

224.60-138 Reduction of contamination levels by corrective action or closure -- Request for final determination -- Hearing -- Effect.

- (1) If corrective action for a release from or closure of a petroleum storage tank reduces levels of contamination to less than the standards established pursuant to the administrative regulations adopted under KRS 224.60-137, then the cabinet shall approve the corrective action or closure and issue a notice to the owner or operator that no further action is required to address the petroleum contamination.
- (2) A person who submits a corrective action proposal to the cabinet may request in writing a final determination on the proposal no sooner than thirty (30) days after its submission. When a final determination on the proposal is requested, the cabinet shall make its final determination within sixty (60) working days from the date the request is received by the cabinet. After a final determination has been made, the person requesting the final determination may request a hearing pursuant to the provisions of KRS 224.10-420. Nothing in this subsection shall relieve any person of any obligations imposed by law during an environmental emergency, nor shall it require the cabinet to approve a proposal which would violate this chapter or the administrative regulations promulgated pursuant thereto.

Effective: April 11, 1994

History: Created 1994 Ky. Acts ch. 419, sec. 3, effective April 11, 1994.