

224.20-120 Considerations in fixing standards.

In exercising the power conferred upon it by this chapter the Energy and Environment Cabinet shall give due recognition to the policy as heretofore expressed in KRS 224.20-100. The cabinet, in fixing standards, shall require the use of all available, practical, and reasonable methods to prevent and control air pollution in the Commonwealth of Kentucky. It shall give due recognition to the quantity of characteristics of air contaminants or the duration of their presence in the atmosphere. It shall take into consideration in this connection such factors, among others, found by it to be proper and just, existing physical conditions, public benefit, that the degree of conformance therewith that may be proper as to an essentially residential area of the state may not be proper as to a highly industrial area of the state, and, further, the relationship between the intensity and composition of air pollution and the health of the public and damage to or interference with enjoyment of property. It shall give reasonable consideration to the interests of all parties concerned.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 362, effective July 15, 2010. -- Amended 1974 Ky. Acts ch. 74, Art. III, sec. 13(2), effective June 21, 1974. -- Amended 1972 (1st Extra. Sess.) Ky. Acts ch. 3, sec. 48, effective January 1, 1973. -- Amended 1970 Ky. Acts ch. 92, sec. 75, effective June 18, 1970. -- Created 1966 Ky. Acts ch. 22, sec. 6, effective June 16, 1966.

Formerly codified as KRS 224.340.