

HAZELRIGG & COX, LLP

ATTORNEYS AT LAW

415 WEST MAIN STREET, SUITE 1

P.O. Box 676

FRANKFORT, KENTUCKY 40602-0676

JOHN B. BAUGHMAN
ROBERT C. MOORE

DYKE L. HAZELRIGG (1881-1970)
LOUIS COX (1907-1971)

FAX: (502) 875-7158
TELEPHONE: (502) 227-2271

March 4, 2011

RECEIVED

MAR 04 2011

PUBLIC SERVICE
COMMISSION

Via Hand-Delivery

Mr. Jeff R. Derouen
Executive Director
Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, Kentucky 40602-0615

Re: In the matter of Alternative Rate Filing of Hillridge Facilities, Inc. ("Hillridge"),
Case #2010-00426

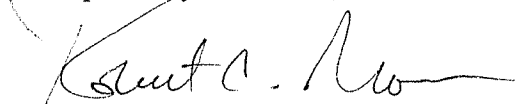
Dear Mr. Derouen:

Please find enclosed for filing in the above referenced case the following documents:

- 1) Supplement to Answers of Hillridge Facilities, Inc. to Commission Staff's Second Request for Information; and,
- 2) Hillridge's Motion to Deviate from Rule Governing the Filing of Copies.

I have provided the original and 10 copies of each of these documents for filing. Thank you for your attention to this matter and please contact me should you have any questions concerning same.

Respectfully submitted,



Robert C. Moore

RCM/neb
Enclosures
cc: Sonja Ridge

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

MAR 04 2011

PUBLIC SERVICE
COMMISSION

In the Matter of:

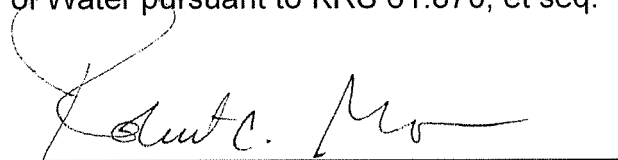
ALTERNATIVE RATE FILING OF HILLRIDGE) CASE NO.
FACILITIES, INC.) 2010-00426

SUPPLEMENT TO ANSWERS OF HILLRIDGE FACILITIES, INC. TO COMMISSION
STAFF'S SECOND REQUEST FOR INFORMATION

Comes Hillridge Facilities, Inc., ("Hillridge") by counsel and for its Supplement to Answers to Commission Staff's Second Request for Information states as follows.

1. Hillridge hereby supplements its answer to Request for Information number 2 by providing a copy of the most recent infiltration and inflow study performed on Hillridge Facilities' system consisting of 11 DVDs and 287 pages of supporting documents (See Attachment A). These records were obtained from the Louisville and Jefferson County Metropolitan Sewer District pursuant to KRS 61.870, et seq.

2. Hillridge hereby supplements its answer to Request for Information number 13(b) by providing a copy of all letters of warning and notices of violation that DOW has issued to Hillridge Facilities since 2003 regarding its infiltration and inflow problems (See Attachment B). These documents were obtained by review of the records maintained by the Kentucky Division of Water pursuant to KRS 61.870, et seq.

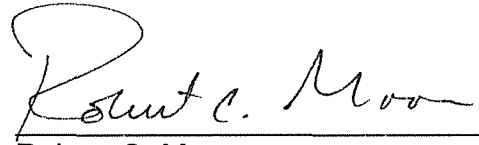


Robert C. Moore
Hazelrigg & Cox, LLP
415 West Main Street, 1st Floor
P.O. Box 676
Frankfort, Kentucky 40602-0676

Case No. 20010-00426

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by first class mail, postage prepaid, on Jeff Derouen, Executive Director, Public Service Commission, 211 Sower Blvd., P.O. Box 615, Frankfort, Kentucky 40602, David Edward Spenard, Assistant Attorney General, 1024 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601-8204 and Laurence J. Zielke and Janice M. Theriot, Zielke Law Firm PLLC, 1250 Meidinger Tower, 462 S. 4th Street, Louisville, Kentucky, on the 7th day of March, 2011.



Robert C. Moore

**COMMONWEALTH OF KENTUCKY
ENVIRONMENTAL & PUBLIC PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
Division of Water**

NOTICE OF VIOLATION

To: Don Ridge
17825 Bradbe Road
Fishersville, Kentucky 40023

AI Name: Hillridge Facilities Inc **AI ID:** 2067 **Activity ID:** ENV20040002
County: Jefferson
Enforcement Case ID:
Date(s) Violation(s) Observed: 11/13/03

This is to advise that you are in violation of the provisions cited below:

1 Violation Description for Subject Item GINS0000000001(KPDES Individual):

Twenty-four (24) hour reporting. The permittee shall follow the provisions of 401 KAR 5:015 and shall orally report any noncompliance which may endanger health or the environment, within 24 hours from the time the permittee becomes aware of the circumstances. This report shall be in addition to and not in lieu of any other reporting requirement applicable to the noncompliance. [401 KAR 5:065 Section 1(12)(f)]

Description of Non Compliance:

The plant appears to be losing some solids to the stream. There are some sewage solids in the stream below the plants outfall. The chlorine gas was empty. TRC was Non -detect. I took a fecal coliform sample which tested >1,200 colonies/100 ml.

The required remedial measure(s), and date(s) to be completed by are as follows:

Immediately report all non-compliance, which may endanger the health or impact the environment. [401 KAR 5:065 Section 1(12)(f)]

2 Violation Description for Subject Item GINS0000000001(KPDES Individual):

Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control and related appurtenances which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit. [401 KAR 5:065 Section 1(5)]

Description of Non Compliance:

There were three full chlorine gas cylinders in the chlorine room. The connected cylinder was either empty or all of the chlorine was being consumed by excess solids in the contact tank.

The required remedial measure(s), and date(s) to be completed by are as follows:

Use proper best management practices to operate the plant. [401 KAR 5:065 Section 1]

3 Violation Description for Subject Item GINS0000000001(KPDES Individual):

All wastewater treatment plants shall have a disinfection process which meets the following requirements: An ultraviolet disinfection system designed to treat the anticipated peak hourly flow; a chlorination system with a flow or demand proportional feed system. The chlorine contact tank shall have a minimum detention time of thirty (30) minutes based on the average flow, or fifteen (15) minutes based on the peak hourly flow, whichever requires the larger tank size. Wastewater treatment plants shall also have a dechlorination system with a flow or demand proportional feed system if necessary to meet the effluent

ATTACHMENT B

limits; or a chlorination system with a manually controlled feed system and a flow equalization basin designed to eliminate the diurnal flow variations. [401 KAR 5:005 Section 11(1)]

Description of Non Compliance:

Chlorine was empty or the rate was not adjusted properly.

The required remedial measure(s), and date(s) to be completed by are as follows:

Chlorine gas must be on at all times to ensure compliance with fecal coliform limits. [401 KAR 5:005 Section 11]

4 Violation Description for Subject Item GINS0000000001(KPDES Individual):

The permittee shall comply with conditions of the permit. [401 KAR 5:065 Section 1,a]

Description of Non Compliance:

Past six months: One TSS. Two months have NH3 violations.(five NH3 violations in those two months)

The required remedial measure(s), and date(s) to be completed by are as follows:

Meet the KPDES permit limits at all times. [401 KAR 5:065 Section 1(a)]

5 Violation Description for Subject Item GINS0000000001(KPDES Individual):

Minimum Criteria Applicable to All Surface Waters. (1) The following minimum water quality criteria are applicable to all surface waters including mixing zones, with the exception that toxicity to aquatic life in mixing zones shall be subject to the provisions of 401 KAR 5:029, Section 4. Surface waters shall not be aesthetically or otherwise degraded by substances that settle to form objectionable deposits. [401 KAR 5:031 Section 2(1)(a)]

Description of Non Compliance:

There are some sewage solids in the stream. The contact tank confirms the loss of some excess solids.

The required remedial measure(s), and date(s) to be completed by are as follows:

Stop allowing solids that settle on the stream bottom to enter the stream. [401 KAR 5:031 Section 2]

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned.

Division of Water
Louisville Regional Office
9116 Leesgate Rd
Louisville, KY 402225084
502-425-4543 (8:00 AM – 4:30 PM)
Brad Trivette, Environmental Inspector III

Issued By:

Brad Trivette

Brad Trivette, Environmental Inspector III

Date: March 9, 2004

AI: Hillridge Facilities Inc -- 2067

A handwritten signature in cursive script that reads "Michael A. Mudd".

Issued By:

Mike Mudd, Environmental Control Supervisor

Date: March 9, 2004

How Delivered: Hand

**COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
Division of Water**

NOTICE OF VIOLATION

TO:

Don Ridge
Hillridge Facilities Inc
17825 Bradbe Road
Fisherville, KY 40023

County: Jefferson

This is to advise that you are in violation of the provisions cited below:

<u>Requirement</u>	<u>Subject Item</u>	<u>Description of Non-Compliance</u>
Whenever, by reason of emergency or accident, a spill or discharge occurs which results in pollution of the waters of the Commonwealth, the Division of Water shall be notified by the most rapid means available at 1-800-928-2380. [401 KAR 5:015 Section 2]	GINS0000000001	No report was made to the Division about a loss of sludge to the stream. It was brought to our attention by a complaint.
Duty to Mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit, which has a reasonable likelihood of adversely affecting human health or the environment. [401 KAR 5:065 Section 1(4)]	GINS0000000001	The facility failed to implement a stream clean. I had requested it on 12-16-03.
Minimum Criteria Applicable to All Surface Waters. (1) The following minimum water quality criteria are applicable to all surface waters including mixing zones, with the exception that toxicity to aquatic life in mixing zones shall be subject to the provisions of 401 KAR 5:029, Section 4. Surface waters shall not be aesthetically or otherwise degraded by substances that settle to form objectionable deposits. [401 KAR 5:031 Section 2(1)(a)]	GINS0000000001	The facility had a loss of sludge to the stream.

The required remedial measure(s), and date(s) to be completed by are as follows:


Remedial Measures

Report all system upsets and losses of sludge to the Division of Water within 24 hours. [401 KAR 5:015 Section 2]
Immediately remove sludge from the stream after a system upset or any other sludge loss incident, [401 KAR 5:065 Section 1(4)]
Properly operate and maintain the wastewater facility to prevent degradation to the waters of the Commonwealth of Kentucky. Attend a Regional Office Conference on 3/9/04 at 10:00 a.m. [401 KAR 5:031 Section 2(1)]

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned:

Division of Water
Louisville Regional Office
9116 Leesgate Rd.
Louisville, Kentucky 40222
502-425-4671 (8:00 AM – 4:30 PM)
Brad Trivette, Environmental Inspector III

Issued By:  Date: February 10, 2004
Brad Trivette, Environmental Inspector III

Issued By:  Date: February 10, 2004
Mike Mudd, Environmental Control Supervisor

How Delivered: Certified mail Certified/Registered # 700 0600 0026 2503 3473



STEVEN L. BESHEAR
GOVERNOR

ROBERT D. VANCE
SECRETARY

ENVIRONMENTAL AND PUBLIC PROTECTION CABINET

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water
9116 Leesgate Rd
Louisville, KY 40222-5084
www.kentucky.gov

February 15, 2008

Certified No. 7005 0390 0003 0864 0186
Return Receipt Requested

Donald Ridge
17825 Bradbe Rd
Fishersville, KY 40023

Re: Notice of Violation
AI ID: 2067
AI Name: Hillridge Facilities Inc
Activity ID: ENV20080001
Permit No. KY0036226
Jefferson County, KY

Dear Donald Ridge:

The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility. Please review this Notice of Violation carefully to ensure that all remedial measures are completed by the specified deadlines. You will be required to attend an administrative enforcement meeting to be scheduled by the Division of Enforcement. Additional remedial measures and deadlines will be determined at that time.

Your cooperation and attention to this matter is appreciated. If you have any questions, please contact me at 502-429-7122.

Sincerely,

A handwritten signature in cursive script that reads "Brad Trivette".

Mr. Brad Trivette,
Environmental Inspector III
Division of Water

Enclosure

**COMMONWEALTH OF KENTUCKY
ENVIRONMENTAL AND PUBLIC PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
Division of Water**

NOTICE OF VIOLATION

To: Donald Ridge
17825 Bradbe Rd
Fishersville, KY 40023

AI Name: Hillridge Facilities Inc **AI ID:** 2067 **Activity ID:** ENV20080001
County: Jefferson
Enforcement Case ID:
Date(s) Violation(s) Observed: 2/5/2008 & 02/11/2008

This is to advise that you are in violation of the provisions cited below:

1 Violation Description for Subject Item GINS0000000001(KPDES Individual):

Whenever, by reason of emergency or accident, a spill or discharge occurs which results in pollution of the waters of the Commonwealth, the Division of Water shall be notified by the most rapid means available. [401 KAR 5:015 Section 2]

Description of Non Compliance:

The manhole at the sewer plant was overflowing at the time of inspection. The surge basin was being pumped directly into the chlorine contact tank bypassing secondary treatment. The operator told me it was set up on a float switch and comes on automatically. It as never been reported as a bypass.

The remedial measure(s), and date(s) to be completed by are as follows:

Immediately report all overflows and bypasses from the sewer collection system or the waste water treatment plant. [401 KAR 5:015 Section 2, 401 KAR 5:065 Section 1(12)(f)]

2 Violation Description for Subject Item GINS0000000001(KPDES Individual):

Reporting Requirements - Monitoring Reports: Monitoring results shall be reported at the intervals specified in the permit. [401 KAR 5:065 Section 1(12)(d)]

Description of Non Compliance:

DMR's have not been received for the months of Feb., Mar, Aug., Oct. of 2007.

The remedial measure(s), and date(s) to be completed by are as follows:

Submit monitoring reports to the Division of Water by the 28th day of following month of the compliance period. [401 KAR 5:065 Section 1(12)(d)]

3 Violation Description for Subject Item GINS0000000001(KPDES Individual):

Reporting Requirements - Monitoring Reports: Monitoring results shall be reported on a Discharge Monitoring Report (DMR). [401 KAR 5:065 Section 1(12)(d)1]

Description of Non Compliance:

DMR's have not been received for the months of Feb., Mar, Aug., Oct. of 2007.

The remedial measure(s), and date(s) to be completed by are as follows:

Submit monitoring reports to the Division of Water by the 28th day of following month of the compliance period. [401 KAR 5:065 Section 1(12)(d)]

4 Violation Description for Subject Item GINS0000000001(KPDES Individual):

Twenty-four (24) hour reporting. The permittee shall follow the provisions of 401 KAR 5:015 and shall orally report any noncompliance which may endanger health or the environment, within 24 hours from the

time the permittee becomes aware of the circumstances. This report shall be in addition to and not in lieu of any other reporting requirement applicable to the noncompliance. [401 KAR 5:065 Section 1(12)(f)]

Description of Non Compliance:

The manhole at the sewer plant was overflowing at the time of inspection. The surge basin was being pumped directly into the chlorine contact tank bypassing secondary treatment. The operator told me it was set up on a float switch and comes on automatically. It as never been reported as a bypass.

The remedial measure(s), and date(s) to be completed by are as follows:

Immediately report all overflows and bypasses from the sewer collection system or the waste water treatment plant. [401 KAR 5:015 Section 2, 401 KAR 5:065 Section 1(12)(f)]

5 Violation Description for Subject Item GINS000000001(KPDES Individual):

Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control and related appurtenances which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit. [401 KAR 5:065 Section 1(5)]

Description of Non Compliance:

Some of the bypasses are not being reported. On the day of the inspection the flow was very high and the smaller plants clarifier was losing some solids. The surge tank was bypassing directly to the chlorine tank to reduce flow to the plant. The chlorine was not sufficient for the flow. The fecal sample taken of the effluent resulted in > 1,200 colonies/ 100 ml. The collection system appears to have I & I problems during wet weather. The flow on the 5th and 6th was over the top of the v notch weir. The manhole at the plant overflowed both days. There have been repeated reports of overflows at the manhole located at the sewer plant. The dry weather flow is usually <200,000 gallons. The plant usually exceeds the design flow of 362,000 during wet weather. The max. daily flow was exceeded for the following months in 2007. Jan, Feb, Mar, Apr, May, Oct, Nov, Dec.

The remedial measure(s), and date(s) to be completed by are as follows:

Use proper operations and maintenance practices that will ensure compliance with all applicable regulations and KPDES permit requirements. [401 KAR 5:065 Section 1(5)]

6 Violation Description for Subject Item GINS000000001(KPDES Individual):

All wastewater treatment plants shall have a disinfection process which meets the following requirements: An ultraviolet disinfection system designed to treat the anticipated peak hourly flow; a chlorination system with a flow or demand proportional feed system. The chlorine contact tank shall have a minimum detention time of thirty (30) minutes based on the average flow, or fifteen (15) minutes based on the peak hourly flow, whichever requires the larger tank size. Wastewater treatment plants shall also have a dechlorination system with a flow or demand proportional feed system if necessary to meet the effluent limits; or a chlorination system with a manually controlled feed system and a flow equalization basin designed to eliminate the diurnal flow variations. [401 KAR 5:005 Section 11(1)]

Description of Non Compliance:

There was a fecal violation in May 2007. The fecal sample taken of the effluent on 2/5/08 resulted in > 1,200 colonies/ 100 ml.

The remedial measure(s), and date(s) to be completed by are as follows:

Properly operate the disinfection system to meet permit limits. [401 KAR 5:005 Section 11(1)]

7 Violation Description for Subject Item GINS000000001(KPDES Individual):

The flow measuring device shall measure all flow received at the wastewater treatment plant. An indicating, recording, and totalizing flow measuring device shall be installed at each large wastewater treatment plant. [401 KAR 5:005 Section 12]

Description of Non Compliance:

During very wet weather the flow is over the top of the V-notch weir and can not be measured properly. The flow was over the top of the weir 2-5-08 and on 2-6-08.

The remedial measure(s), and date(s) to be completed by are as follows:

Install a flow measuring device that can measure all of the flow entering the waste water facility. [401 KAR 5:005 Section 12]

8 Violation Description for Subject Item GINS000000001(KPDES Individual):

Standard Permit Conditions: The permittee is also advised that all KPDES permit conditions in KPDES Regulation 401 KAR 5:065, Section 1 will apply to all discharges authorized by this permit. This permit has been issued under the provisions of KRS Chapter 224 and regulations promulgated pursuant thereto. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits or licenses required by this Cabinet and other state, federal, and local agencies. It is the responsibility of the permittee to demonstrate compliance with permit parameter limitations by utilization of sufficiently sensitive analytical methods. [401 KAR 5:065 Section 1(1)(a)]

Description of Non Compliance:

DMR, violations for 2007. June-fecal, July-NH3, Apr-TSS and Aug-fecal. The fecal sample taken on 2-5-08 resulted in >1,200 colonies/ 100ml.

The remedial measure(s), and date(s) to be completed by are as follows:

Use proper operations and maintenance practices that will ensure compliance with all applicable regulations and KPDES permit limits. [401 KAR 5:065 Section 1(1)(a)]

9 Violation Description for Subject Item GINS000000001(KPDES Individual):

There shall be no discharge that causes the surface waters of the Commonwealth to be aesthetically or otherwise degraded by substances that: (a) settle to form objectionable deposits; (b) float as debris, scum, oil, or other matter to form a nuisance; (c) produce objectionable color, odor, taste, turbidity; (d) injure, are chronically or acutely toxic to or produce adverse physiological or behavioral responses in humans, animals, fish and other aquatic life. [401 KAR 5:031 Section 2]

Description of Non Compliance:

The high flow at the sewer plant during the period of 2-5-08 to 2-11-08 resulted in grey water and some lite sludge solids being discharged to the stream. A citizen complaint concerning grey water discoloring the stream was sent the Louisville regional office on 2-10-08 and on 2-11-08. The investigation on 2-11-08 confirmed grey water and a dusting of light sludge solids in the stream below the plants effluent discharge point. The plants discharge was cloudy on the 2-5-08 and was clear at 2:00 pm on 2-11-08. Joe Sanders, the plant operator, confirmed via phone conversation on 2-12-08 that the air at the plant had been reduced for several days due to the high flow. The reduction in air for the aeration basins had resulted in some grey water discharge. The stream below the plant was still discolored grey at the time of my 2-11-08 complaint investigation. The time was 2:00 pm to 4:00 pm. The water upstream of the plant was very clear and free of any sludge deposits.

The remedial measure(s), and date(s) to be completed by are as follows:

Immediately stop causing degradation to the waters of the Commonwealth of Kentucky. [401 KAR 5:031 Section 2(a,c)]

1 Violation Description for Subject Item GINS000000001(KPDES Individual):

0

Applicability of the KPDES Requirements. The KPDES program shall require a permit to discharge pollutants from a point source into waters of the Commonwealth. Compliance with the KPDES program requirements shall constitute compliance with the operational permit requirements of 401 KAR 5:005 and requirements related to the operational permit. Failure to obtain a KPDES permit shall not relieve a discharger subject to the KPDES program from complying with the applicable performance standards of that program, 401 KAR 5:050 to 5:080, inclusive. [401 KAR 5:055 Section 1]

Description of Non Compliance:

The system has repeated overflows of untreated wastewater from the manhole at the plant. This overflow goes directly to the stream.

The remedial measure(s), and date(s) to be completed by are as follows:

Immediately stop all non-permitted discharges of untreated wastewater from entering the waters of the Commonwealth of Kentucky. [401 KAR 5.055 Section 1]

1 Violation Description for Subject Item GINS000000001(KPDES Individual):

1

The KPDES program requires permits for the discharge of pollutants from a point source into the waters of the Commonwealth. [401 KAR 5.055 Section 1]

Description of Non Compliance:

The facility does not hold an active KPDES permit. The permit expired Dec. 31, 2007. The new permit has not been issued because a regional sewer system is now available.

The remedial measure(s), and date(s) to be completed by are as follows:

Stop all non-permitted discharges of wastewater from entering the waters of the Commonwealth of Kentucky. Comply with all of the terms of the KPDES permit and connect to the regional municipal sewer. [401 KAR 5.055 Section 1]

1 Violation Description for Subject Item GINS000000001(KPDES Individual):

2

The permittee shall comply with all conditions of the permit. Any permit non-compliance shall constitute a violation of KRS 224, among which shall be the following remedies: Enforcement action, permit revocation, revocation and reissuance, or modification; or denial of permit renewal application. [401 KAR 5:065 Section 1(1)(a)]

Description of Non Compliance:

The facility has failed to comply with the terms of the permit. A regional sewer system is now available. The owner of the sewer system has failed to connect to the regional sewer system.

The remedial measure(s), and date(s) to be completed by are as follows:

Stop all non-permitted discharges of wastewater from entering the waters of the Commonwealth of Kentucky. Comply with all of the terms of the KPDES permit and connect to the regional municipal sewer. You will be required to attend an administrative enforcement meeting to be scheduled by the Division of Enforcement. Additional remedial measures will be determined at that time. [401 KAR 5.055 Section 1]

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned:

Division of Water
Louisville Regional Office
9116 Leesgate Rd
Louisville, KY 40222-5084
502-429-7122(8:00 AM – 4:30 PM)
Mr. Brad Trivette, Environmental Inspector III

Brad Trivette

Issued By: _____
Mr. Brad Trivette, Environmental Inspector III

Date: February 15, 2008

Charles A. Roth

Issued By: _____
Mr. Charles Roth, Environmental Control Supervisor
Date: February 15, 2008

How Delivered: Certified Certified/Registered # 7005 0390 0003 0864 0186



STEVEN L. BESHEAR
GOVERNOR

ROBERT D. VANCE
SECRETARY

ENVIRONMENTAL AND PUBLIC PROTECTION CABINET

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF ENFORCEMENT

300 FAIR OAKS LANE

FRANKFORT KENTUCKY 40601

www.kentucky.gov

April 30, 2008

Hand Delivered

Hillridge Facilities Inc.
Donald Ridge
17825 Bradbe Rd
Fishersville, KY 40023

RE: Hillridge Facilities Inc
A.I. # 2067
Activity # ELW20080001
KPDES Permit # KY0036226
Jefferson County, Kentucky

Dear Mr. Ridge:

The Kentucky Department for Environmental Protection (KDEP) has reviewed the Discharge Monitoring Report (DMR) results for your facility. During this review, the KDEP has identified the following items that appear to be in violation of your KPDES permit and Kentucky's environmental regulations:

Failed to submit Discharge Monitoring Reports (DMRs) for the months of February, March, August, and October of 2007, as required by Part III (A) of the Kentucky Pollutant Discharge Elimination System (KPDES) permit # KY0036226. Monitoring results must be obtained for each month and reported on a preprinted DMR form. The completed DMRs for each month must be sent to the Division of Water postmarked no later than the 28th day of the month following the completed month.

Failing to comply with the Kentucky Pollutant Discharge Elimination System (KPDES) permit limits for KY0036226, Outfall 001-1, for Total Ammonia Nitrogen (TAN) during the month of July 2007. The permitted limits for TAN Concentration during the months of May through October are a 30-day average of 2 mg/l and a daily maximum of 4 mg/l. The reported result was a daily maximum of 7.90 mg/l for the month of July 2007.

Failing to comply with the Kentucky Pollutant Discharge Elimination System (KPDES) permit limits for KY0036226, Outfall 001-1, for Fecal Coliform Bacteria (FCB) during the month of June 2007. The permitted limits

for FCB Concentration are a 30-day geometric average of 200 colony-forming units per 100ml (c.f.u./100ml) of water and a 7-day geometric average of 400 c.f.u./100ml. The reported results were a 30-day geometric average of 230 c.f.u./100ml and a 7-day geometric average of 1200 c.f.u./100ml.

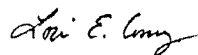
Failing to comply with the Kentucky Pollutant Discharge Elimination System (KPDES) permit limits for KY0036226, Outfall 001-1, for Total Suspended Solids (TSS) during the month of April 2007. The permitted limits for TSS Concentration are a 30-day average of 30 mg/l and a daily maximum of 60 mg/l. The reported result was a daily maximum of 71 mg/l.

In order to preserve the quality of Kentucky's water resources, it is important for all facilities to comply with the terms and conditions of their KPDES permits. Since you have reported that your facility is not in compliance with your permit, the KDEP would like to know the circumstances that caused your facility to be in violation of your permit, what actions you will take to bring your facility back into compliance, and when those actions will be taken. Failing to comply with the terms and conditions of your KPDES permit is a violation of 401 KAR 5:065. Please submit this information, in writing, along with any missing Discharge Monitoring Reports (DMRs), to the KDEP's Division of Enforcement at the above address, on or before May 30, 2008.

It is very important that KPDES permit violations be corrected. Compliance with these standards is essential in achieving the best water quality in our lakes, rivers, and streams. Failing to comply with KPDES permits can lead to the formal citation of violation, and potentially to the assessment of penalties that can be as high as \$25,000 per day per violation.

The KDEP looks forward to receiving your submission and working toward the improvement of water quality in Kentucky. Please contact me at 502-564-2150 extension 266, if you have any questions.

Sincerely,



Lori Conway
Environmental Enforcement Specialist
Division of Enforcement



STEVEN L. BESHEAR
GOVERNOR

LEONARD K. PETERS
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF ENFORCEMENT
300 FAIR OAKS LANE
FRANKFORT KENTUCKY 40601
www.kentucky.gov

June 27, 2008

CERTIFIED MAIL No. 7005 3110 0002 2395 6437
Return Receipt Requested

Donald Ridge
Hillridge Facilities Inc
17825 Bradbe Rd
Fishersville, KY 40023

Re: Notice of Violation
AI ID: 2067
AI Name: Hillridge Facilities Inc
Activity ID: ENV20080002
Facility No. KY0036226
Jefferson County, KY
Case No. DOW 080111

Dear Mr. Ridge:

The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility. Please review this Notice of Violation carefully to ensure that all remedial measures are completed by the specified deadlines.

Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Lori Conway of my staff at (502) 564-2150 at extension 266.

Sincerely,

E-Signed by Comley, Erin
VERIFY authenticity with ApproveIt

for Mark J. Cleland, M.P.A., R.E.H.S.
Environmental Control Manager
Compliance and Operations Branch

MJC/lec

Enclosure

**COMMONWEALTH OF KENTUCKY
ENERGY and ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
Division of Enforcement**

NOTICE OF VIOLATION

To: Donald Ridge
17825 Bradbe Rd
Fishersville, KY 40023

AI Name: Hillridge Facilities Inc **AI ID:** 2067 **Activity ID:** ENV20080002
County: Jefferson
Enforcement Case ID: DOW 080111
Facility Number: KY0036226
Date(s) Violation(s) Observed: 06/25/2008

This is to advise that you are in violation of the provisions cited below:

1 Violation Description for Subject Item GINS0000000001(KPDES Individual):

Conditions Applicable to all KPDES Permits. All conditions applicable to KPDES permits shall be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to these administrative regulations shall be given in the permit. In addition to conditions required in all KPDES permits, the cabinet shall establish conditions as required on a case-by-case basis under Section 2 of this administrative regulation and 401 KAR 5:070. Duty to Comply, General Requirement: The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of KRS Chapter 224, among which are the following remedies: enforcement action, permit revocation, revocation and reissuance, or modification; or denial of a permit renewal application. [401 KAR 5:065 Section 1(1)(a)]

Description of Non Compliance:

Failing to comply with the Kentucky Pollutant Discharge Elimination System (KPDES) permit limits for KY0036226, Outfall 001-1, for Fecal Coliform Bacteria (FCB) during the month of August 2007, and January of 2008. The permitted limits for FCB Concentration are a 30-day geometric average of 200 colony-forming units per 100ml (c.f.u./100ml) of water and a 7-day geometric average of 400 c.f.u./100ml. The reported results were a 30-day geometric average of 217 c.f.u./100ml and a 7-day geometric average of 1200 c.f.u./ml for August 2007; and a 7-day geometric average of 974 c.f.u./100ml for January of 2008.

The remedial measure(s), and date(s) to be completed by are as follows:

Hillridge Facilities Inc. shall develop and submit a Corrective Action Plan: Due 7/25/2008. This plan shall provide a detailed written explanation of reasons for the violation, what is being done to maintain compliance at the facility, and a proposed schedule specifying when the corrective actions are to be completed. The KDEP will continue to monitor your DMRs. Hillridge Facilities Inc. shall comply with the terms and conditions KPDES Permit number KY0036226. [401 KAR 5:065]

2 Violation Description for Subject Item GINS0000000001(KPDES Individual):

Conditions Applicable to all KPDES Permits. All conditions applicable to KPDES permits shall be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to these administrative regulations shall be given in the permit. In addition to conditions required in all KPDES permits, the cabinet shall establish conditions as required on a case-by-case basis under Section 2 of this administrative regulation and 401 KAR 5:070. Duty to Comply, General Requirement: The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of KRS Chapter 224, among which are the following remedies: enforcement action, permit revocation, revocation and reissuance, or modification; or denial of a permit renewal application. [401 KAR 5:065 Section 1(1)(a)]

Description of Non Compliance:

Failing to comply with the Kentucky Pollutant Discharge Elimination System (KPDES) permit limits for KY0036226, Outfall 001-1, for Biochemical Oxygen Demand (BOD) during the months of February and March of 2008. The permitted limits for BOD Loading are a 30-day average of 40.9 lbs/dy and a daily maximum of 81.8 lbs/dy. The reported results were a 30-day average of 44.68 lbs/dy and a daily maximum of 92.56 lbs/dy for February of 2008; and a 30-day average of 73.57 lbs/dy and a daily maximum of 158.2 lbs/dy for March of 2008. The permitted limits for BOD Concentration are a 30-day average of 15 mg/l and a daily maximum of 30 mg/l. The reported results were a daily maximum of 31 mg/l for February of 2008; and a 30-day average of 16 mg/l and a daily maximum of 34 mg/l for March of 2008.

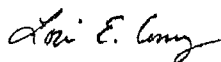
The remedial measure(s), and date(s) to be completed by are as follows:

Hillridge Facilities Inc. shall develop and submit a Corrective Action Plan: Due 7/25/2008. This plan shall provide a detailed written explanation of reasons for the violation, what is being done to maintain compliance at the facility, and a proposed schedule specifying when the corrective actions are to be completed. The KDEP will continue to monitor your DMRs. Hillridge Facilities Inc. shall comply with the terms and conditions KPDES Permit number KY0036226. [401 KAR 5:065]

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned:

Department for Environmental Protection
Division of Enforcement
300 Fair Oaks Lane
Frankfort, KY 40601
502-564-2150 extension 266 (8:00 AM – 4:30 PM)
Ms. Lori Conway, Enforcement Specialist



Issued By:

Ms. Lori E. Conway
Environmental Enforcement Specialist
Compliance and Operations Branch
Date: June 27, 2008



Issued By:

for Mark J. Cleland, M.P.A., R.E.H.S.
Environmental Control Manager
Compliance and Operations Branch
Date: June 27, 2008

How Delivered: Certified Mail

Certified/Registered # 7005 3110 0002 2395 6437



STEVEN L. BESHEAR
GOVERNOR

LEONARD K. PETERS
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF ENFORCEMENT
300 FAIR OAKS LANE
FRANKFORT KENTUCKY 40601
www.kentucky.gov

October 28, 2008

CERTIFIED MAIL No. 7007 0710 0004 2988 5709
Return Receipt Requested

Hillridge Facilities Inc.
Donald Ridge
17825 Bradbe Rd
Fishersville, KY 40023

Re: Notice of Violation
AI ID: 2067
AI Name: Hillridge Facilities Inc
Activity ID: ENV20080003
Facility No. KY0036226
Jefferson County, KY
Case No. DOW 080111

Dear Mr. Ridge:

The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility. Please review this Notice of Violation carefully to ensure that all remedial measures are completed by the specified deadlines.

Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Lori Conway of my staff at (502) 564-2150 at extension 266.

Sincerely,

A handwritten signature in black ink that reads "Erin Conley".

for Mark J. Cleland, M.P.A., R.E.H.S.
Environmental Control Manager
Compliance and Operations Branch

MJC/lec

Enclosure

**COMMONWEALTH OF KENTUCKY
ENERGY and ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
Division of Enforcement**

NOTICE OF VIOLATION

To: Hillridge Facilities Inc.
Donald Ridge
17825 Bradbe Rd
Fisherville, KY 40023

AI Name: Hillridge Facilities Inc **AI ID:** 2067 **Activity ID:** ENV20080003
County: Jefferson
Enforcement Case ID: DOW 080111
Facility Number: KY0036226
Date(s) Violation(s) Observed: 10/22/2008

This is to advise that you are in violation of the provisions cited below:

1 Violation Description for Subject Item GINS0000000001(KPDES Individual):

Conditions Applicable to all KPDES Permits All conditions applicable to KPDES permits shall be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to these administrative regulations shall be given in the permit. In addition to conditions required in all KPDES permits, the cabinet shall establish conditions as required on a case-by-case basis under Section 2 of this administrative regulation and 401 KAR 5:070. Duty to Comply, General Requirement: The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of KRS Chapter 224, among which are the following remedies: enforcement action, permit revocation, revocation and reissuance, or modification, or denial of a permit renewal application. [401 KAR 5:065 Section 1(1)(a)]

Description of Non Compliance:

Failing to comply with the Kentucky Pollutant Discharge Elimination System (KPDES) permit limits for KY0036226, Outfall 001-1, for Total Suspended Solids (TSS) during the month of April 2008. The permitted limits for TSS Concentration are a 30-day average of 30 mg/l and a daily maximum of 60 mg/l. The reported result was a daily maximum of 89 mg/l.

The remedial measure(s), and date(s) to be completed by are as follows:

Hillridge Facilities Inc. shall develop and submit a Corrective Action Plan: **Due 11/26/2008**. This plan shall provide a detailed written explanation of reasons for the violation, what is being done to maintain compliance at the facility, and a proposed schedule specifying when the corrective actions are to be completed. The KDEP will continue to monitor your DMRs. Hillridge Facilities Inc. shall comply with the terms and conditions of KPDES Permit number KY0036226. [401 KAR 5:065]

2 Violation Description for Subject Item GINS0000000001(KPDES Individual):

Conditions Applicable to all KPDES Permits All conditions applicable to KPDES permits shall be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to these administrative regulations shall be given in the permit. In addition to conditions required in all KPDES permits, the cabinet shall establish conditions as required on a case-by-case basis under Section 2 of this administrative regulation and 401 KAR 5:070. Duty to Comply, General Requirement: The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of KRS Chapter 224, among which are the following remedies: enforcement action, permit revocation, revocation and reissuance, or modification, or denial of a permit renewal application. [401 KAR 5:065 Section 1(1)(a)]

Description of Non Compliance:

Failing to comply with the Kentucky Pollutant Discharge Elimination System (KPDES) permit limits for KY0036226, Outfall 001-1, for Total Ammonia Nitrogen (TAN) during the months of May and June of 2008. The permitted limits for TAN Loading during the months of May through October are a 30-day average of 5.45 lbs/dy and a daily maximum of 10.9 lbs/dy. The reported results were a 30-day average of 29.798 lbs/dy and a daily maximum of 38.65 lbs/dy for May 2008; and a 30-day average of 7.776 and a daily maximum of 38.11 mg/l for June 2008. The permitted limits for TAN Concentration during the months of May through October are a 30-day average of 2 mg/l and a daily maximum of 4 mg/l. The reported results were a 30-day average of 10.75 mg/l and a daily maximum of 15.30 mg/l for May 2008; and a 30-day average of 4.87 mg/l and a daily maximum of 24.79 mg/l for June 2008.

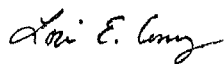
The remedial measure(s), and date(s) to be completed by are as follows:

The Kentucky Department for Environmental Protection (KDEP) acknowledges the explanation attached to the 2nd Quarter 2008 Discharge Monitoring Reports (DMRs) detailing Hillridge's determination of the cause of this violation. Hillridge Facilities Inc. shall comply with the terms and conditions KPDES Permit number KY0036226. The KDEP is already in negotiations with Hillridge Facilities regarding previous and current noncompliance by the facility. No additional submittals are required for these violations at this time. The KDEP will continue to monitor your DMRs. Hillridge Facilities Inc. shall comply with the terms and conditions of KPDES Permit number KY0036226. [401 KAR 5:065]

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned:

Department for Environmental Protection
Division of Enforcement
300 Fair Oaks Lane
Frankfort, KY 40601
502-564-2150 extension 266 (8:00 AM – 4:30 PM)
Ms. Lori Conway, Enforcement Specialist



Issued By:

Ms. Lori E. Conway
Environmental Enforcement Specialist
Compliance and Operations Branch
Date: October 28, 2008



Issued By:

for Mark J. Cleland, M.P.A., R.E.H.S.
Environmental Control Manager
Compliance and Operations Branch
Date: October 28, 2008

How Delivered: Certified Mail Certified/Registered # 7007 0710 0004 2988 5709



STEVEN L. BESHEAR
GOVERNOR

LEONARD K. PETERS
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF ENFORCEMENT
300 FAIR OAKS LANE
FRANKFORT KENTUCKY 40601
www.kentucky.gov

March 8, 2010

CERTIFIED MAIL No. 7008 1830 0003 6510 1603
Return Receipt Requested

Hillridge Facilities Inc.
Donald Ridge
17825 Bradbe Rd
Fishersville, KY 40023

Re: Notice of Violation
AI ID: 2067
AI Name: Hillridge Facilities Inc
Activity ID: ENV20100001
Facility No. KY0036226
Jefferson County, KY

Dear Mr. Ridge:

The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility. Please review this Notice of Violation carefully to ensure that all remedial measures are completed by the specified deadlines.

Your cooperation and attention to this matter is appreciated. If you have any questions, please contact me at (502) 564-2150 extension 266.

Sincerely,

A handwritten signature in cursive script that reads "Lori E. Conway".

Lori E. Conway
Environmental Enforcement Specialist
Compliance and Operations Branch

Enclosure

**COMMONWEALTH OF KENTUCKY
ENERGY and ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
Division of Enforcement**

NOTICE OF VIOLATION

To: Hillridge Facilities Inc.
Donald Ridge
17825 Bradbe Rd
Fisherville, KY 40023

AI Name: Hillridge Facilities Inc **AI ID:** 2067 **Activity ID:** ENV20100001
County: Jefferson
Facility Number: KY0036226
Date(s) Violation(s) Observed: 03/03/2010

This is to advise that you are in violation of the provisions cited below:

1 Violation Description for Subject Item AIOO0000002067():

No person shall, directly or indirectly, throw, drain, run or otherwise discharge into any of the waters of the Commonwealth, or cause, permit or suffer to be thrown, drained, run or otherwise discharged into such waters any pollutant, or any substance that shall cause or contribute to the pollution of the waters of the Commonwealth in contravention of the standards adopted by the cabinet or in contravention of any of the rules, regulations, permits, or orders of the cabinet or in contravention of any of the provisions of this chapter. [KRS 224.70-110]

Description of Non Compliance:

Failing to comply with 40 CFR 122.41(a) as adopted by 401 KAR 5:065 Sec. 2(1)(a) by failing to comply with the Kentucky Pollutant Discharge Elimination System (KPDES) permit limits for KY0036226, Outfall 001-1, for **Total Ammonia Nitrogen (TAN)** during the months of August of 2008, and for the months of May, July and September of 2009.

The permitted limits for **TAN Loading** during the months of May through October are a 30-day average of 5.45 lbs/dy and a daily maximum of 10.9 lbs/dy. The reported results were a 30-day average of 8.387 lbs/dy and a daily maximum of 12.63 lbs/dy for May of 2009; a 30-day average of 10.51 lbs/dy and a daily maximum of 13.04 lbs/dy for July of 2009; and a daily maximum of 12.90 lbs/dy for September of 2009.

The permitted limits for **TAN Concentration** during the months of May through October are a 30-day average of 2 mg/l and a daily maximum of 4 mg/l. The reported results were daily maximum of 5.20 mg/l for August of 2008; a 30-day average of 3.80 mg/l and a daily maximum of 6.50 mg/l for May of 2009; a 30-day average of 7.68 mg/l and a daily maximum of 8.90 mg/l for July of 2009; and a 30-day average of 3.08 mg/l and a daily maximum of 7.00 mg/l for September of 2009.

The remedial measure(s), and date(s) to be completed by are as follows:

Hillridge Facilities Inc. shall comply with the terms and conditions of KPDES Permit #KY0036226. [KRS 224.70-110]

2 Violation Description for Subject Item AIOO0000002067():

No person shall, directly or indirectly, throw, drain, run or otherwise discharge into any of the waters of the Commonwealth, or cause, permit or suffer to be thrown, drained, run or otherwise discharged into such waters any pollutant, or any substance that shall cause or contribute to the pollution of the waters of the Commonwealth in contravention of the standards adopted by the cabinet or in contravention of any of the rules, regulations, permits, or orders of the cabinet or in contravention of any of the provisions of this chapter. [KRS 224.70-110]

Description of Non Compliance:

Failing to comply with 40 CFR 122.41(a) as adopted by 401 KAR 5:065 Sec. 2(1)(a) by failing to meet the Kentucky Pollutant Discharge Elimination System (KPDES) permit limit for KY0036226, Outfall 001-1, for **Total Residual Chlorine (TRC)** during the months of September and October of 2009, and for the month of March of 2009.

The permitted limits for TRC Concentration are a 30-day average of 0.015 mg/l and a daily maximum of 0.019 mg/l. The reported results were a 30-day average of 0.050 mg/l and a daily maximum of 0.14 mg/l for September of 2008; a 30-day average of 0.26 mg/l and a daily maximum of 0.80 mg/l for October of 2008; and a 30-day average of 0.41 mg/l and a daily maximum of 1.95 mg/l for March of 2009.

The remedial measure(s), and date(s) to be completed by are as follows:

Hillridge Facilities Inc. shall comply with the terms and conditions of KPDES Permit #KY0036226. [KRS 224.70-110]

3 Violation Description for Subject Item AIOO0000002067():

No person shall, directly or indirectly, throw, drain, run or otherwise discharge into any of the waters of the Commonwealth, or cause, permit or suffer to be thrown, drained, run or otherwise discharged into such waters any pollutant, or any substance that shall cause or contribute to the pollution of the waters of the Commonwealth in contravention of the standards adopted by the cabinet or in contravention of any of the rules, regulations, permits, or orders of the cabinet or in contravention of any of the provisions of this chapter. [KRS 224.70-110]

Description of Non Compliance:

Failing to comply with 40 CFR 122.41(a) as adopted by 401 KAR 5:065 Sec. 2(1)(a) by failing to comply with the Kentucky Pollutant Discharge Elimination System (KPDES) permit limits for KY0036226, Outfall 001-1, for **Dissolved Oxygen (DO)** during the month of February of 2009.

The permitted limit for DO Concentration is a minimum of 7 mg/l. The reported result was a minimum of 5.8 mg/l.

The remedial measure(s), and date(s) to be completed by are as follows:

Hillridge Facilities Inc. shall comply with the terms and conditions of KPDES Permit #KY0036226. [KRS 224.70-110]

4 Violation Description for Subject Item AIOO0000002067():

No person shall, directly or indirectly, throw, drain, run or otherwise discharge into any of the waters of the Commonwealth, or cause, permit or suffer to be thrown, drained, run or otherwise discharged into such waters any pollutant, or any substance that shall cause or contribute to the pollution of the waters of the Commonwealth in contravention of the standards adopted by the cabinet or in contravention of any of the rules, regulations, permits, or orders of the cabinet or in contravention of any of the provisions of this chapter. [KRS 224.70-110]

Description of Non Compliance:

Failing to comply with 40 CFR 122.41(a) as adopted by 401 KAR 5:065 Sec. 2(1)(a) by failing to comply with the Kentucky Pollutant Discharge Elimination System (KPDES) permit limits for KY0036226, Outfall 001-1, for **Total Suspended Solids (TSS)** during the month of February of 2009.

The permitted limits for TSS Concentration are a 30-day average of 30 mg/l and a daily maximum of 60 mg/l. The reported result was a daily maximum of 67 mg/l.

The remedial measure(s), and date(s) to be completed by are as follows:

Hillridge Facilities Inc. shall comply with the terms and conditions of KPDES Permit #KY0036226. [KRS 224.70-110]

5 Violation Description for Subject Item AIOO0000002067():

No person shall, directly or indirectly, throw, drain, run or otherwise discharge into any of the waters of the Commonwealth, or cause, permit or suffer to be thrown, drained, run or otherwise discharged into such waters any pollutant, or any substance that shall cause or contribute to the pollution of the waters of the Commonwealth in contravention of the standards adopted by the cabinet or in contravention of any of the rules, regulations, permits, or orders of the cabinet or in contravention of any of the provisions of this chapter. [KRS 224.70-110]

Description of Non Compliance:

Failing to comply with 40 CFR 122.41(a) as adopted by 401 KAR 5:065 Sec. 2(1)(a) by failing to comply with the Kentucky Pollutant Discharge Elimination System (KPDES) permit limits for KY0036226, Outfall 001-1, for **Biochemical Oxygen Demand (BOD)** during the month of February of 2009.

The permitted limits for BOD Loading are a 30-day average of 40.9 lbs/dy and a daily maximum of 81.8 lbs/dy. The reported result was a daily maximum of 82.32 lbs/dy.

The permitted limits for BOD Concentration are a 30-day average of 15 mg/l and a daily maximum of 30 mg/l. The reported results were a 30-day average of 16 mg/l and a daily maximum of 35 mg/l.

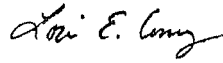
The remedial measure(s), and date(s) to be completed by are as follows:

Hillridge Facilities Inc. shall comply with the terms and conditions of KPDES Permit #KY0036226. [KRS 224.70-110]

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

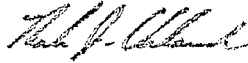
If you have questions or need further information, write or call the undersigned:

Department for Environmental Protection
Division of Enforcement
300 Fair Oaks Lane
Frankfort, KY 40601
502-564-2150 ext. 266 (8:00 AM – 4:30 PM)
Lori E. Conway, Enforcement Specialist



Issued By:

Lori E. Conway
Environmental Enforcement Specialist
Compliance and Operations Branch
Date: March 5, 2010



Issued By:

Mark J. Cleland, M.P.A., R.E.H.S.
Environmental Control Manager
Compliance and Operations Branch
Date: March 5, 2010

How Delivered: Certified Mail

Certified/Registered # 7008 1830 0003 6510 1603



STEVEN L. BESHEAR
GOVERNOR

LEONARD K. PETERS
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water
9116 Leesgate Rd
Louisville, KY 40222-5084
www.kentucky.gov

January 20, 2011

Certified No. 7008 1140 0003 3813 2966
Return Receipt Requested

Donald Ridge
17825 Bradbe Rd
Fisherville, KY 40023

Re: Notice of Violation
AI ID: 2067
AI Name: Hillridge Facilities Inc
Activity ID: ENV20110001
Permit No. KY0036226
Jefferson County, KY

Dear Mr. Ridge:

The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility on 1/5/2011. Please review this Notice of Violation carefully to ensure that all remedial measures are completed by the specified deadlines.

Your cooperation and attention to this matter is appreciated. If you have any questions, please contact me at 502-429-7122.

Sincerely,

A handwritten signature in cursive script that reads "Brad Trivette".

Mr. Brad Trivette,
Environmental Inspector III
Division of Water

Enclosure

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
Division of Water

NOTICE OF VIOLATION

To: Donald Ridge
17825 Bradbe Rd
Fisherville, KY 40023

AI Name: Hillridge Facilities Inc **AI ID:** 2067 **Activity ID:** ENV20110001
Discovery ID: CIN20110001 **County:** Jefferson
Enforcement Case ID:
Date(s) Violation(s) Observed: 01/05/2011

This is to advise that you are in violation of the provisions cited below:

1 Violation Description for Subject Item GINS0000000001(KPDES Individual):

The KPDES program requires permits for the discharge of pollutants from a point source into the waters of the Commonwealth. [401 KAR 5:055 Section 2].

Description of Non Compliance:

The facility does not hold an active KPDES permit. The permit expired in Dec. 2007. The Division of Water will not reissue the permit because a regional municipal system is now available.

The remedial measure(s), and date(s) to be completed by are as follows:

Cease all unpermitted discharges and connect the privately owned system to the Regional municipal collection system as determined by the Division of Enforcement. [401 KAR 5:055 Section 2]

2 Violation Description for Subject Item GINS0000000001(KPDES Individual):

Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control and related appurtenances which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit. [40 CFR 122.41(e)]. [401 KAR 5:065 Section 2(1)]

Description of Non Compliance:

The facility is not being properly operated and maintained as required. There are maintenance issues at the plant. The sludge collector on the concrete plant is down for repairs. The air has been turned off to keep solids from leaving. The aeration basin and clarifier are cloudy and dark. The parts have been ordered but may take several weeks to arrive.

The air was recently off at the metal plant. The aeration basin was also darker than desired. There were also large sludge clumps coming up behind the weirs. The air is on now. The final effluent is cloudy.

The remedial measure(s), and date(s) to be completed by are as follows:

The permittee must, at all times, properly operate & maintain the facility. With proper approval(s) from the Division of Water, upgrade/update the facility in order to meet the regulatory requirements and facility permit conditions. Within thirty (30) days of the receipt of this notice, the permittee shall submit a written notification to the undersigned that the permittee complies with all requirements of its permit. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and/or your company to an immediate referral to the Division of Enforcement. [401 KAR 5:065 Section 2(1)]

3 Violation Description for Subject Item GINS0000000001(KPDES Individual):

All wastewater treatment plants shall have a disinfection process which meets the following requirements: An ultraviolet disinfection system designed to treat the anticipated peak hourly flow; a chlorination system with a flow or demand proportional feed system. The chlorine contact tank shall have a minimum detention time of thirty (30) minutes based on the average flow, or fifteen (15) minutes based on the peak hourly flow, whichever requires the larger tank size. Wastewater treatment plants shall also have a dechlorination system with a flow or demand proportional feed system if necessary to meet the effluent limits; or a chlorination system with a manually controlled feed system and a flow equalization basin designed to eliminate the diurnal flow variations. Tablet type chlorination equipment shall not be used in an intermediate or large WWTP. [401 KAR 5:005 Section 11].

Description of Non Compliance:

The facility has failed to properly maintain and / or operate the disinfection unit.
There have been three TRC violations in 2010.
There were two fecal violations for 2010.

The remedial measure(s), and date(s) to be completed by are as follows:

The permittee must immediately maintain and operate the disinfection unit to allow for compliance with permit conditions. Within thirty (30) days of the receipt of this notice, the permittee shall submit a written notification to the undersigned that the permittee complies with all requirements of its permit. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and/or your company to an immediate referral to the Division of Enforcement. [401 KAR 5:005 Section 11]

4 Violation Description for Subject Item GINS0000000001(KPDES Individual):

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and KRS 224 and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. [40 C.F.R. 122.41(a)]. [401 KAR 5:065 Section 2(1)]

Description of Non Compliance:

The facility has failed to comply with the effluent limitations contained in the permit.
DMR violations for 2010:
Jan- Fecal and TRC
May-D.O., NH3 and TRC
June-D.O., NH3,TRC,Fecal, and B.O.D.
July- D.O. and NH3
Aug- D.O.

The remedial measure(s), and date(s) to be completed by are as follows:

The permittee must comply with effluent limitations and all conditions of the KPDES permit. Within thirty (30) days of the receipt of this notice, the permittee shall submit a written notification to the undersigned that the permittee complies with all requirements of its permit. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and/or your company to an immediate referral to the Division of Enforcement. [401 KAR 5:065 Section 2(1)]

5 Violation Description for Subject Item GINS0000000001(KPDES Individual):

No person shall directly, or indirectly, throw, drain, run or otherwise discharge into any of the waters of the Commonwealth, or cause, permit or suffer to be thrown, drained, run otherwise discharged into such waters any pollutant, or any substance that shall cause or contribute to the pollution of the waters of the commonwealth in contravention of the standards adopted by the cabinet or in contravention of any of the rules, regulations, permits, or orders of the cabinet or in contravention of any of the provisions of this chapter. [KRS 224.70-110].

Description of Non Compliance:

Pollutants have entered and contributed to the pollution of the waters of the Commonwealth
The stream is cloudy below the effluent outfall. It is very clear upstream of the plants outfall.

The remedial measure(s), and date(s) to be completed by are as follows:

Immediately cease all activity, which is contributing or has contributed to the pollution of the waters of the Commonwealth. Within thirty (30) days of the receipt of this notice, the permittee/responsible party shall submit a plan of action and a schedule of implementation to the undersigned describing the necessary measures taken to address the non-compliance. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and or your company to an immediate referral to the Division of Enforcement. [KRS 224.70-110]

6 Violation Description for Subject Item GINS0000000001(KPDES Individual):

Surface waters shall not be aesthetically or otherwise degraded. [401 KAR 10:031 Section 2], [401 KAR 10:031 Section 2]

Description of Non Compliance:

The waters of the Commonwealth have been degraded.
The stream is cloudy below the effluent outfall. It is very clear upstream of the plants outfall.

The remedial measure(s), and date(s) to be completed by are as follows:

Immediately cease all discharges that are aesthetically or otherwise degrading the waters of the Commonwealth. The effluent must be brought into compliance so as to eliminate stream degradation. Within thirty (30) days of the receipt of this notice, the permittee/responsible party shall submit a plan of action and a schedule of implementation to the undersigned describing the necessary measures taken to address the non-compliance. Failure to comply with the remedial measures or repeated violations of this requirement may subject you and or your company to an immediate referral to the Division of Enforcement. [401 KAR 10:031 Section 2]

7 Violation Description for Subject Item GINS0000000001(KPDES Individual):

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and KRS 224 and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. [40 C.F.R. 122.41(a)]. [401 KAR 5:065 Section 2]

Description of Non Compliance:

The facility has failed to comply with the terms of the permit. The permitte has not connected the sewer system to the municipal regional system which is now available.

The remedial measure(s), and date(s) to be completed by are as follows:

Comply with all conditions of the KPDES permit. Cease all unpermitted discharges and connect the privately owned system to the Regional municipal collection system as determined by the Division of Enforcement. [401 KAR 5:065 Section 2]

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned

Louisville Regional Office
9116 Leesgate Rd
Louisville, KY 40222-5084
502-429-7122 (8:00 AM – 4:30 PM)
Mr. Brad Trivette, Environmental Inspector III

Brad Trivette

Issued By: _____
Mr. Brad Trivette, Environmental Inspector III

Date: January 20, 2011

Charles A. Roth

Issued By: _____
Mr. Charles Roth, Environmental Control Supervisor
Date: January 20, 2011

How Delivered: Certified Certified/Registered # 7008 1140 0003 3813 2966