

ENERGY AND ENVIRONMENT CABINET
Proposed Projects Involving the General Fund (cash or bonds)
(amounts in **bold** are the total budget)

2024-2026

(Projects listed by cabinet priority; descriptions are from the agency submission)

- 1. Maintenance Pool for Cabinet-Owned Facilities** **\$1,012,000**
Maintenance pool project is necessary to preserve existing Cabinet Real Property in a usable, safe, and functional condition. (C-PI) Office of the Secretary's Priority #1
- 2. State-Owned Dam Repair** **\$22,200,000**
KRS 151.291 authorizes the Energy and Environment Cabinet (EEC) to ensure dams owned by the Commonwealth comply with state dam safety regulations (401 KAR 4:030) and requirements. Of the 72 dams the Commonwealth owns, some require rehabilitation and repair to meet these requirements. The objective of the SODR program is to rehabilitate the dams and bring them into compliance with the Commonwealth's dam safety regulations and modern dam safety standards. Willisburg Lake Dam is a high hazard dam in Washington County. The lake serves as the primary raw water source for the City of Springfield and Washington County. The dam is hydraulically and structurally deficient and does not meet modern dam safety standards for high hazard dams. Failure of the dam may cause loss of human life, loss of a rural arterial highway facility (KY 555), and a major regional water supply. Clements Lake Dam is a high hazard dam in located on the campus of Morehead State University in Rowan County. The lake serves as a raw water source for the University water system and as a recreational asset. The structure was determined to be high hazard due to the presence of university buildings and residence halls as well as other occupied property in the downstream flood inundation area in the event of a dam failure. The dam has structural issues related to seepage and the spillway is significantly deteriorated. Chenoa Lake Creek Dam is a high hazard dam in Bell County. The lake serves as the primary raw water source for the Department of Corrections Bell County Forestry Camp. Failure of the dam may cause loss of human life and the water supply. Guist Creek Dam is a high hazard dam in Shelby County. The lake serves as the primary raw water source for the City of Shelbyville and a large portion of Shelby County. Failure of the dam may cause loss of human life, potential loss of an interstate highway facility (I-64), a rural arterial highway facility (US 60), and a major water supply. (C-O) Department for Environmental Protection Priority #1
- 3. AR Inspection Forms** **\$1,397,000**
The Energy and Environment Cabinet performs over 50,000 inspections and investigations each year. The goal of this project is to allow these inspections to be documented via a mobile application that will speed the inspection process, increase accuracy, and lessen the dependency on visits to the office. Customized mobile inspection templates will allow inspectors to spend more time protecting human health and the environment while reducing the time spent on documentation and travel. EEC will work with vendors and contractors to customize commercial off-the-shelf software to create mobile inspection templates that will be interfaced with existing Cabinet databases. (IT) Office of the Secretary's Priority #2
- 4. Wiley Property Site** **\$9,480,000**
Division of Waste Management (DWM) is requesting \$9.4 million in funding for biennium 2024-2026 for a project that was formerly a time critical action implemented under EPA's CERCLA (The Comprehensive Environmental Response, Compensation, and Liability Act) authority. The contaminant of concern is arsenic trioxide which is a RCRA (The Resource Conservation and Recovery Act) listed hazardous waste P012 (Arsenic trioxide). Surface concentrations of arsenic at 75% revealed that the material was pure arsenic trioxide. The material had been presumably stockpiled in a barn for use as a pesticide. The barn later collapsed or was destroyed and arsenic trioxide was exposed and released. (C-O) Department for Environmental Protection Priority #2

- 5. State Superfund Site** **\$2,038,000**
The Energy and Environment Cabinet (EEC), Department for Environmental Protection (DEP), Division of Waste Management (DWM), is requesting funding to address State Superfund Site remediation efforts. It is the statutory responsibility of the Superfund Branch to conduct clean up actions of sites where no responsible party is available. The goal of the Cabinet is to prevent contaminant exposures that affect human health and the environment. (C-O) Department for Environmental Protection Priority #3
- 6. Replacement of Unsafe Fire Equipment** **\$1,273,000**
Kentucky Division of Forestry (KDF) requests to replace 3 wildfire bulldozer and transport units. The bulldozers being replaced are older models with open cabs, which cause unsafe conditions for personnel in wildfire environments. The replacement bulldozers will have enclosed environmental cabs, which will protect personnel against injury while operating in dangerous conditions. The KDF relies heavily on dozers to cut wildfire lines for the protection of life, property, and resources. Currently, KDF has 31 dozers manufactured prior to 2006, with the oldest being manufactured in the year 1985. Therefore, 62% of KDF's dozer fleet is beyond the industry standard of a 15 year replacement. Kentucky has experienced ice storms, extreme drought, tornadoes, and unprecedented flooding which has increased conditions for wildfires and increased risk to the public and firefighters. Mechanized equipment is critical to the division's ability to safely and efficiently work in these areas. The dozer does the work of approximately 50 employees cutting fire lines to stop the spread of fire faster, safer, and in more difficult fuel types. Kentucky has approximately 12 million acres of forestland that require fire protection by the KDF per KRS 149.010. Dozers are the most important piece of equipment used in fighting wildfires and many are not equipped with the environmental cab package that provides a carbon filtration system & keeps fire/smoke out of the cab. The replacement of these models will provide a safer condition for KDF personnel as they operate the dozers. The dozer is only one component of the dozer unit because transports are required to haul the dozers. 68% of the KDF transport fleet has transports manufactured prior to 2006 leading to high maintenance costs. Increasing the Gross Vehicle Weight Rating (GVWR) will allow our employees to be safer when transporting dozers by increasing the load carrying capability and front tire size of the transports. (EQ) Department for Natural Resources Priority #1
- 7. KHLCF Land Acquisition and Maintenance** **\$5,000,000**
The Kentucky Heritage Land Conservation Board is authorized under KRS 146.560 through 146.570 to award grants for the management of acquired natural areas meeting specific criteria. Those criteria include areas important to rare and endangered species, areas important to migratory birds, areas that perform important natural functions that are subject to alteration or loss, and areas to be preserved in their natural state for public use, outdoor recreation, and education. This capital request will allow the Heritage Land Conservation Fund Board to fully manage existing natural areas, as well as provide a mechanism for additional acquisitions of land. Diminishing revenue has hindered the ability to manage the Commonwealth's natural areas. This includes areas that have been bought several years in the past, as well as land that has been recently donated to the Commonwealth. The agency has also been unable to acquire additional land due to declining unmined mineral taxes, which were critical to funding these activities in the past. The agency has been unable to proceed with current projects or future projects. Without funding to address critical management needs, various species dependent on disturbance-based habitats and areas receiving high visitor use cannot receive the basic essential levels of attention necessary. The lack of revenue also limits the ability to properly manage donated acres or approved property. (C-O) Office of the Secretary's Priority #3
- 8. Kentucky Abandoned Storage Tank and Orphan Well** **\$1,000,000**
The Energy and Environment Cabinet (EEC), Department for Natural Resources (DNR), the Division of Oil and Gas (DOG), is requesting funding to enable clean-up action under the Kentucky Abandoned Storage Tank and Orphan Well (KASTOW) reclamation program. The program was established by legislation in 2019 to address legacy oil and gas environmental liabilities across the Commonwealth that impact citizens, property, and water resources daily. Key components include reclamation of abandoned oil storage tank sites, removal of gathering lines, and plugging of orphan oil and gas wells in order to return the property to safe and productive use. HB-199, enacted in the 2019 Regular Session, established the KASTOW program. (C-O) Department for Natural Resources Priority #2

9. JPRN Chilled Production Area

\$1,800,000

The Division of Forestry (KDF) is mandated in KRS 149.010 to grow, collect, and distribute seedlings. The current facilities were constructed in the early 70's. The chilled production area is 1/10th of the capacity needed to run the nursery operation. Because of lack of chilled space, we are unable to place harvested seedlings in cold storage prior to packaging and many packages cannot be properly stored prior to shipment. The bottleneck causes seedlings to go unsold, because there is no room to store them in a dormant state and have them available for sale in April. A refrigerated trailer has been leased in the past to help increase the seedling storage capacity. The production area has never been updated. The roof leaks and walls have holes in them. The electrical system is out dated and will not support new equipment without a major upgrade. To properly process and store seedlings, the chilled production area would need to be larger and more efficient. If KDF continues with leasing trailers, the seedlings will not be properly stored resulting in seedlings dying, preventing sales or possible refunds of sales. This project proposes to replace the existing cooler & production area with a larger more reliable and efficient facility. (C-O) Department for Natural Resources Priority #3

2026-2028

AR Inspection Forms	\$1,469,000
Kentucky Abandoned Storage Tank and Orphan Well	\$1,000,000
KHLCF Land Acquisition and Maintenance	\$5,000,000
Maintenance Pool for Cabinet-Owned Facilities	\$1,000,000
Replacement of Unsafe Fire Equipment	\$1,400,000
Southern Wood Treatment Site	\$9,254,000
State Superfund Sites	\$2,038,000
State-Owned Dam Repair	\$24,500,000

2028-2030

Kentucky Abandoned Storage Tank and Orphan Well	\$1,000,000
KHLCF Land Acquisition and Maintenance	\$5,000,000
Maintenance Pool for Cabinet-Owned Facilities	\$1,000,000
Replacement of Unsafe Fire Equipment	\$1,540,000
Southern Wood Treatment Site	\$7,783,000
State Superfund Sites	\$2,038,000
State-Owned Dam Repair	\$12,000,000

ENERGY AND ENVIRONMENT CABINET
Proposed Projects Involving Other Fund Sources

2024-2026

ERT Command Unit Replacement

\$275,000 RF

This request is for a current year authorization (FY24) for the replacement of the existing 18-year-old mobile command post. The mobile command post serves the Emergency Response Branch and the Energy and Environment Cabinet (EEC), acting as a mobile base of operations during natural disaster emergencies or extended deployment events that require a remote operations center to facilitate efficient and effective organization and delivery of actions to protect human health and the environment. The specifications for this unit have been developed with consideration of both existing and future requirements for achieving interoperability across other agencies within state and federal government. The existing Mobile Command Post is experiencing deterioration of both structural and technological components creating instability of connectivity, reliability of "Ready State" status and increasing costs for regular maintenance and repair. (EQ)