

224.80-200 Civil action for injunctive or other equitable relief.

- (1) A civil action for injunctive or other equitable relief for violation of an environmental covenant may be brought by:
 - (a) A party to the environmental covenant;
 - (b) The cabinet;
 - (c) Any person to whom the environmental covenant expressly grants power to enforce;
 - (d) A person whose interest in the real property or whose collateral or liability may be affected by the alleged violation of the environmental covenant; or
 - (e) A municipality or other unit of local government in which the real property subject to the environmental covenant is located.
- (2) KRS 224.80-100 to 224.80-210 shall not limit the cabinet's exercise of regulatory authority under law with respect to an environmental response project unless the environmental covenant expressly prohibits the cabinet from undertaking specified actions.
- (3) A person shall not be responsible for or subject to liability for environmental remediation solely because the person has the right to enforce an environmental covenant.

Effective: June 20, 2005

History: Created 2005 Ky. Acts ch. 92, sec. 11, effective June 20, 2005.