

224.43-610 Legislative findings and purposes.

The General Assembly of the Commonwealth of Kentucky hereby finds, determines, and declares, as follows:

- (1) That Congress enacted the Hazardous and Solid Waste Amendments of 1984 establishing a clear bias against the disposal of hazardous waste in or on the land, and prohibits land disposal of a hazardous waste unless the Environmental Protection Agency determines that the prohibition is not necessary to protect human health and the environment and further recognized the environmental hazards of disposing of limited quantities of hazardous waste into solid waste landfills absent adequate design considerations.
- (2) That in 1983 the United States Office of Technology Assessment published a comprehensive report which concluded that current land disposal technologies cannot guarantee the containment of hazardous wastes and protection of groundwater supplies.
- (3) That a majority of Kentucky is underlaid by geology which is permeable and of little protection to groundwater resources from the contaminants, including hazardous waste, which can leach from a landfill disposal site.
- (4) That Congress and the United States EPA have expressed the intention, in regards to environmental protection, that each state should be able to regulate to protect the environment in ways that are specific to the needs of each state and that each state does regulate the disposal of small amounts of hazardous waste differently.
- (5) That waste flowing into solid waste landfills contains limited quantities of hazardous waste commingled with nonhazardous waste which produces a waste stream that is impossible to separate the hazardous components from nonhazardous contents.
- (6) It is therefore the purpose of KRS 224.43-614 to require all waste streams disposed in Kentucky to be free of limited quantity hazardous waste components or that such waste streams be regulated by being required to dispose of the waste in a landfill meeting strict design standards for groundwater protection.

Effective: February 26, 1991

History: Amended 1991 (1st Extra. Sess.) Ky. Acts ch. 12, sec. 26, effective February 26, 1991. -- Created 1988 Ky. Acts ch. 46, sec. 1, effective July 15, 1988.

Formerly codified as KRS 224.847.