

NOW THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF SCOTT COUNTY, KENTUCKY, AS FOLLOWS:

SECTION I - PURPOSE

This Ordinance is adopted by the Scott County Fiscal Court for the purposes of protecting public health/safety and the environment in Scott County, Kentucky, through timely response & remediation efforts by properly trained individuals for incidents requiring action by existing/future Local, State &/or Federal requirements.

This Ordinance also provides a mechanism for local agencies to recoup response costs from persons responsible for the release.

SECTION II - APPLICABILITY

Pursuant to authority of K.R.S. 67.083(7), the provisions of this Ordinance shall apply to all persons who manufacture, use, store, or transport hazardous materials within the entire area of Scott County, when in the event of an unauthorized release of a hazardous material:

- (1) in which the safety of local residents and/or reversible damage to the environment is imminent without immediate action, and,
- (2) the responsible party has refused to act in a reasonable time or the responsible party is not known through existing reporting or record keeping requirements, and
- (3) the responsible party would be required by existing local, state &/or federal regulation(s) to report, contain & remediate the hazardous material release (Cause a release of a "Reportable Quantity" (RQ) of a hazardous material).

SECTION III - DEFINITIONS

- (1) "Authorized Release" means a release of hazardous materials in accordance with an appropriate permit granted by a local, state or federal agency having primary jurisdiction over such release;
- (2) "Consumer Product" shall have a meaning stated in 15 U.S.C. 2052;