may be represented by legal counsel.

(5) The Office of Minority Affairs shall render a decision within seven (7) days of completion of the predetermination meeting. In making this decision, the Office of Minority Affairs shall use the standards set forth in Section 3 of this administrative regulation. The affected parties shall be notified of the decision of the Office of Minority Affairs.

Section 10. Appeal and Hearing. (1) Any party in Sections 5(2), 7(4) and 8(10) of this regulation adversely affected by a decision of the Transportation Cabinet, Office of Minority Affairs may appeal that decision within thirty (30) days of the notice of determination. The appeal shall be filed in writing with the Transportation Cabinet.

(2) The Transportation Cabinet shall schedule

the hearing on the appeal between fifteen (15) and thirty (30) days after the appeal is received unless otherwise agreed to by all parties.

(3) The Transportation Cabinet shall provide written notice to the appellant of the date, time and location of the hearing.

(4) At the hearing, the hearing officer appointed by the Transportation Cabinet, shall provide an opportunity for the appellant to call witnesses and present evidence and arguments both written and oral as to why the decision of the Office of Minority Affairs should be overturned.

(5) The Office of Minority Affairs shall present evidence at the hearing on the reasons their decision was made. However, the burden of proof is on the appellant.

(6) The hearing officer appointed by the Transportation Cabinet has the authority to issue subpoenas to compel the appearance of witness or the production of other evidence.

(7) The Transportation Cabinet shall provide a stenographer to record all oral testimony at the hearing.

(8) The hearing officer shall prepare a written report setting forth findings of fact, conclusions of law and a recommendation of final action within sixty (60) days of the hearing. The report shall be submitted to the Secretary of the Transportation Cabinet or his appointed designee.

(9) The Secretary shall render the final decision of the Transportation Cabinet within ten (10) days of receipt of the hearing officer's report. A copy of the decision shall be sent by certified mail to the appellant and the Office of Minority Affairs.

(10) An appeal from the Transportation Cabinet's final decision may be made to the United States Department of Transportation in accordance with the provisions of 49 CFR 23.55 and 49 CFR 23 Subpart D, Appendix A, Decertification Procedures.

Section 11. Joint Ventures. (1) Any joint venture which includes a certified DBE, MBE or WBE may apply to be certified as a joint venture eligible to participate in the DBE, MBE or WBE program. Application for certification shall be on forms prescribed and furnished by the Transportation Cabinet. The application procedure, eligibility standards, and certification procedure followed shall be as set forth in this administrative regulation.

(2) Application from a joint venture which includes a disadvantaged, minority or women business enterprise which has not been certified shall not be considered by the Transportation Cabinet.

(3) If all firms involved in the joint venture are certified DBEs, MBEs or WBEs, there is no need for the joint venture to request certification.

Section 12. All portions of 49 CFR 23, last amended August 22, 1983, are hereby incorporated by reference. The federal regulation sets forth the United States Department of Transportation policy of supporting the fullest possible participation of firms owned and controlled by minorities, women and individuals who are socially and economically disadvantaged. It further sets forth the responsibilities of and requirements for recipients of funds from USDOT. A copy of the material incorporated by reference may be viewed at the Transportation Cabinet, Office of Minority Affairs.

C. LESLIE DAWSON, Secretary/Commissioner
YOLANDA L. MORRIS, Executive Director
APPROVED BY AGENCY: October 15, 1987
FILED WITH LRC: October 15, 1987 at noon
PUBLIC HEARING SCHEDULED: A public comment hearing will be held on this administrative regulation on November 23, 1987 at 10:00 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 in Frankfort, Kentucky. Any person who intends to attend this hearing must, in writing, by November 18, 1987 so notify: Sandra G. Pullen, Executive's Staff Advisor, Transportation Cabinet, State Office Building, Frankfort, Kentucky 40622.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Sandra G. Pullen

(1) Type and number of entities affected: All firms applying to be certified or recertified as a DBE, MBE or WBE. Currently there are 135 so certified.

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

1. First year: Cost of preparing the application and financial statements.

2. Continuing costs or savings: Approximately the same each year.

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

(b) Reporting and paperwork requirements: Each firm is required to submit an annual certification application and backup information regarding the firm's ownership, operation and financial condition.

(2) Effects on the promulgating administrative body: None

(a) Direct and indirect costs or savings: Cost of the employees necessary to review the application and periodically check on each firm.

1. First year: Cost of the employees necessary to review the application and periodically check on each firm.

2. Continuing costs or savings: Approximately the same each year.

3. Additional factors increasing or decreasing costs: Additional federal requirements impose more operating cost.

(b) Reporting and paperwork requirements: Review of annual applications.

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

(4) Assessment of alternative methods; reasons why alternatives were rejected: None - federal law mandates the program.

(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 applicants must be treated the same.

FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate: 49 Code of Federal Regulations Part 23 is the federal mandate for this administrative regulation. The authorities for the federal regulation are Section 905 of the Railroad Revitalization and Regulatory Reform Act of 1978; Section 30 of the Airport and Airway Act of 1970, as amended; Section 19 of the Urban Mass Transportation Act of 1964, as amended; Title 23 of the U.S. Code, and Title VI of the Civil Rights Act of 1964. The state compliance with the federal mandate is approximately the same as the federal mandate.

2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: The federal mandate imposes on the state the requirement of setting the process of certification and managing the program. The mandate sets the standards for certification and managing the program. The Transportation Cabinet has set reasonable procedures for certification and managing the program including due process hearings.

3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: Due process hearings are not included in the federal mandate but are included in the state's administrative regulations to comply with U.S. Constitutional requirements.

TRANSPORTATION CABINET
Office of Minority Affairs
(Proposed Amendment)

600 KAR 4:020. The disadvantaged, minority and women business enterprise program.

RELATES TO: KRS Chapters 96A, 174, 176, 177 183
PURSUANT TO: KRS 13A.120, 174.080

NECESSITY AND FUNCTION: Title 49 of the Code of Federal Regulations Part 23 requires that most recipients of funds from the United States Department of Transportation (USDOT) implement a program of supporting the fullest possible participation of firms owned and controlled by minorities, women and socially and economically disadvantaged individuals in USDOT programs. The Kentucky Transportation Cabinet as a recipient of USDOT funds is required by the federal regulation to have a program that requires the participation of disadvantaged, minority and women business enterprises in contracts financed in whole or in part with federal funds. This administrative regulation establishes the procedures to be followed by and requirements of contractors and subcontractors dealing with the Transportation Cabinet.

Section 1. Definitions. (1) "DBE" means a firm certified by the Transportation Cabinet under the provisions of 600 KAR 4:010 as a disadvantaged business enterprise.

(2) "MBE" means a firm certified by the Transportation Cabinet under the provisions of 600 KAR 4:010 as a minority business enterprise.

(3) "WBE" means a firm certified by the Transportation Cabinet under the provisions of 600 KAR 4:010 as a women business enterprise.

(4) "Good faith effort" means an attempt that can reasonably be expected to produce a level of disadvantaged, minority or women business enterprise participation sufficient to meet contract goals.

(5) "Notice" means written notice from the Transportation Cabinet or Office of Minority Affairs delivered certified mail to the business address listed on the firm's application for certification or bid documents.

(6) "Prime contractor" means an individual, partnership, firm, corporation, joint venture, or any other acceptable business entity that contracts with the Kentucky Transportation Cabinet for the performance of prescribed work.

(7) "Subcontractor" means an individual, partnership, firm, corporation, joint venture, or any other acceptable business entity that subcontracts any portion of a contract with the written consent of the Transportation Cabinet.

(8) "Suspension" means the action taken for cause by the Transportation Cabinet to disqualify for a specified period of time a person or firm from participating as a DBE, MBE, or WBE in Transportation Cabinet federal-aid projects.

Section 2. Contract Goals. (1) Goals shall be established for DBE, MBE or WBE participation in a portion of the Transportation Cabinet projects in which there is United States Department of Transportation funding.

(2) A project proposal may contain goals for participation of DBE, MBE or WBE subcontractors.

(3) Any contractor who bids on and is the apparent successful competitor for such a project shall be responsible for meeting the goals for participation of DBE, MBE or WBE subcontractors which are set forth in the project proposal. The contractor shall submit to the Transportation Cabinet DBE, MBE or WBE subcontractor participation information.

Section 3. Prime Contractor Guidelines. (1) Before a prime contractor enters into a contractual agreement with the Transportation Cabinet on a project which contains goals for participation of DBE, MBE or WBE subcontractors, he shall submit an original and two (2) copies of each agreement between the prime contractor and any DBE, MBE, or WBE to the Transportation Cabinet, Department of Highways. The agreement shall be signed and notarized by both parties to the agreement. The agreement shall set forth a description of the work the DBE, MBE, or WBE subcontractor is to perform or the materials or services to be supplied; the unit price the DBE, MBE, or WBE subcontractor is to be paid for each item; and the total dollar value of the subcontract. All such agreements shall be reviewed by the Transportation Cabinet, Office of Minority Affairs prior to the execution of the project contract to ensure that the project goal will be met and that the DBE, MBE, or WBE subcontractors are certified in Kentucky.

(2) Toward the DBE, MBE or WBE participation goal established for the project, the prime contractor may count expenditures for materials and supplies obtained from DBE, MBE or WBE suppliers and manufacturers, provided the DBE, MBE or WBE assumes actual and contractual responsibility for providing the materials and supplies as follows:

(a) The prime contractor may count its entire expenditure to a DBE, MBE or WBE manufacturer

who produces goods from raw materials or substantially alters them before resale; and

(b) The prime contractor may count twenty (20) percent of its expenditures to DBE, MBE or WBE suppliers that are not manufacturers, provided the DBE, MBE or WBE supplier performs a commercially useful function in the supply process.

(3) Toward the DBE, MBE or WBE participation goal established for the project, the prime contractor may count only expenditures to DBEs, MBEs or WBEs that perform a commercially useful function in the work of a contract. A DBE, MBE or WBE firm is considered to perform a commercially useful function when it is responsible for execution of a distinct element of the work of a contract and carrying out its responsibilities by actually performing, managing and supervising the work involved. To determine if a DBE, MBE or WBE is performing a commercially useful function, the amount of work subcontracted, industry practices and other relevant factors shall be evaluated.

(4) A prime contractor may count toward its DBE, MBE or WBE goal a portion of the total dollar value of a subcontract with a joint venture certified under the provisions of 600 KAR 4:010 equal to the percentage of ownership and control of the DBE, MBE or WBE partner in the joint venture.

(5) If the prime contractor fails to reach the goals of the project and fails to demonstrate sufficient good faith efforts as set forth in Section 6 of this administrative regulation, the Office of Minority Affairs shall in writing advise the Department of Highways that the contract agreement with the prime contractor should not be executed because he has failed to reach the DBE, MBE, or WBE participation goals of the contract.

(6) If the prime contractor reaches the DBE, MBE or WBE participation goals and the contractual agreement with the Transportation Cabinet is executed, the prime contractor is bound by the approved DBE, MBE or WBE percentage participation of the contract.

(7) If the prime contractor's subcontract is cancelled, he shall replace the approved DBE, MBE or WBE with another certified DBE, MBE or WBE firm. An original and two (2) copies of the completed and executed agreement between the prime contractor and the new DBE, MBE, or WBE subcontractor shall be submitted to the Office of Minority Affairs. The agreement shall be reviewed by the Office of Minority Affairs as set forth in subsection (1) of this section prior to the replacement DBE, MBE or WBE beginning work on the project. If the prime contractor is unable to replace the subcontractor with a certified DBE, MBE or WBE he shall request a finding of good faith effort as set forth in Section 6 of this administrative regulation.

(8) If the prime contractor and DBE, MBE, or WBE subcontractor intend to amend their agreement which has previously been reviewed by the Office of Minority Affairs, the revision shall be submitted to the Office of Minority Affairs for review prior to the amendment being implemented to ensure that the DBE, MBE, or WBE participation goal will still be met.

(9) The prime contractor shall pay the DBE, MBE or WBE subcontractor for work performed or materials furnished within seven (7) working days after receiving payment from the Transportation Cabinet.

(10) The prime contractor shall, upon request, make available to the Office of Minority Affairs information related to the conduct of the project.

Section 4. Prime Contractor Failure. (1) The following shall be deemed failure of the prime contractor to meet the approved DBE, MBE or WBE percentage participation of the contract and thus violation of his contract provisions:

(a) Failure to use the approved DBE, MBE or WBE subcontractor;

(b) Use of the approved DBE, MBE or WBE subcontractors to an extent that provides a percentage participation less than indicated in the contract agreement with the Transportation Cabinet; and

(c) Use of a DBE, MBE or WBE subcontractor other than those named in the subcontract reviewed by the Office of Minority Affairs.

(2) The Office of Minority Affairs shall notify the prime contractor of his failure to meet the approved DBE, MBE or WBE percentage participation of the contract. The notice shall contain the reasons for the failure and a time deadline for correction of the failure. The prime contractor in accordance with the provisions of Section 10 of 600 KAR 4:010 may file an appeal within the time deadline. If the firm fails to file an appeal and fails to meet the DBE, MBE or WBE percentage participation of the contract, the Office of Minority Affairs shall in writing advise the Department of Highways of the violation of contract provisions.

Section 5. Good Faith Efforts. (1) If the apparent successful competitor for the project is unable to meet his DBE, MBE or WBE goals but believes he has made a good faith effort toward the goal, he may in writing request a finding of good faith effort from the Office of Minority Affairs. The written request shall substantiate his claim that reasonable efforts were put forth to obtain the project goals. The Office of Minority Affairs shall consider the application for a finding of good faith effort and provide notice to the apparent successful competitor of its decision within ten (10) days of receipt of the application.

(2) The Office of Minority Affairs shall in writing advise the Department of Highways of its decision.

(3) The criteria used by the Office of Minority Affairs for determining if an apparent successful competitor has demonstrated good faith efforts shall include but are not limited to the following:

(a) The apparent successful competitor's attendance at the prebid meeting regarding the specific project;

(b) The apparent successful competitor's providing written announcement of project to a reasonable number of DBEs, MBEs or WBEs regarding subcontracting opportunities;

(c) The apparent successful competitor's allowing sufficient time for DBEs, MBEs or WBEs to respond to the written announcement of project;

(d) The apparent successful competitor's following up written announcement of project with telephone calls or personal contact;

(e) The apparent successful competitor's contacting the Transportation Cabinet's supportive services contractor for assistance in

identifying DBE, MBE or WBE firms. The supportive services contractor is a contractor that provides services to the Transportation Cabinet relating to DBE, MBE, or WBE;

(f) The apparent successful competitor's selecting items of work on the project that DBEs, MBEs or WBEs are prequalified in accordance with 603 KAR 2:015 to perform;

(g) The apparent successful competitor's providing DBEs, MBEs or WBEs with adequate information about the project when requesting quotations;

(h) The apparent successful competitor's making efforts to assist DBEs, MBEs or WBEs in obtaining bonding, credit or insurance;

(i) The apparent successful competitor's advertising in general circulation, trade association and minority focus media for a reasonable time, preferably at least twenty (20) days, before bids or proposals are due;

(j) The location of the project;

(k) The size of the project;

(l) The type of work required by the project; and

(m) The availability of DBEs, MBEs and WBEs.

(4) If the apparent successful competitor is unable to meet the DBE, MBE or WBE participation goal and either did not request a finding of good faith effort or failed to satisfy the Office of Minority Affairs that he has substantiated his claim of good faith efforts, the Office of Minority Affairs shall notify the apparent successful competitor of the reasons why his claim of good faith efforts was not accepted and additional efforts he may make to meet the contract goal.

(5) The apparent successful competitor for the project may file an appeal with the Transportation Cabinet in accordance with the provisions of Section 10 of 600 KAR 4:010 within ten (10) days of the date of the notice. If the firm fails to file an appeal or successfully make the additional efforts within the ten (10) days, the Office of Minority Affairs shall in writing advise the Department of Highways that the firm has neither met the project goals nor made a good faith effort to meet the project goals.

(6) If the apparent successful competitor elects not to file an appeal under the provisions of 600 KAR 4:010, he may within the ten (10) days appeal to the Commissioner, Department of Highways as provided in Sections 9 and 10 of 603 KAR 2:015. However, instead of departmental construction engineers a representative of the Office of Minority Affairs shall be present at the hearing. The hearing examiner and the Commissioner of the Department of Highways shall use the criteria set forth in subsection (3) of this section to determine if the apparent successful competitor has demonstrated good faith efforts.

Section 6. Subcontractor's Guidelines. (1) Only a subcontractor who is certified under the provisions of 600 KAR 4:010 prior to the date of the bid letting for the project may issue a quote on a USDOT assisted project in order to meet a DBE, MBE or WBE goal.

(2) At least fifty (50) percent of the DBE, MBE or WBE subcontractor's work force shall perform the work outlined in the subcontract.

(3) Second tier subcontracting by a DBE, MBE or WBE subcontractor may only be accomplished if the proposed second tier subcontractor is a DBE, MBE or WBE and the Office of Minority Affairs has reviewed the second tier DBE, MBE or WBE subcontract prior to execution.

(4) A DBE, MBE or WBE subcontractor shall designate in writing a project superintendent who supervises the subcontractor's work force daily. The project superintendent shall not be employed by any other contractor on the same project for the life of the project.

(5) If the subcontractor rents equipment from another contractor, the rental agreement shall be in writing and be approved by the Transportation Cabinet's resident engineer on the project.

Section 7. DBE, MBE or WBE as Contractor. Nothing in this administrative regulation shall be construed so as to prohibit a DBE, MBE or WBE from competing on a project in the role of prime contractor.

Section 8. DBE, MBE or WBE Noncompliance. (1) If any certified DBE, MBE or WBE is found to be in noncompliance with any of the requirements of this administrative regulation, the firm may have its certification suspended for a specified period of time. The Office of Minority Affairs shall notify the certified firm of the pending suspension. The notice shall specify the reasons for the pending suspension.

(2) The firm may request a predetermination meeting within ten (10) days of the date of the notice. If the firm fails to request a predetermination meeting within the ten (10) days it shall be suspended for a specified period of time.

(3) The predetermination meeting, if requested, shall be held in accordance with the procedures specified in Section 9 of 600 KAR 4:010.

(4) If the Transportation Cabinet, Office of Minority Affairs' decision after the predetermination meeting is that the firm shall be suspended, the firm may appeal the decision in accordance with Section 10 of 600 KAR 4:010.

(5) The effective date of the suspension is thirty (30) days after the date the notice of suspension is mailed to the firm, providing the firm does not appeal the suspension to the Transportation Cabinet. If a firm appeals the suspension, the effective date of the suspension shall be the date of the final ruling of the Secretary of the Transportation Cabinet as set forth in Section 10 of 600 KAR 4:010.

C. LESLIE DAWSON, Secretary/Commissioner
YOLANDA L. MORRIS, Executive Director
APPROVED BY AGENCY: October 15, 1987
FILED WITH LRC: October 15, 1987 at 10 a.m.
PUBLIC HEARING SCHEDULED: A public comment hearing will be held on this administrative regulation on November 23, 1987 at 9:30 a.m. local prevailing time in the first floor auditorium 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 November 18, 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 firms applying to be certified or recertified as a DBE, MBE or WBE. Currently there are 135 so certified.
(a) Direct and indirect costs or savings to those affected:
1. First year: Cost of preparing the application and financial statements.
2. Continuing costs or savings: Approximately the same each year.
3. Additional factors increasing or decreasing costs (note any effects upon competition):
(b) Reporting and paperwork requirements: Each firm is required to submit an annual certification application and backup information regarding the firm's ownership, operation and financial condition.
(2) Effects on the promulgating administrative body: None
(a) Direct and indirect costs or savings: Cost of the employees necessary to review the application and periodically check on each firm.
1. First year: Cost of the employees necessary to review the application and periodically check on each firm.
2. Continuing costs or savings: Approximately the same each year.
3. Additional factors increasing or decreasing costs:
(b) Reporting and paperwork requirements: Review of annual applications.
(3) Assessment of anticipated effect on state and local revenues: None
(4) Assessment of alternative methods; reasons why alternatives were rejected: None - federal law mandates the program.
(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 applicants must be treated the same.

FEDERAL MANDATE COMPARISON

1. Compare proposed state compliance standards with minimum uniform standards suggested or contained in the federal mandate: 49 CFR Part 23 is the federal mandate for this administrative regulation. The authorities for the federal regulation are Section 905 of the Railroad Revitalization and Regulatory Reform Act of 1978; Section 30 of the Airport and Airway Act of 1970, as amended; Section 19 of the Urban Mass Transportation Act of 1964, as amended; Title 23 of the U.S. Code, and Title VI of the Civil Rights Act of 1964. The state compliance with the federal mandate is approximately the same as the federal mandate.
2. Does the proposed regulation impose stricter requirements or other responsibilities on the regulated entities than those required by the federal mandate: The federal mandate imposes on the state the requirement of setting the process of certification and managing the program. The mandate sets the standards for certification and managing the program. The Transportation Cabinet has set reasonable procedures for certification and managing the program including due process hearings.
3. If the proposed regulation imposes additional requirements or responsibilities, justify the imposition of these stricter standards, requirements or responsibilities: Due process hearings are not included in the federal mandate but are included in the state's administrative regulations to comply with U.S. constitutional requirements.

PUBLIC PROTECTION & REGULATION CABINET
Department of Insurance

806 KAR 6:090. Discounting of casualty insurance loss reserves.

RELATES TO: KRS 304.4-010, 304.6-100
PURSUANT TO: KRS Chapter 13A, 304.2-110, 304.6-100
NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. KRS 304.6-100 authorizes the Commissioner of Insurance to make regulations for the computing of casualty insurance reserves. This regulation permits and regulates the discounting of loss reserves for certain types of casualty insurance.

Section 1. Definitions. As used in this regulation:
(1) "Annual or other financial statements" means the annual statement required by KRS 304.3-240 and all supplements thereto and any other financial statements required by the commissioner;
(2) "Casualty insurance" has the meaning set forth in KRS 304.5-070;
(3) "Commissioner" means the Commissioner of the Kentucky Department of Insurance;
(4) "Domestic insurer" has the meaning set forth in KRS 304.1-070(1);
(5) "Loss adjustment expense reserves" means the amount set aside as of the annual statement date to provide for the future costs of settling claims, whether or not specifically allocated to a particular claim;
(6) "Loss reserves" means the amount set aside as of the annual statement date to provide for the payment of future losses under casualty insurance policies;
(7) "Medical malpractice insurance" means insurance as defined in KRS 304.5-070(1)(j) issued to health care providers;
(8) "Qualified actuary" means a member of the American Academy of Actuaries or a person who has demonstrated to the satisfaction of the commissioner educational background necessary for reserving and other actuarial sciences and has not less than seven (7) years actuarial experience;
(9) "Workers' compensation insurance" has the meaning set forth in KRS 304.5-070(1)(c).

Section 2. Discounting of Casualty Insurance Loss Reserves. (1) Domestic insurers may discount loss reserves for medical malpractice insurance, workers' compensation insurance, and such other kinds of casualty insurance as may be approved by order of the commissioner.

(2) The reserves that may be discounted are loss reserves and loss adjustment expense reserves, including reserves for incurred but not reported claims and case reserves. Loss reserves and loss adjustment expense reserves need not be discounted separately.

Section 3. Prior Approval of the Commissioner Required. (1) A domestic insurer may discount loss reserves only upon approval of the commissioner.

(2) All filings for approval of loss discounting shall contain the information required by this regulation and be accompanied by a five (5) dollar filing fee.

Section 4. Actuarial Statement of Opinion. (1) All filings requesting approval for discounting of loss reserves shall be accompanied by an actuarial statement of opinion reflecting accurately the effect of discounting of loss reserves on the domestic insurer's financial condition. The actuarial statement of opinion shall be by a qualified actuary.

(2) The actuarial statement of opinion shall include the following:

(a) An assessment of the adequacy of the undiscounted reserve;

(b) An assessment of the appropriateness of the assumed interest rate, including, but not limited to:

1. Valuation basis of bonds (market value as opposed to amortized value);

2. Yield on assets;

3. Asset maturities (i.e., do they reasonably match the maturities of the corresponding liabilities?); and

4. Consistency with interest rate assumptions used in pricing.

(c) An assessment of the appropriateness of the anticipated payment schedule, including, but not limited to:

1. The domestic insurer's own paid loss development history to the extent available and credible;

2. To the extent that such history is not available or credible, the applicability of broader based industry experience, in particular with respect to the form of coverage (e.g., occurrence as opposed to claims made coverage forms) and retention level; and

3. The domestic insurer's reinsurance recoverables.

(d) Any other factors needed to reflect accurately the effect of discounting on the financial condition of the domestic insurer or required by the commissioner.

Section 5. Disclosure of Discounting of Loss Reserves in Annual and Other Financial Statements. (1) Domestic insurers discounting loss reserves shall disclose the use of loss reserves in their annual and other financial statements in a manner which will reflect accurately the effect of discounting of loss reserves on the domestic insurer's financial condition. The commissioner may by order specify particular portions or schedules of the annual or other financial statements in which a specific type of disclosure is needed to reflect accurately the effect of discounting of loss reserves on a domestic insurer's financial condition.

(2) An insurer discounting loss reserves shall submit with each annual or other financial statement an actuarial statement of opinion concerning the discounting of loss reserves, as described in Section 4 of this regulation.

Section 6. Limitations on Discounting of Loss Reserves. (1) The interest rate assumption used in discounting loss reserves shall not be greater than that prescribed by order of the commissioner.

(2) In no event shall an insurer discounting loss reserves allow its loss adjustment expense reserves and its loss reserves for losses in each of the most recent three (3) years to be less than sixty (60) percent of premiums earned during each year less the amount already paid for losses and expenses incidental thereto incurred during such year.

Section 7. This regulation shall become effective upon completion of its review pursuant to KRS Chapter 13A.

GIL McCARTY, Commissioner
ROBERT M. DAVIS, Secretary
APPROVED BY AGENCY: October 15, 1987
FILED WITH LRC: October 15, 1987 at 11 a.m.

PUBLIC HEARING SCHEDULED: Persons with an interest in the subject matter of the proposed regulation may comment at a public hearing scheduled for November 23, 1987 at 9 a.m. (ET) in the offices of the Kentucky Department of Insurance, 229 West Main Street, Frankfort, Kentucky 40601. Written comments may be submitted to Gil McCarty, Commissioner, Kentucky Department of Insurance, P.O. Box 517, Frankfort, Kentucky 40602. Written comments must be received prior to 9 a.m. (ET) on November 23, 1987 in order to receive consideration. The public hearing scheduled above may be cancelled if no one notifies the Commissioner of Insurance at least five days prior to the hearing that they will be in attendance at the hearing to comment.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Patrick Watts, Counsel

Need for the Proposed Regulation: The proposed regulation is necessary to establish those kinds of casualty insurance for which loss reserves may be discounted, require approval of the Commissioner of Insurance for loss reserve discounting, and specify what must be shown in order to justify discounting of loss reserves. When casualty insurance loss reserves are discounted, investment income is recognized and, as a result, the amount of the reserve is reduced. Reserve discounting is a standard practice in workers' compensation insurance, but is relatively new for other kinds of casualty insurance such as medical malpractice insurance.

Under the proposed regulation, domestic insurers may discount loss reserves only for workers' compensation insurance, medical malpractice insurance, and such other kinds of insurance as the commissioner may prescribe. Prior approval of the commissioner is required for discounting. All filings requesting approval for discounting must be accompanied by an actuarial statement of opinion meeting the criteria of the regulation.

The impact of discounting of loss reserves must be disclosed in the insurer's annual and other financial statements. The actuarial statement of opinion described above must be

filed with these financial statements.

The commissioner may by order prescribe the maximum interest rate to be assumed in discounting loss reserves. It is likely that the commissioner will establish six percent as the maximum interest rate to be assumed in discounting loss reserves. Lastly, at no time may reserves be less than the level set by KRS 304.6-100(3).

(1) Type and number of entities affected: There are 15 domestic insurers authorized to transact property and casualty insurance in Kentucky. These insurers issue a minimal amount of workers' compensation insurance. Only one domestic insurer issues medical malpractice insurance, and that is its sole kind of business.

(a) Direct and indirect costs or savings to those affected: The proposed regulation will permit domestic insurers to discount certain types of loss reserves for casualty insurance, resulting in lower reserves required to be held by those insurers.

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: The proposed regulation requires accurate disclosure of the effect of loss reserve discounting on the insurer's financial condition in annual and other financial statements of insurer. Further, the actuarial statement of opinion must be provided when approval for discounting is requested and must also be provided with annual or other financial statements.

(2) Effects on the promulgating administrative body: The fiscal impact of the five dollar filing fee will be minimal because it is expected that very few insurers will request approval for loss reserve discounting. The proposed regulation will be a useful tool in determining the propriety of loss reserve discounting and whether loss reserve discounting is carried out in an appropriate manner.

(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: Insurers are hesitant to adopt loss reserve discounting without specific regulations to permit and control the practice. Further, the Department of Insurance needs highly detailed information to determine whether loss reserve discounting should be permitted, and if so, how it should be carried out.

(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? Tiering has been applied in several aspects:

1. The regulation applies only to domestic insurers, that is, those subject to greatest scrutiny by the Department of Insurance.

2. Discounting is permitted only for certain kinds of insurance, with the Commissioner of Insurance authorized to permit discounting for other kinds of insurance.

3. The regulation recognizes that whether discounting of loss reserves should be permitted and, if so, how it should be carried out depends on the insurer's individual circumstances.

CABINET FOR HUMAN RESOURCES
Department for Social Services
Division of Family Services

905 KAR 1:220. Standards for determination of reasonable efforts in foster care placements.

RELATES TO: KRS 620.080, 620.140, 620.180, P.L. 96-272

PURSUANT TO: KRS 194.050, 620.180

NECESSITY AND FUNCTION: KRS 620.080 provides for a hearing within seventy-two (72) hours after emergency removal of a child from his home, and KRS 620.090 authorizes the court to grant temporary custody to the cabinet pending a disposition hearing under KRS 620.140. KRS 620.140(3) provides that before any child is committed to the cabinet or placed out of his home under the supervision of the cabinet, the court shall determine that reasonable efforts have been made by the cabinet to prevent or eliminate the need for removal and that continuation in the home would be contrary to the welfare of the child. KRS 620.180 provides that the cabinet may promulgate regulations to implement provisions of the chapter. It is necessary and desirable to provide a detailed description of the meaning of reasonable efforts to prevent or eliminate the need for placement of children in foster care. Such a regulation is beneficial both to the Cabinet for Human Resources and its employees and the courts. The Department for Social Services receives a substantial amount of federal funds under P.L. 96-272 for foster care which are dependent on judicial determination that reasonable efforts have been made to prevent or eliminate the need for removal of a child.

Section 1. Definitions. (1) "Cabinet" means the Cabinet for Human Resources.

(2) "Department" means the Department for Social Services.

(3) "Available in the community" means provided by the department, directly or by contract, or offered by other agencies in the community without cost to the department.

(4) "Reasonable efforts" means the exercise of ordinary diligence and care by the department to utilize preventive and reunification services available in the community which are necessary to enable the child to safely live at home.

Section 2. Court Responsibilities. Before any child is committed to the cabinet or placed out of his home under the supervision of the cabinet, the district court shall make a written determination that the department made reasonable efforts to provide the preventive and reunification services which are necessary to prevent or eliminate the need for removal.

Section 3. Criteria for Determination. The determination of whether reasonable efforts have been applied shall be made on a case-by-case

basis considering factors such as:
(1) Length of time and circumstances available for provision of services;
(2) The services that are available, including those required by the state plan, additional services offered by the department and services offered by the local community;
(3) Department's previous experience with the family;
(4) Response of parents to the services offered;
(5) Any particular circumstances which may affect the parents' ability to utilize services, i.e., mental retardation, mental illness, physical incapacity, lack of transportation;
(6) Protection the court can afford the child by such actions as ordering an abuser out of the home or ordering a parent to attend counseling or therapy.

Section 4. Evidence. A determination of reasonable efforts shall be based on evidence on the following issues:
(1) Does maintaining the child in the home pose a serious threat of danger to the physical or mental health of the child?
(2) Can the court adequately protect the child from this threat by ordering an abuser out of the home or ordering a parent/custodian to attend counseling or therapy?
(3) What opportutnity prior to this threat of danger did the department have to prevent its occurrence, and what action was taken?
(4) Are relatives available who can care for and protect the child? Has a search been conducted?
(5) What are the preventive and reunification services available in the community through the state agency?
(6) Has a case plan been prepared and, if so, what are its provisions as to:
(a) Identification of family problems.
(b) Treatment and services to resolve these problems.
(c) Support payments and other actions required of the parents.
(d) Timetable for reunification of child with family.
(7) Will the case plan adequately protect the child now and prepare the parents to provide adequate care and protection for the child upon return to the parents' home?
(8) Are the services in the case plan actually available in the community?
(9) Is the case plan being implemented?

Section 5. Court Determination. If the evidence indicates that under the total circumstances of the case the department has offered the family reasonable preventive and reunification services which are available in the community through the state agency and necessary to enable the chid to safely live at home, the department shall be entitled to a determination that reasonable efforts were made within the meaning of KRS 620.140(3) and P.L. 96-272.

ANNA GRACE DAY, Commissioner
E. AUSTIN, JR., Secretary
APPROVED BY AGENCY: October 12, 1987
FILED WITH LRC: October 15, 1987 at 10 a.m.
PUBLIC HEARING SCHEDULED: A public hearing on this regulation will be held on November 24, 1987, at 9 a.m. in the Vital Statistics Conference Room, 1st Floor, CHR Building, 275 East Main Street, Frankfort, Kentucky. Those interested in attending this hearing shall notify in writing the following office by November 19, 1987: Ryan Halloran, General Counsel, Cabinet for Human Resources, 275 East Main Street, Frankfort, Kentucky 40621.

REGULATORY IMPACT ANALYSIS

Agency Contact Person: Stanley Stratford
(1) Type and number of entities affected: All district courts.
(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: Include in court commitment.
(2) Effects on the promulgating administrative body:
(a) Direct and indirect costs or savings:
1. First year: Savings of General Funds of $8 to $20 a day for certain children in foster care.
2. Continuing costs or savings: Same
3. Additional factors increasing or decreasing costs: Will permit the cost of foster care for certain children to be paid from federal funds.
(b) Reporting and paperwork requirements: N/A
(3) Assessment of anticipated effect on state and local revenues: Will permit Kentucky to access available federal funds.
(4) Assessment of alternative methods; reasons why alternatives were rejected: No other method permitted by P.L. 96-272.
(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:
TIERING: Was tiering applied? No. By federal law this must be a statewide policy.

ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE

Minutes of the October 1 and 2, 1987 Meeting

The October meeting of the Administrative Regulation Review Subcommittee was held on Thursday, October 1, 1987 at 2 p.m. and on Friday, October 2, 1987 at 10 a.m. in Room 110. Representative Mark D. O'Brien, Chairman, called the meeting to order, and the secretary called the roll. On motion of Representative Meyer, the minutes of the September 8 and 10, 1987 meeting were approved as amended.
Present October 1, 1987 were:

Members: Representative Mark D. O'Brien, Chairman; Senator Pat McCuiston; Representatives Jim Bruce, Ronny Layman and Joe Meyer.

Guests: Greg Holmes, KY Board of Dentistry; Cherry Owens Callihan, Stephen T. DeMers, Dave Nicholas, Board of Psychology; Don R. McCormick, Lauren Schaaf, Thomas Young, Department of Fish and Wildlife Resources; David E. Boswell, Wanda Delaplane, Roy A. Massey, Charles Prebble, Thomas M. Troth, Department of Agriculture; Leon Smothers, Natural Resources & Environmental Protection Cabinet; Cathy C. Snell, Justice Cabinet; Earl Dunlap, Juvenile Justice Committee of Kentucky Crime Commission; Rebecca Mercier, Lexington-Fayette Urban County Government; Michael Bradley, Corrections Cabinet; Sandra Pullen, Bill Wilhoite, Transportation Cabinet; Russell B. Fitzpatrick, City Taxi Inc., Winchester, KY and KY Taxi Association; Charles Williams, Yellow Cab of Ashland and KY Taxi Association; Bill Willis, KY Taxi Association; Bill Pettus, KY Harness Racing Commission; Robert Hughes, East Kentucky Power Coop.; David S. Beck, Ron Pryor, KY Farm Bureau.

LRC Staff: Susan Wunderlich, Joe Hood, Gregory Karambellas, Donna Valencia, and Carla Arnold.

On October 1, 1987, the following action was taken:

The Subcommittee determined that the following regulations do not comply with KRS Chapter 13A and attached a statement of objection:

Justice Cabinet: Juvenile Detention Facilities

Representative Meyer stated that the statement of consideration was not in conformance with KRS 13A.280 because it did not contain concise statements setting forth the reasons for accepting or not accepting suggestions or recommendations made at the public hearing. He also felt that the regulations should be tiered to allow for different types of short-term facilities. Cathy Snell, Justice Cabinet counsel, stated that the definition of juvenile detention facility in the statute prohibited the agency from including those facilities in the regulations. Representative Meyer pointed out that the statute defines facilities in the negative and that the agency could include the different types of facilities in the regulations. He also stated that these regulations are not enforceable until July 1, 1988, which would allow the agency time to conform these regulations to KRS Chapters 13A and 15A. Earl Dunlap, representing the Juvenile Justice Committee and the Kentucky Crime Commission, stated that the regulations should be adopted in advance so that those affected could prepare the facilities before enforcement and that these regulations were developed for facilities that currently fall under KRS 15A.200. Cathy Snell asked the Subcommittee to provide advice on preparing regulations to deal with short-term facilities. The Subcommittee attached the following statement of objection to these regulations: "The regulations violate KRS Chapter 13A, specifically 13A.210 (failure to apply tiering) and 13A.280 (an inadequate affirmative consideration), and request the Legislative Research Commission to refer these regulations to the appropriate interim joint committee for further study and possible legislative action during the next session."

500 KAR 6:010 (Definitions.)
500 KAR 6:020 (Administration, organization and management.)
500 KAR 6:030 (Personnel.)
500 KAR 6:040 (Juvenile records.)
500 KAR 6:050 (Safety and emergency procedures.)
500 KAR 6:060 (Security and control.)
500 KAR 6:070 (Food service.)
500 KAR 6:080 (Sanitation and hygiene.)
500 KAR 6:090 (Juvenile rights.)
500 KAR 6:100 (Training and staff development.)
500 KAR 6:110 (Medical and health care services.)
500 KAR 6:120 (Rules and discipline.)
500 KAR 6:130 (Intake.)
500 KAR 6:140 (Admission procedures.)
500 KAR 6:150 (Programs.)
500 KAR 6:160 (Communication: mail, visiting and telephone.)
500 KAR 6:170 (Release preparation and transfer programs.)
500 KAR 6:180 (Citizens and volunteer involvement.)

The Subcommittee determined that the following regulations, as amended, complied with KRS Chapter 13A:

General Government Cabinet: Board of Dentistry

201 KAR 8:006 (Advertising of dental services.) Chairman O'Brien pointed out that the regulation exceeded statutory authority since KRS KRS 313.140(3) prohibits the forms of advertising permitted by this regulation. Agency personnel stated that even though Federal Trade Commission rules and federal court cases permit advertising, the statute would have to be amended at the next regular session, and that such legislation would be prepared.

The Subcommittee determined that the following regulations complied with KRS Chapter 13A:

General Government Cabinet: Board of Examiners of Psychologists

201 KAR 26:171 (Requirements for supervision of certified psychologists, psychological assistants, and candidates for licensure.)
201 KAR 26:230 (Examinations.)

Tourism Cabinet: Department of Fish and Wildlife Resources: Game

301 KAR 2:044 (Taking of migratory wildlife.)

Natural Resources and Environmental Protection Cabinet: Department for Environmental Protection: Water Resources

401 KAR 4:060 (Stream construction criteria.)

Corrections Cabinet: Office of the Secretary

501 KAR 6:040 (Kentucky State Penitentiary.)
501 KAR 6:050 (Luther Luckett Correctional Complex.) Questions were raised relating to abbreviated terms that did not appear to be defined in this regulation. It was pointed out that unless a cross reference is made to a regulation in which the definition appears, a separate definition section should be included in this regulation. Agency personnel agreed to submit an amended regulation.
501 KAR 6:060 (Northpoint Training Center.) Agency personnel agreed to file an amended regulation to include the hourly or other pay

scale specified in the policy.
501 KAR 6:130 (Western Kentucky Farm Center.)
501 KAR 6:140 (Bell County Forestry Camp.)

Transportation Cabinet: Department of Vehicle Regulation: Driver's License
601 KAR 12:020 (Expired or suspended license; requirements for renewal.)
601 KAR 12:030 (Instruction permit.)
601 KAR 12:040 (Driving history record; fee.)
Driver's Improvement
601 KAR 13:010 (Medical Review Board; basis for examination, evaluation, tests.)
601 KAR 13:020 (Point system.)
601 KAR 13:030 (Alcohol driver education clinic.)
Department of Highways: Construction and Materials
603 KAR 1:030 (Crushed stone, bituminous materials; certificate of eligibility to bid.)
Traffic
603 KAR 5:100 (Permits for moving houses and buildings.)

Public Protection and Regulation Cabinet: Harness Racing Commission: Quarter Horse, Appaloosa and Arabian Racing Rules
811 KAR 2:096 (Medication of horses.)

The Subcommittee deferred the following regulations at the agencies' request:

General Government Cabinet: Board of Dentistry
201 KAR 8:390 (General anesthesia, deep sedation, and conscious sedation by dentists.)

Commerce Cabinet: Department of Agriculture: Kentucky Grain Insurance and Grain Dealers
302 KAR 34:050 (Grain Dealer Licensing of Federal Warehouses.)

Justice Cabinet: Juvenile Detention Facilities
500 KAR 6:190 (Physical plant.)

Transportation Cabinet: Department of Vehicle Regulation: Division of Motor Carriers
601 KAR 1:115 (Taxicabs.) Bill Willis, Russell Fitzpatrick, and Charles Williams, representing taxi companies and associations, stated that the regulation as amended would prohibit taxi companies from providing origination service to anyone more than two miles outside the corporation limits of most city. Agency personnel agreed, but stated that the regulation conforms to KRS 281.012. The agency agreed to defer the regulation until further notice, and the Subcommittee requests the Legislative Research Commission to refer the regulation to the appropriate interim joint committee for study and possible legislation during the next regular session.

Other Business:
Representative Meyer requested staff to determine if the Justice Cabinet has complied with KRS 15A.270 by filing regulations to govern the operation of the local alternatives-to-detention fund.

The Subcommittee had no objections to emergency regulations which had been filed.

The Subcommittee recessed at 3:10 p.m. until October 2, 1987.

Present October 2, 1987 were:
Members: Representative Mark D. O'Brien, Chairman; Senator Pat McCuiston; Representatives Jim Bruce, and Joe Meyer.
Guests: J. Gary Bale, Audrey T. Carr, Department of Education; Edward A. Farris, Department of Alcoholic Beverage Control; Dan Meyer, KY Wholesale Liquor Dealers Association; Gayle Horn, Department of Housing, Buildings and Construction; Lonnie Carpenter, Barbara Coleman, Karen Doyle, Ruth Friedheim, Anne Hager, N. Clifton Howard, Eugenia Jump, Carol Sauers, Michael Townsend, John H. Walker, Cabinet for Human Resources.
LRC Staff: Susan Wunderlich, Joe Hood, Gregory Karambellas, Donna Valencia, and Carla Arnold.

On October 2, 1987, the following action was taken:

The Subcommittee determined that the following regulations complied with KRS Chapter 13A:

Education and Humanities Cabinet: Department of Education: Office of Vocational Education: Fiscal Management
705 KAR 2:120 (Distribution of funds for local operation of area vocational education centers and local vocational departments.)

Public Protection and Regulation Cabinet: Department of Alcoholic Beverage Control: Licensing
804 KAR 4:245 (Registration of brands definitions.)

State Racing Commission: Thoroughbred Racing Rules
810 KAR 1:013 (Entries, subscriptions and declarations.)

Cabinet for Human Resources: Department for Health Services: Alcohol, Drugs and Occupational Programs
902 KAR 3:055. Definitions for nonmedical alcohol treatment and education center programs.)
902 KAR 3:060 (Licensing procedures, nonmedical alcohol treatment and education center.)
902 KAR 3:065 (Organization and administration, nonmedical alcohol treatment and education center.)
902 KAR 3:070 (Personnel policies, nonmedical alcohol treatment and education center.)
902 KAR 3:075 (Quality assurance, nonmedical alcohol treatment and education center.)
902 KAR 3:080 (Client's rights, nonmedical alcohol treatment and education center.)
902 KAR 3:085 (Physical plant, nonmedical alcohol treatment and education center.)
902 KAR 3:090 (General program operation, nonmedical alcohol treatment and education center.)
902 KAR 3:095 (Detoxification.)
902 KAR 3:100. Residential treatment.)
902 KAR 3:105 (Residential transitional treatment.)
902 KAR 3:110 (Outpatient treatment.)
902 KAR 3:115 (Day/night intensive outpatient treatment.)
902 KAR 3:120. Education. (Deferred from September meeting)
902 KAR 3:205 (Definitions for drug abuse treatment and education (DATE) centers.)

902 KAR 3:210 (Licensing procedures, (DATE) centers.)
902 KAR 3:215 (Organization and administration, (DATE) centers.)
902 KAR 3:220 (Personnel policies, (DATE) centers.)
902 KAR 3:225 (Quality assurance, (DATE) centers.)
902 KAR 3:230 (Client's rights, (DATE) centers.)
902 KAR 3:235 (Physical plant, (DATE) centers.)
902 KAR 3:240 (General program operations, (DATE) centers.)
902 KAR 3:245 (Residential rehabilitation centers.)
902 KAR 3:250 (Nonresidential day care centers.)
902 KAR 3:255 (Educational information centers.)
902 KAR 3:260 (Communication centers.)

Hospitalization of Mentally Ill and Mentally Retarded

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

Department for Employment Services: Employment Services

903 KAR 6:060 (Confidentiality of records of the Department for Employment Services.) Agency personnel stated that KRS 194.060 provided for the confidentiality of records pertaining to the Job Training Partnership Act program (JTPA), and that, if any questions existed as to the implementation of the program, KRS 194.060(2) permits disclosure of such records to the legislature. Chairman O'Brien pointed out that KRS 194.060(2) provides for disclosure or sharing "if such agency has a direct, tangible, and legitimate interest in the individual concerned or his immediate family[,]" and could be interpreted in a less liberal manner than has been the case. The Subcommittee approved a motion to request LRC to refer the following issues to the Interim Joint Committee on Labor and Industry: (1) Whether the requirement of KRS 194.060 that all records and reports of the department which directly or indirectly identify a client or a former client of the department may be made confidential should be amended; and, (2) Whether a review of the the Job Training Assistance Training program is warranted.

Department for Social Insurance: Public Assistance

904 KAR 2:016 (Standards for need and amount; AFDC.)
904 KAR 2:140 (Supplementary policies for programs administered by the Department for Social Insurance.)
904 KAR 2:150 (Incorporation by reference of materials relating to the aid to families with dependent children program.)
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 the food stamp program.)

Department for Social Services: Child Welfare

905 KAR 1:091 (Standards for facilities and agencies.)

Department for Medicaid Services: Medicaid Services

907 KAR 1:016 (Psychiatric hospital services.)

The Subcommittee deferred the following regulations at the agencies' request:

Public Protection and Regulation Cabinet: Department of Housing, Buildings and Construction: Standards of Safety

815 KAR 10:020 (Fire safety standards.) The Subcommittee questioned the wording used in Section 4(2)(c) allowing the use of codes and pamphlets "and any later editions thereof." Representative Meyer also pointed out thet Section 3 refers to "the building code listed in Section 4(2)(a) of this regulation" in two instances, and the cite appears to be faulty. Agency personnel agreed to defer this regulation for further consideration of the questions raised.

The Subcommittee had no objections to emergency regulations which had been filed.

Other Business:

Chairman O'Brien requested that when the staff reviewer noted that a local government fiscal note was required but not attached, the reviewer explain why the fiscal note is needed.

The Subcommittee adjourned at 10:30 a.m. until November 9, 1987.

CUMULATIVE SUPPLEMENT

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LOCATOR INDEX -- EFFECTIVE DATES

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

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201 KAR 8:390	1860	
201 KAR 27:017	2169	8-5-87
806 KAR 12:110		
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806 KAR 38:060		
Amended	2109	8-5-87
806 KAR 38:080		
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902 KAR 13:010		
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201 KAR 27:017E		
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301 KAR 1:190E	546	8-27-87
301 KAR 2:044E	407	8-7-87
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301 KAR 4:050E	693	9-16-87
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815 KAR 7:070E	551	8-27-87
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903 KAR 5:270E	17	6-15-87
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904 KAR 2:015E	802	10-8-87
904 KAR 2:016E	422	8-13-87
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904 KAR 2:116E	804	9-16-87
904 KAR 3:010E	807	10-2-87
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401 KAR 63:041	320	*(No eff. date)	
*Since Statement of Consideration was not received by 15th day following hearing, proposed regulation must be refiled. (KRS 13A.280(2))			
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  Commercial vehicles; 601 KAR 9:060
  Dealer plates; 601 KAR 9:125
  Highway use license, records, taxes; 601 KAR 9:074
  Inspector procedures; 601 KAR 9:085
  Motor carrier registration; 601 KAR 9:010
  Dealer registration; 601 KAR 9:015
  National Guard license plates; 601 KAR 9:013
  Personalized license plates; 601 KAR 9:012
  Rebuilt, reconstructed registration; 601 KAR 9:047
  Reciprocity; 601 KAR 9:040

VOCATIONAL EDUCATION
Fiscal Management
  Fund distribution; 705 KAR 2:120
State-Operated Schools
  Admission priorities; 705 KAR 5:110
  Contract, agreement; 705 KAR 5:100
  Live work projects; 705 KAR 5:060

VOCATIONAL REHABILITATION SERVICES
Independent living; 706 KAR 1:020
Three-year plan; 706 KAR 1:010

WASTE MANAGEMENT
Solid Waste Facilities
  General provisions; 401 KAR 47:010 and E
  Permit process; 401 KAR 47:020 and E
  Sanitary landfills; 401 KAR 47:040 and E
Solid Waste Planning
  Designation; 401 KAR 49:030 and E
  Fees; 401 KAR 49:050 and E
Standards, Owners & Operators
  Corporate guarantee; 401 KAR 34:165 and E
  Financial test, closure, postclosure; 401 KAR 34:159 and E
  Financial test, liability coverage; 401 KAR 34:162 and E
  Liability requirements; 401 KAR 34:120 and E
  Surety bond guarantee; 401 KAR 34:144 and E
Interim Status Standards, Owners & Operators
  Liability requirements; 401 KAR 35:120 and E

WATER
Resources
  Stream construction criteria; 401 KAR 4:060