

224.10-225 Facilitation of permits for coal-fired electric generation plants, industrial energy facilities, and surface coal mining and reclamation operations.

- (1) The secretary of the Energy and Environment Cabinet shall facilitate the permitting of:
 - (a) Coal-fired electric generation plants or industrial energy facilities in the Commonwealth; and
 - (b) Upon request of the applicant, surface coal mining and reclamation operations in the Commonwealth;by developing procedures for one (1) stop shopping for environmental permits.
- (2) Upon request by an applicant for environmental permits for an industrial energy facility or a surface coal mining and reclamation operation, the secretary, in consultation with the applicant, shall establish specific time periods for actions to be taken in the consideration of its permit applications. The time periods established shall not exceed those adopted by administrative regulations promulgated pursuant to KRS 224.10-220. Notwithstanding KRS 224.10-420(2), failure by the cabinet to adhere to the time periods established pursuant to this section or established by administrative regulations promulgated pursuant to KRS 224.10-220 shall constitute the making of a final determination of the cabinet, and the applicant, at its election, may:
 - (a) Initiate an action for mandamus, declaratory judgment, or other specific relief in the Circuit Court for the county in which the surface coal mining and reclamation operation is located; or
 - (b) Initiate an administrative hearing under KRS 224.10-420(2).
- (3) As used in this section, "surface coal mining and reclamation operations" has the same meaning as in KRS 350.010.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 138, sec. 2, effective June 29, 2023. -- Amended 2010 Ky. Acts ch. 24, sec. 354, effective July 15, 2010. -- Amended 2007 Ky. Acts ch. 73, sec. 2, effective June 26, 2007. -- Created 2000 Ky. Acts ch. 321, sec. 10, effective July 14, 2000.