



ENERGY AND ENVIRONMENT CABINET

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF WATER

200 FAIR OAKS LANE, 4TH FLOOR

FRANKFORT, KENTUCKY 40601

PHONE (502) 564-3410

FAX (502) 564-0111

www.dep.ky.gov

Leonard K. Peters
Secretary

R. Bruce Scott
Commissioner

Peter T. Goodmann
Acting Director

November 12, 2015

Dear Concerned Citizen:

Pursuant to the notice provisions of KRS Chapter 13A, earlier this year the Kentucky Division of Water filed proposed amendments to the following administrative regulations:

- 401 KAR 10:026 Designation of uses of surface waters
- 401 KAR 10:029 General provisions
- 401 KAR 10:030 Antidegradation policy implementation methodology
- 401 KAR 10:031 Surface water standards

Kentucky must conduct a Triennial Review to maintain its delegated authority of the NPDES permit program. The Clean Water Act requires that Kentucky review its water quality standards every three years and comply with the programmatic requirements of 40 C.F.R. Part 131 (Clean Water Act). These administrative regulations were amended as part of the 2015 Triennial Review, to reflect the latest scientific developments, correct references to Kentucky statutes, and make grammatical changes that comply with current regulatory requirements.

The Kentucky Division of Water (DOW) filed these proposed amended regulations with the Legislative Research Commission (LRC) on August 10, 2015. The DOW received comments at the public hearing on September 24, 2015, and through the comment period which ended on September 30, 2015. The LRC approved DOW's request for an extension of time in which to consider and respond to those comments through the Statement of Consideration (enclosed) and to amend 401 KAR 10:031 (Surface water standards) as a result.

The Statement of Consideration and 401 KAR 10:031 (Amended After Comments) will be available on the LRC Regulation website at <http://www.lrc.ky.gov/kar/frntpage.htm> when they are published in the Administrative Register. They will also be available on the DOW website at <http://water.ky.gov/Pages/RegsInProgress.aspx>. Both websites can be accessed online through public libraries or any computer with Internet access.

The DOW appreciates the thoughtful comments provided and the public's participation in this very important process of protecting the Commonwealth's water resources.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter T. Goodman", with a stylized flourish at the end.

Peter T. Goodman, Director
Kentucky Division of Water

PTG/cjc
Enclosures