

1 AN ACT relating to energy.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 224.10-225 is amended to read as follows:

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