

**224.60-105 Registration of underground storage tanks -- Program to regulate tanks.**

- (1) Owners of any underground storage tank, currently existing, or taken out of operation after January 1, 1974, shall notify the cabinet of the existence of such tanks and a description of the tank and its use in accordance with regulations promulgated by the cabinet.
- (2) The cabinet shall regulate underground storage tanks by requiring minimum construction and performance standards, leak detection, record keeping, reporting releases, corrective actions, closure, financial responsibility, and any other requirement deemed necessary by the cabinet to protect the public health and environment. In promulgating regulations to carry out this section the cabinet may distinguish between types, classes, and ages of underground storage tanks.
- (3) It is the intent of the General Assembly that the cabinet shall establish a program to regulate underground storage tanks which implements federal regulatory requirements for underground storage tanks. The cabinet shall develop and implement a program and promulgate administrative regulations for underground storage tanks which shall be submitted for approval to the United States Environmental Protection Agency pursuant to federal regulations.
- (4) KRS 224.60-105 to 224.60-160 and administrative regulations promulgated under authority of KRS 224.60-105 to 224.60-160 shall supersede and preempt all local laws, ordinances, and regulations pertaining to petroleum underground storage tanks, except:
  - (a) Any applicable state fire marshal regulations or local building permit procedures for petroleum storage tank installations;
  - (b) Any local law, ordinance, or regulation promulgated before July 15, 1990; or
  - (c) Any local restrictions or conditions imposed pursuant to KRS Chapter 100.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 376, effective July 15, 2010. -- Amended 1990 Ky. Acts ch. 370, sec. 3, effective April 9, 1990. -- Created 1986 Ky. Acts ch. 237, sec. 7, effective July 15, 1986.

**Formerly codified as** KRS 224.814.