

224.73-140 Administrative regulations regarding renewal of discharge permit to owner of privately owned small wastewater treatment plant.

The cabinet shall promulgate administrative regulations in accordance with KRS Chapter 13A regarding the issuance or the renewal of a discharge permit under KRS 224.10-100 to an owner of a privately owned small wastewater treatment plant that require a plant's owner to:

- (1) Obtain and maintain a contract for insurance, or a financial instrument such as a letter of credit, for:
 - (a) Fire and extended coverage in an amount deemed sufficient by the cabinet to fully replace the plant or otherwise restore service to the customers served by the plant in the event the plant becomes nonfunctional due to risks such as fire or other natural disasters; and
 - (b) Commercial general liability coverage and products and completed operations coverage in an amount deemed sufficient by the cabinet to address potential general liabilities or products and completed operations liabilities;
- (2) Implement an asset management plan, the requirements of which shall be developed by the cabinet using nationally known or recognized best practices, methodologies, and guidelines;
- (3) Maintain adequate revenue to ensure continuity of service and the ability of the owner to:
 - (a) Operate and maintain the plant in a manner to meet all applicable state and federal laws during operation; and
 - (b) Implement the asset management plan designated for the plant; and
- (4) Conduct a structural analysis of the plant, as necessary.

Effective: July 14, 2018

History: Created 2018 Ky. Acts ch. 196, sec. 2, effective July 14, 2018.