

147A.031 Procedures for solid waste management conflict resolution.

- (1) The Department for Local Government, in cooperation with cities, counties, waste management districts, waste industries, the Energy and Environment Cabinet, and the Environmental Quality Commission, shall develop procedures designed to resolve conflicts resulting from municipal solid waste management facility siting and operation. The procedures shall address:
 - (a) Resolution of conflicts associated with multijurisdictional municipal solid waste management facilities, including the use of such techniques as negotiation, mediation, or arbitration to address issues, including but not limited to host community compensation and collection and disposal fees; and
 - (b) Resolution of issues, except those relating to permit conditions imposed by the cabinet, resulting from municipal solid waste management facility siting and operation, including the use of such techniques as negotiation, mediation, or arbitration to address concerns of those persons and landowners who are directly affected by the facility's location and operation. Issues which may be addressed include but are not limited to the following:
 1. Operational issues, such as hours of operation;
 2. Recycling and composting efforts that may be implemented;
 3. Protection of property values;
 4. Traffic routing and road maintenance; and
 5. Establishment of local advisory committees.
- (2) The Department for Local Government shall adopt administrative regulations to implement the provisions of subsection (1) of this section.
- (3) Nothing in this section shall be construed to abridge any rights or remedies provided by KRS Chapters 109 and 224, or at common law.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 136, effective July 15, 2010; and ch. 117, sec. 11, effective July 15, 2010. -- Amended 2007 Ky. Acts ch. 47, sec. 72, effective June 26, 2007. -- Amended 1998 Ky. Acts ch. 69, sec. 57, effective July 15, 1998. -- Created 1991 (1st Extra. Sess.) Ky. Acts ch. 12, sec. 10, effective February 26, 1991.

Legislative Research Commission Note (7/15/2010). This section was amended by 2010 Ky. Acts chs. 24 and 117, which do not appear to be in conflict and have been codified together.