

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED
FEB 19 2014
PUBLIC SERVICE
COMMISSION
CASE NO. 2014-00013

In the Matter of:

JOINT PETITION OF W&W SERVICE)
CORPORATION AND PADUCAH-)
MCCRACKEN COUNTY JOINT SEWER)
AGENCY TO APPROVE THE TRANSFER)
OF OPERATION OF THE TERRE VERTE)
SUBDIVISION TO PADUCAH-MCCRACKEN)
COUNTY JOINT SEWER AGENCY)

**W&W SERVICE CORPORATION'S AND PADUCAH-MCCRACKEN JOINT
SEWER AGENCY'S RESPONSE TO COMMISSION STAFF'S
FIRST REQUEST FOR INFORMATION**

Comes W&W Service Corporation ("W&W") and Paducah-McCracken County Joint Sewer Agency ("JSA"), through the undersigned counsel, and for their responses to Commission Staff's Requests for Information, state as follows:

I. List and describe the nature of all legal actions in which JSA is a party and which involve the operations of its sewer operations.

Response:

a. *Commonwealth of Kentucky, Environmental and Public Protection Cabinet v. Paducah McCracken County Joint Sewer Agency, Civil Action No. 07-CI-1252.*

This case involves a Consent Decree which JSA entered into on August 16, 2007 In the Franklin Circuit Court. Pursuant to this Consent Decree, JSA will be required to bring combined and sanitary sewer overflows into compliance with federal and state guidelines.

b. *Falconite Properties, Inc., et al. v. Paducah McCracken County Joint Sewer Agency, U.S. District Court for the Western District of Kentucky, Paducah Division, Civil Action No. 5:12-CV-164-R.*

On October 9, 2012, Falconite Properties, Inc., and six other developers related through their principal, Mike Falconite, filed an action against JSA alleging unconstitutional takings under the U.S. and Kentucky Constitutions, unjust enrichment and a violation of KRS 96.539. The Complaint alleges that JSA required public dedication of sewer lines constructed by the Falconite developers without compensation, as a condition of connection to the public sewer system, as well as charged

exorbitant "tap-on" fees. JSA denies any wrongdoing and is vigorously defending this matter.

Witness: John Hodges

2. List and provide a copy of each notice of violation ("NOV") that JSA has received regarding the operation of its sewer facilities from the Kentucky Division of Water since January 1, 2008. State the current status of each NOV.

Response:

KPDES # - KY0025828 – Woodlawn WWTP

- **10/9/2008 – Effluent composite sampling at the Woodlawn WWTP – resolved 10/28/2008**
- **2/12/2013 – Effluent BOD loadings elevated – resolved 3/15/2013**

KPDES # KY002279 – Paducah WWTP

- **None**

KPDES # KY0025810 – Reidland WWTP

- **None**

Witness: John Hodges.

3. List and provide a copy of each NOV that W&W has received regarding the operation of its sewer facilities from the Kentucky Division of Water since January 1, 2008. State the current status of each NOV.

Response: Please find attached copies of all NOV's received from the Department of Water since January 1, 2008.

Witness: Glen Ridings.

4. Provide all correspondence between JSA and the Kentucky Division of Water regarding JSA's acquisition of W&W's facilities.

Response: Though verbal notification was submitted to the KDEP local office in Reidland, Kentucky, no written correspondence exists.

Witness: John Hodges.

5. State the distance from JSA's nearest sewer collection mains to W&W's sewer collection mains in the Terre Verte subdivision

Response: The approximate distance between the collection mains is 750 feet.

Witness: John Hodges.

6. Describe JSA's current plans to connect its sewer collection mains to W&W sewer collection system in the Terre Verte subdivision. Include in this description all estimates of the cost to extend JSA's facilities to the Terre Verte subdivision.

Response: Upon approval from PSC, JSA will have to survey and design a collector sewer from current infrastructure to the private plant. Upon plan approval from KY DOW, plans will be bid for a private contractor to perform the sewer construction. It is estimated that the cost to perform this work will exceed \$50,000.

Witness: John Hodges.

7. Provide a copy of JSA's current rate schedule for sewer service.

Response: The current rate schedule, which was previously approved by both the City of Paducah and McCracken County, Kentucky in accordance with KRS Chapter 76, is attached hereto as Exhibit "A" and incorporated herein by reference.

Witness: John Hodges.

8. State the rates that JSA intends to charge persons currently served by W&W upon completion of the transfer.

Response: Pursuant to KRS Chapter 76, JSA must charge all customers within the same class the same rates. Accordingly, the customers would be charged in accordance with the current schedule of rates.

Witness: John Hodges.

9. If W&W is holding customer deposits, describe the actions that will be taken regarding these deposits upon the transfer of W&W's sewer facilities.

Response: W&W does not currently hold any customer deposits.

Witness: Glen Ridings.

10. Provide a copy of JSA's current regional facility plan. In lieu of submitting an original and eight copies in paper medium, an electronic version in portable document format on electronic storage medium may be submitted.

Response: An electronic version of JSA's current regional facility plan was filed in Case No. 2013-333, and is incorporated herein by reference.

Witness: John Hodges.

11. Provide a copy of all appraisals of the assets to be transferred that have been performed since January 1, 2008.

Response: No such appraisals exist.

Witness: John Hodges.

12. List and describe all material changes to JSA's financial condition since June 30, 2013.

Response: JSA does not believe that any material changes have occurred.

Witness: John Hodges

13. Is the description of JSA's wastewater collection and treatment assets as found in Kentucky Wastewater Management Plan¹ accurate?

Response: Generally speaking, it is accurate. However, one difference is that the current rate for 4,000 gallons is \$17.40. Additionally, the service count for KY0022799 (which is listed correctly at 14,021 on page 743) is incorrectly stated as 17,264 on page 736.

Witness: John Hodges

14. State the value at which the McCracken County Property Valuation Administrator currently assesses the property that will be transferred to JSA.

Response: W&W does not receive a separate tax bill for the property to be transferred to JSA.

¹ The Most current version of this plan is available at http://kia.ky.gov/NR/rdonlyres/9a094655-E931-4A98-8F07-914CE0A50D2E/0/CW_ManagementPlan_State_062513.pdf.

Witness: Glen Ridings

15. List the name and class of each JSA employee whom the Kentucky Energy and Environmental Cabinet has certified as:

- a. Wastewater Treatment Plant Operator;
- b. Wastewater Collection System Operator.

Response:

Class I – Danny Knox, Mitch Jameson, Jeff Thompson

Class II – Dennis Rednour, Lynn Arant, Mike Grimm

Class III – Todd Teas, Zach Roach, Danny Suttles

Class IV – Kevln Bailey, Chris Hatton, James Hiles

- b: Wastewater Collection System Operator.

Response:

Mitch Jameson and Jeff Thompson. Both are certified as Class IV.

Witness: John Hodges.

Respectfully submitted,

DENTON & KEULER
P.O. BOX 929
PADUCAH, KY 42002-0929
Telephone: (270) 443-8253
Facsimile: (270) 442-6000

By


Melissa D. Yates

ATTORNEYS FOR JOINT APPLICANTS

I hereby certify that the foregoing has been served by sending a true and correct copy of the foregoing to via Federal Express to:

MR JEFF DEROUEN
EXECUTIVE DIRECTOR
KENTUCKY PUBLIC SERVICE COMMISSION
211 SOWER BLVD.
FRANKFORT KY 40602

on this 18th day of February, 2014.

By: 
Melissa D. Yates

VERIFICATION

The undersigned states that he has read the foregoing and that same is true to the best of his knowledge, information and belief.


Glen Ridings, Sole Shareholder and Director

STATE OF KENTUCKY)

COUNTY OF MCCRACKEN)

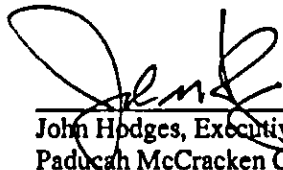
The foregoing instrument was acknowledged before me this 17th day of February, 2014, by Glen Ridings, Sole Shareholder and Director of W&W Service Corporation.

My commission expires: 9-11-2016

 , ID# 474136
Notary Public, State at Large

VERIFICATION

The undersigned states that he has read the foregoing and that same is true to the best of his knowledge, information and belief.



John Hodges, Executive Director,
Paducah McCracken County Joint
Sewer Agency

STATE OF KENTUCKY)

COUNTY OF MCCRACKEN)

The foregoing instrument was acknowledged before me this 17th day of February, 2014, by John Hodges, Executive Director of McCracken County Joint Sewer Agency.

My commission expires: April 14, 2014



Notary Public, State at Large



STEVEN L. BESHEAR
GOVERNOR

LEONARD K. PETERS
SECRETARY

**ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

Division of Water
130 Eagle Nest Dr
Paducah, KY 42003-9435
WWW.KENTUCKY.GOV

November 7, 2008

Certified No. 7008-0150-0001-1801-0248
Return Receipt Requested

W & W Service Co
1600 Bleich Road
Paducah, KY 42003

Re: Notice of Violation
AI ID: 39273
AI Name: W & W Service Co
Activity ID: ENV20080001
Permit No. KY0033782
McCracken County, KY

Dear Mr. Ridings:

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. Failure to comply with all remedial measures may result in a referral to the Division of Enforcement

Your cooperation and attention to this matter is appreciated. If you have any questions, please contact me at 270-898-8468.

Sincerely,

Mr. Rob Topolski,
Environmental Inspector II
KY Division of Water

Enclosure

COMMONWEALTH OF KENTUCKY
Energy and Environment Cabinet
Department For Environmental Protection
Division of Water

NOTICE OF VIOLATION

To: W & W Service Co
1600 Bleich Road
Paducah, KY 42003

AI Name: W & W Service Co **AI ID:** 39273 **Activity ID:** ENV20080001
County: McCracken
Enforcement Case ID:
Date(s) Violation(s) Observed: 10/30/2008

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

- 1 Violation Description for Subject Item GINS0000000003Wastewater/Inspection/Field Staff/WWTP(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:

Discharge Monitoring Reports have not been received for June or September of 2008.

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

Due immediately: Submit completed past due DMRs to the Central and Regional Offices.

Ensure DMRs are submitted monthly by the 28th of the following month to the Central and Regional Offices.

- 2 Violation Description for Subject Item GINS0000000003Wastewater/Inspection/Field Staff/WWTP(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:

Although the plant appeared to be operating well and the effluent was relatively clear, this facility still regularly exceeds permit limits for Total Residual Chlorine (TRC) and Dissolved Oxygen (D.O.). The required remedial measures from the Letter of Warning (LOW) dated 2/29/08 have not been satisfied. It was not reported that this facility has consulted with outside expertise to plan plant modifications necessary to be in compliance with the KPDES permit limits and requirements. The Public Service Commission has not been contacted by W&W Service Co. regarding a rate increase to allow for budgeting plant modifications necessary to be in compliance with the KPDES permit limits and requirements.

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

Consult with outside expertise such as the KY Rural Water Association, the KY DEP Division of Compliance Assistance (DCA), or a Professional Engineer to plan plant modifications necessary to be in compliance with the KPDES permit limits and requirements.

Due 1/15/08: Submit by Certified Mail a completed application including engineering plans for plant

modifications to the Construction and Compliance Section of the Surface Water Permits Branch of the KY Division of Water.

Due 12/31/08: Submit to the Paducah Regional Office a timeline and action-plan describing the plant modifications to be implemented including dates of planned implementation.

Ensure compliance with the KPDES permit at all times.

3 Violation Description for Subject Item GINS0000000003Wastewater/Inspection/Field Staff/WWTP(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:

This facility uses a manually controlled liquid sodium hypochlorite feed system for disinfection. There is no flow or demand proportionate feed system or a flow equalization basin designed to eliminate the diurnal flow variations. A reported 1,200 gallon underground chlorine contact tank is where chlorine is added and also where samples are taken. This facility still reports Total Chlorine Residual excursions. No dechlorination system has been installed. Mr. Ridings reported that Ultra-Violet disinfection was priced at over \$10,000; however, it does not appear that quotes for a dechlorination system have been obtained. Because this is an intermediate-sized WWTP, tablet chlorination shall only be used for back-up disinfection.

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

Consult with outside expertise such as the KY Rural Water Association, the KY DEP Division of Compliance Assistance (DCA), or a Professional Engineer to plan plant modifications necessary to be in compliance with the KPDES permit limits and requirements.

Due 1/15/08: Submit by Certified Mail a completed application including engineering plans for plant modifications to the Construction and Compliance Section of the Surface Water Permits Branch of the KY Division of Water.

Due 12/31/08: Submit to the Paducah Regional Office a timeline and action-plan describing the plant modifications to be implemented including dates of planned implementation.

Ensure compliance with the KPDES permit at all times.

4 Violation Description for Subject Item GINS0000000003Wastewater/Inspection/Field Staff/WWTP(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:

Although there were monthly average quantity or quality excursions reported, in the following list only

maximum and minimum limit excursions are noted.

This facility has exceeded the permit limit of 0.019 mg/L for Total Residual Chlorine for March, May, and August of 2008. Dechlorination may be required to be in compliance with the KPDES permit.

This facility has not met the permit minimum limit of 7 mg/L for Dissolved Oxygen for March and April 2008. Additional aeration may be necessary in the lagoon or prior to discharge to be in compliance with the KPDES permit limits for D.O.

Also, it was reported for the March and July 2008 monitoring periods that Nitrogen/Ammonia was above the permit limit. BOD exceeded the permit limit for the July 2008 monitoring period and pH was reported to be 10.1 with a maximum limit of 9.0 standard units for the August 2008 monitoring period.

June and September 2008 DMRs were not received.

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

Due immediately: Submit completed past due DMRs to the Central and Regional Offices.

Ensure DMRs are submitted monthly by the 28th of the following month to the Central and Regional Offices

Consult with outside expertise such as the KY Rural Water Association, the KY DEP Division of Compliance Assistance (DCA), or a Professional Engineer to plan plant modifications necessary to be in compliance with the KPDES Permit limits and requirements.

Due 1/15/08: Submit by Certified Mail a completed application including engineering plans for plant modifications to the Construction and Compliance Section of the Surface Water Permits Branch of the KY Division of Water.

Due 12/31/08: Submit to the Paducah Regional Office a timeline and action-plan describing the plant modifications to be implemented including dates of planned implementation.

Ensure compliance with the KPDES permit at all times.

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
Paducah Regional Office
130 Eagle Nest Dr
Paducah, KY 42003-9435
270-898-8468 (8:00 AM – 4:30 PM)
Mr. Rob Topolski, Environmental Inspector II

Issued By:

Rob Topolski

Mr. Rob Topolski, Environmental Inspector II
Date: November 7, 2008

Issued By:

Gaye Brewer

Gaye Brewer, Environmental Control Supervisor
Date: November 7, 2008

How Delivered: Certified

Certified/Registered # 7008-0150-0001-1801-0248

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

W & W Service Co.
1600 Bleich Road
Paducah, KY 42003

2. Article Number
(Transfer from service label)

7098 0150 0001 1801 0248 ✓

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X *Bretta Kidding* Post Address

B. Received by (Printed Name) Address
Bretta Kidding

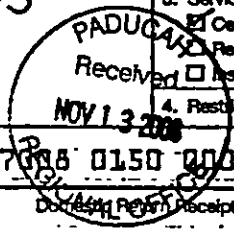
C. Date of Delivery
11/2/08

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

AI: 39273 ENV20080001 RT

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes





STEVEN L. BESHEAR
GOVERNOR

LEONARD K. PETERS
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water
130 Eagle Nest Dr
Paducah, KY 42003-9435
www.kentucky.gov

December 27, 2013

Certified No. 7012-3460-0001-6818-4881
Return Receipt Requested

W & W Service Co
1600 Bleich Road
Paducah, KY 42001


Re: Notice of Violation
AI ID: 39273
AI Name: W & W Service Co
Activity ID: ENV20130002
Permit No. KY0033782
McCracken County, KY

Dear Mr. Ridings:

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 270-898-8468.

Sincerely,


E-Signed by Rob Topolski
VERIFY authenticity with Approver

Mr. Rob Topolski,
Environmental Inspector III
Division of Water

Enclosure: Inspection Report,
Notice of Violation

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

NOTICE OF VIOLATION

To: W & W Service Co
1600 Bleich Road
Paducah, KY 42001

AI Name: W & W Service Co AI ID: 39273 Activity ID: ENV20130002
Discovery ID: CIN20130003 County: McCracken
Enforcement Case ID: DOW130091
Date(s) Violation(s) Observed: 12/03/2013

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

1 Violation Description for Subject Item AIOO00000392730:

Monitoring results shall be reported at the intervals specified in the permit. [401 KAR 5:065 Section 2(1)] as in [40 CFR 122.41(l)(4)].

Description of Non Compliance:

The facility has failed to submit monitoring results at intervals specified in the permit. Permit # KY0033782 has been assigned a NetDMR entry date of August 2013. At the time the ICIS report was generated for this inspection, the August 2013 DMR had not been received.

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

The permittee must begin reporting monitoring results using the NetDMR system at the intervals specified in the permit. Please submit the August 2013 DMR through the NetDMR system if it has not already been submitted. 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. 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)]

2 Violation Description for Subject Item AIOO00000392730:

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. [401 KAR 5:065 Section 2(1)] as in [40 C.F.R. 122.41(a)].

Description of Non Compliance:

The facility has failed to comply with the effluent limitations contained in the permit. The January-October 2013 DMRs were reviewed from the Regional Office from an ICIS DMR Violations Report (attached). During this review period, exceedences had been reported for Dissolved Oxygen, Total Suspended Solids, Ammonia-Nitrogen, Total Residual Chlorine, E. coli, and BOD5. The August 2013 DMR has not been received.


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

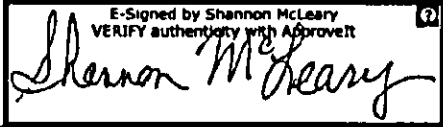
The permittee must comply with effluent limitations and all conditions of the KPDES permit. Within thirty (30) days of the receipt of this notice, the permittee shall submit a written notification to the undersigned that the permittee complies with all requirements of its permit. Failure to comply with 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)]

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
Paducah Regional Office
130 Eagle Nest Dr
Paducah, KY 42003-9435
270-898-8468 (8:00 AM – 4:30 PM)
Mr. Rob Topolski, Environmental Inspector III

Issued By:  Mr. Rob Topolski, Environmental Inspector III
Date: December 27, 2013

Issued By:  Ms. Shannon McLeary, Environmental Control Supervisor
Date: December 27, 2013

How Delivered: Certified Mail

Certified/Registered # 7012-3460-0001-6818-4881

W.W. Service Co.
1600 Bleich Road
Paducah, KY 42001

January 9, 2014

Mr. Rob Topolski
Environmental Inspector III
Division of Water
130 Eagle Nest Drive
Paducah, KY 42003-9435

RE: Notice of Violation
AI ID: 39273
AI Name: W & W Service Co
Activity ID: ENV20130002
Permit No. KY0033782
McCracken County, KY

Dear Mr. Topolski:

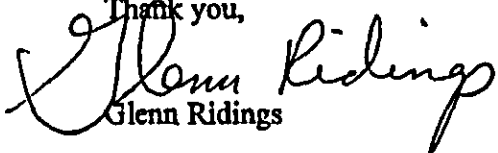
Violation Description for Subject Item AIO00000392730: On January 9, 2014, I spoke with Ann Workman with the Division of Water in Frankfort, KY regarding the August 2013 DMR being reported in the NETDMR system. She informed me that this DMR would be available to enter on January 10, 2013. The results will be entered on the NETDMR tomorrow January 10, 2014. She stated that there was a computer problem that would not allow DMR's to be entered into the NETDMR system until September 2013. She stated there would not be a violation for the August DMR not being entered into the system since it was a computer error. Mrs. Workman called and spoke with you on January 9, 2014 to verify this information.

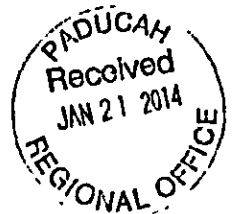
Violation Description for Subject AIO00000392730: The January-October 2013 DMR's have been reviewed, the exceedences were reported and this has been addressed and was turned over to Enforcement and are currently being paid. Mr. Broomall with the Division of Enforcement can verify this information and I thought this violation had been addressed earlier.

The Joint Sewer Association and W.W. Service have signed and filed a petition with the Public Service Commission to accept the takeover of the W.W. Service waste treatment operation. This will be sent via mail tomorrow, January 10, 2014. To verify this information, you may contact John Hodges at the Joint Sewer Association.

Should you have any questions, you may contact me at (270) 554-2344.

Thank you,


Glenn Ridings





STEVEN L. BESHEAR
GOVERNOR

LEONARD K. PETERS
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water
130 Eagle Nest Dr
Paducah, KY 420039435
www.kentucky.gov

January 24, 2014

W & W Service Co
1600 Bleich Road
Paducah, KY 42001

Re: Notice of Violation (12/27/2013)
AI ID: 39273
AI Name: W & W Service Co
Activity ID: ENV20130002
Permit No. KY0033782
McCracken County, KY

Dear Mr. Ridings:

This letter is to acknowledge the receipt of your NOV reply letter on 1/21/14 and to provide a response.


Thank you for submitting the August 2013 DMR through the NetDMR system. It is understood that there was a system issue preventing its submittal on-time. This violation is resolved and no further action is required. It is noted, however, that exceedences were reported in the August 2013 DMR for Total Residual Chlorine and for E.coli.

With regard to the DMR exceedences observed on 12/3/2013 for the review period of January-October 2013, these violations were not included in the Demand Letter dated November 8, 2013 as it only addresses violations from the Notices of Violation issued on November 7, 2008; February 24, 2009; January 6, 2011; April 21, 2011; November 8, 2011; and February 1, 2013 of which the last DMR reviewed during that period was for November 2012. Additionally, the remedial measures of the Demand Letter dated November 8, 2013 include that W & W Service Co., Inc., shall, at all times properly operate and maintain its sewage system in order to maintain compliance with the terms and conditions of its KPDES permit. Furthermore, the Demand Letter states that it addresses only those matters specifically referred to in that document, and in no way waives any obligations or liabilities that may result from any other activities. Therefore, violations observed after February 1, 2013 may be used in a separate Enforcement Referral and may result in additional penalties. Strong efforts need to be made to ensure compliance with all permit limitations.

It is also acknowledged that W & W Service and the Paducah/McCracken County Joint Sewer Agency have filed a petition with the Public Service Commission for the JSA to be transferred all wastewater flow to their collection system for treatment under KPDES permit # KY0022799.

If you have any questions or comments concerning this letter or the Notice of Violation Dated 12/27/2013, please contact the Paducah Regional Office at: (270) 898-8468.

Sincerely,



E-Signed by Rob Topolski
VERIFY authenticity with Adobe®

Rob Topolski
Environmental Inspector III
Paducah Regional Office
Division of Water



STEVEN L. BESHEAR
GOVERNOR

LEONARD K. PETERS
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water
130 Eagle Nest Dr
Paducah, KY 42003-9435
www.kentucky.gov

February 1, 2013

Certified No. 7010-0780-0000-3792-9256
Return Receipt Requested

W & W Service Co
1600 Bleich Road
Paducah, KY 42001

Re: Notice of Violation
AI ID: 39273
AI Name: W & W Service Co
Activity ID: ENV20130001
Permit No KY0033782
McCracken County, KY

Dear Mr. Ridings:

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.

This letter also serves as notice that W & W Service Co has been referred to the Division of Enforcement for its recurring violations and continued non-compliance. Attend the enforcement conference to be scheduled by the Division of Enforcement.

Your cooperation and attention to this matter is appreciated. If you have any questions, please contact me at 270-898-8468.

Sincerely,

Mr. Rob Topolski,
Environmental Inspector III
Division of Water

Enclosure: Notice of Violation,
Inspection Report

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

To: W & W Service Co
1600 Bleich Road
Paducah, KY 42001

AI Name: W & W Service Co AI ID: 39273 Activity ID: ENV20130001
Discovery ID: CIN20130002 County: McCracken
Enforcement Case ID:
Date(s) Violation(s) Observed: 01/15/2013

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

1 Violation Description for Subject Item AIOO0000039273():

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three (3) years from the date of the sample, measurement, report, or application. This period may be extended by request of the cabinet at any time. [40 C.F.R. 122.41(j)(2)]

Description of Non Compliance:

The facility has failed to maintain required records. pH meter calibration records have not been maintained. Mr. Ridings admitted to not having calibrated the pH meter.

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

Upon the receipt of this notice, the permittee shall comply with all recordkeeping requirements specified in the 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)]

2 Violation Description for Subject Item AIOO0000039273():

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.

The blowers were rolling the aeration tank as designed. The return activated sludge (RAS) and the scum skimmer were operating, however, it was observed that upon blower start-up, the sludge blanket in the clarifier was disturbed resulting in solids discharging the clarifier to the lagoon. The mixed liquor was a rich dark brown with a mild earthy odor. The clarifier was settling relatively well; however, the presence of pin floc has been noted during previous inspections. Elevated BOD concentrations that have been reported may be attributed to solids discharging to the lagoon or perhaps algae discharging from the lagoon. No indication of troubleshooting this problem was found during this inspection. The possible short-circuiting in the lagoon was again during this inspection as no lagoon study has been conducted. DMRs have been in significant non-compliance; however, no efforts appear to have been made to troubleshoot those problems.

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 AIOO0000039273():

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. Total Residual Chlorine (TRC) was analyzed by Mr. Ridings during this inspection with a result of 0.38 mg/L. DMRs have reported no TRC exceedences in 2012.

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 AIOO0000039273():

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. All DMRs since the previous CEI DMR review were reviewed. The following is a summary of permit limit exceedences reported for the review period of October 2011 thru November 2012:

October 2011: DO (.21), pH (3.7), BOD (166)
November 2011: DO (.2), pH (3.0), TRC (.03), BOD (389)
December 2011: DO (.2), pH (4.0), Fecal Coliform (830), BOD (142)
January 2012: DO (.3), pH (3.5), BOD (387)
February 2012: DO (.8), BOD (458)
March 2012: BOD (111)
April 2012: BOD (79.7)
May 2012: N (8.74), BOD (152)
June 2012: N (4.46), BOD (236)
July 2012: TSS (63), N (5.05), BOD (348)
August 2012: BOD (390)
September 2012: BOD (185)
October 2012: TSS (80), BOD (522)
November 2012: BOD (522)
December 2012: Not available at time of DMR review.

Low pH reported was previously attributed to improper method use. BOD has been in significant non-compliance and no indication of troubleshooting this issue was identified. It is noted that although the renewal permit was issued on 8/1/2011, DMRs did not reflect the new permit limits until the October 2012 DMR.

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 AIOO0000039273():

The permittee is advised that all KPDES permit conditions in KPDES Regulation 401 KAR 5:065, Section 2 will apply to all discharges authorized by this permit.

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. Compliance with permit parameter limitations by utilization of sufficiently sensitive analytical methods is the responsibility of the permittee. [40 C.F.R. 122.41(j)]. [401 KAR 5:065 Section 2(1)]

Description of Non Compliance:

The facility has failed to collect samples in accordance with the monitoring requirements outlined in the permit. Mr. Ridings said that he was filling each bottle supplied by Summit Environmental with effluent from the composite sampler (including the E.coli sample). E.coli, DO, pH, and TRC are to be collected as grab samples. CBOD5, TSS, and Ammonia/Nitrogen are to be taken from a 24-hour composite. For this permit, each "24-hour composite" sample shall require a minimum of four samples taken every hour at 15 minute intervals over a 24-hour period. The 96 samples taken over 24 hours shall be of equal volumes of not less than 100 ml each.

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

Upon the receipt of this notice, the permittee shall comply with all monitoring requirements specified in the permit and comply with 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)]

6 Violation Description for Subject Item AIOO0000039273():

Duty to comply. Monitoring shall be conducted according to test procedures approved under 40 CFR Part 136, unless another method is required under 40 CFR subchapters N and O. [40 C.F.R. 122.41(j)(4)]. [401 KAR 5:065 Section 2(1)]

Description of Non Compliance:

The facility has failed to monitor permit parameters utilizing approved test procedures. Mr. Ridings stated that he collects all samples, but that Summit Environmental performs all analyses other than field measurements (now conducted by Mr. Ridings). Ammonia/nitrogen bottles supplied by Summit Environmental were inspected at this time. The bottles were not pre-preserved and Mr. Ridings said that he has not been adding a preservative to the samples. Ensure all samples are collected in proper containers, preserved, and refrigerated properly.

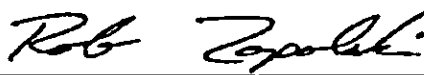
The remedial measure(s), and date(s) to be completed by are as follows:

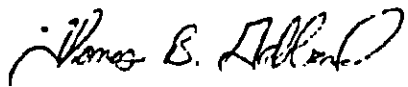
The permittee must monitor parameters in accordance with procedures approved under 40 CFR Part 136. Within thirty (30) days of the receipt of this notice, the permittee shall submit a written notification to the undersigned that the permittee complies with all requirements of its permit. Failure to comply 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)]

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
Paducah Regional Office
130 Eagle Nest Dr
Paducah, KY 42003-9435
270-898-8468 (8:00 AM – 4:30 PM)
Mr. Rob Topolski, Environmental Inspector III

Issued By: 
Mr. Rob Topolski, Environmental Inspector III
Date: February 1, 2013

Issued By: 
Thomas B. Gabbard, Compliance and Technical Assistance Branch Manager
Date: February 1, 2013

How Delivered: Certified Mail

Certified/Registered # 7010-0780-0000-3792-9256

February 27, 2013

TO: Rob Topolski
Division of Water
130 Eagle Nest Drive
Paducah, KY 42003-9435

FROM: W & W Services Co.
1600 Bleich Road
Paducah, KY 42001

RE: W & W Service Co – 39273
Permit No.: KY0033782
McCracken County, Kentucky
Activity ID: CIN20120002

Dear Mr. Topolski:

This letter is in response to your Notice of Violation document postmarked February 4, 2013.

Violation #1. Ph meter calibration records maintained.

W & W Services has currently contracted with a third party to collect composite and grab samples starting with the February monitoring period. All analyses from the composite and grab samples shall also be conducted by the third part representative. All sampling and analysis protocols shall conform to all Kentucky Regulatory requirements, Standard Methods and all other applicable requirements.

Violation #2. Proper Operation and Maintenance

During Mr. Topolski's inspection, the air on the clarifiers was discussed. The air has been cut back to trouble shoot this start-up disturbance. The timers have also been adjusted not to come on as often. Winter timers were set to come on more often to prevent freeze up. The scraping of the equipment before inspection may account for some Pin Floc. Trouble shooting activities will continue on an ongoing basis, and have had input from operators of similar operations.

Violation #3. Disinfection Process

The facility uses liquid chlorine bleach, which is metered into the system by chem pump. The effluent drain goes into a contact tank where the chlorine mixes. When this mix leaves the tank, it is de-chlorinated by Bisulfate that is metered to mix inline before it reaches the effluent stream.



Page 2
February 27, 2013

Violation #4. Effluent Exceedences

Mr. Ridings contacted Frankfort about the new DMR's not being received. He was told no action would be taken because of computer change overs that affected some facilities. The BOD issue seems to be inaccurate as to other levels of ammonia and nitrogen would show high also. Further scrutiny of how this can be addressed is being discussed with lab and other operators of similar facilities.

Violation #5. Monitoring Requirements

W & W Services has currently contracted with a third party to collect composite and grab samples starting with the February monitoring period. All analyses from the composite and grab samples shall also be conducted by the third part representative. All sampling and analysis protocols shall conform to all Kentucky Regulatory requirements, Standard Methods and all other applicable requirements.

Violation #6. Utilizing Approved Test Procedures

W & W Services has currently contracted with a third party to collect composite and grab samples as required by the permit. All sampling protocols, including sample containers, shall comply to all Kentucky Regulatory requirements, Standard Methods and all other applicable requirements.

In the inspection report, the inspector, Rob Topolski encouraged me to meet with Paducah/McCracken County Joint Sewer Agency (JSA) to discuss their active sewer line extension project and the requirements for connecting W & W Services Co. collection system to the Paducah JSA system. On February 26, 2013, I met with John C. Hodges, P.E., L.S. Executive Director JSA and John Webb, P.E. Operation and Engineering Director, JSA about the possibility of W & W Services connecting on to the JSA system. The current JSA expansion project has been completed up to the adjacent property to W & W Service's property. During this meeting, Mr. Hodges indicated the JSA would be willing to connect W & W Services to the JSA system at the earliest opportunity. Mr. Hodges indicated he could discuss this issue with Mr. Topolski or other Division of Water representatives.

Sincerely,


Glenn Ridings
W & W Services Co.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

W&W Service
1600 Bleich Road
Paducah Ky 42001

Rob

A1-39273

EW20130002

2. Article Number

(Transfer from service label)

7012 3460 0001 6818 4881

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Metta Kilday* Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from (A)? Yes
If YES, enter delivery address below: No

RECEIVED
DEC 30 2013
REGIONAL OFFICE

3. Service Type

- Certified Mail® Priority Mail Express™
- Registered Return Receipt for Merchandise
- Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee)

Yes



STEVEN L. BESHEAR
GOVERNOR

LEONARD K. PETERS
SECRETARY

**ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

Division of Water
130 Eagle Nest Dr
Paducah, KY 42003-9435
WWW.KENTUCKY.GOV

November 8, 2011

Certified No. 7011-0110-0001-7371-7300
Return Receipt Requested

W & W Service Co
1600 Bleich Road
Paducah, KY 42001

Re: Notice of Violation
AI ID: 39273
AI Name: W & W Service Co
Activity ID: ENV20110001
Permit No. KY0033782
McCracken County, KY

Dear Mr. Ridings:

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. A follow-up inspection will be conducted to see that these violations have been corrected.

Your cooperation and attention to this matter is appreciated. If you have any questions, please contact me at 270-898-8468.

Sincerely,

A handwritten signature in black ink that reads "Rob Topolski".

Mr. Rob Topolski,
Environmental Inspector III
Division of Water

Enclosure: NOV and Inspection Report

COMMONWEALTH OF KENTUCKY
Energy and Environment Cabinet
Department For Environmental Protection
Division of Water

NOTICE OF VIOLATION

To: W & W Service Co
1600 Bleich Road
Paducah, KY 42001

AI Name: W & W Service Co AI ID: 39273 Activity ID: ENV20110001
County: McCracken
Enforcement Case ID: N/A
Date(s) Violation(s) Observed: 10/18/2011

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

1 Violation Description for Subject Item AIOO0000039273():

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. At the time of this inspection the plant was operating well with no mechanical issues observed. The blowers were rolling aeration tank as designed. The return activated sludge (RAS) and the scum skimmer were operating. The mixed liquor was a rich dark brown with a mild earthy odor. The clarifier was settling relatively well. The presence of pin floc was noted during the inspection on 12/8/10 and again during this inspection. It does not appear that any efforts have been made to troubleshoot these issues. This carry-over of solids to the lagoon may be the reason for elevated BOD concentrations that have been reported. The importance of a lagoon study was again discussed with Mr. Ridings. It may be that the influent and effluent of the lagoon are located too closely resulting in short circuiting and it may be that sludge levels have over-accumulated. DMRs have been in significant non-compliance; however, no efforts appear to have been made to troubleshoot those problems.

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

Within thirty (30) days upon receipt of this NOV, submit a letter to the undersigned stating what actions W&W Service Co. has taken to return to compliance.

2 Violation Description for Subject Item AIOO0000039273():

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]. [401 KAR 5:005 Section 11]

Description of Non Compliance:

The facility has failed to properly maintain and /or operate the disinfection unit. Total Residual Chlorine

(TRC) has been analyzed by Summit Environmental at their lab and has not been analyzed within the required holding time (instantaneously).

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

Within thirty (30) days upon receipt of this NOV, submit a letter to the undersigned stating what actions W&W Service Co. has taken to return to compliance (i.e. W&W Service has obtained an EPA approved chlorine meter; or the facility has contracted to have chlorine residuals analyzed instantaneously on-site).

3 Violation Description for Subject Item AIOO0000039273():

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. The past six months of DMRs were reviewed. The following is a summary of permit parameter exceedences reported:

April 2011: DO, pH, TRC, BOD

May 2011: DO, pH

June 2011: DO, pH, BOD

July 2011: DO, pH, TRC, BOD

Aug 2011: DO, pH, Nitrogen (loading), BOD, E.Coli

Sept 2011: DO, pH, Nitrogen, BOD, E.Coli

Note that DO, pH, and TRC have exceeded their holding times.

Also note that a renewal permit was issued in August 2011, but that the DMRs were not updated to reflect the changes.

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

Due immediately: Contact the Permit Support Section of the Surface Water Permits Branch at 502-564-3410 to update DMRs to reflect permit limit changes.

Within thirty (30) days upon receipt of this NOV, submit a letter to the undersigned stating what actions W&W Service Co. has taken to return to compliance (i.e. W&W Service has obtained EPA approved meters to analyze Dissolved Oxygen, pH, and Total Residual Chlorine; or the facility has contracted to have DO, pH, and TRC analyzed instantaneously on-site).

4 Violation Description for Subject Item AIOO0000039273():

The permittee is advised that all KPDES permit conditions in KPDES Regulation 401 KAR 5:065, Section 2 will apply to all discharges authorized by this permit.

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. Compliance with permit parameter limitations by utilization of sufficiently sensitive analytical methods is the responsibility of the permittee. [40 C.F.R. 122.41(j)]. [401 KAR 5:065 Section 2(1)]

Description of Non Compliance:

The facility has failed to collect samples in accordance with the monitoring requirements outlined in the permit. The renewal permit issued on 8/1/11 requires 24-hour composite sampling for BOD, TSS, and Ammonia/Nitrogen. By definition, a 24-hour composite sample means not less than twelve (12) effluent portions collected at regular intervals over a period of twenty-four (24) hours which are composited in proportion to flow. This facility recently obtained a composite sampler, but it does not collect flow-proportioned samples and is not equipped to keep samples at 4 degrees Celsius.

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

Within thirty (30) days upon receipt of this NOV, submit a letter to the undersigned stating what actions W&W Service Co. has taken to return to compliance.

5 Violation Description for Subject Item AIOO0000039273():

Duty to comply. Monitoring shall be conducted according to test procedures approved under 40 CFR Part 136, unless another method is required under 40 CFR subchapters N and O. [40 C.F.R. 122.41(j)(4)]. [401 KAR 5:065 Section 2(1)]

Description of Non Compliance:

The facility has failed to monitor permit parameters utilizing approved test procedures. The facility has obtained a composite sampler, however it is not equipped with built-in refrigeration capabilities. Ensure all samples are maintained at 4 degrees Celsius.

Mr. Ridings stated that he collects all samples, but that Summit Environmental performs all analyses. Dissolved Oxygen (D.O.), Total Residual Chlorine (TRC), and pH have not been analyzed instantaneously as required. This violation was previously cited in the NOV issued on 1/6/11. Summit Environmental has continued to analyze those parameters at their laboratory which exceeds the required holding times.


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


Within thirty (30) days upon receipt of this NOV, submit a letter to the undersigned stating what actions W&W Service Co. has taken to return to compliance.

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:

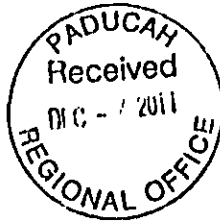
Division of Water
Paducah Regional Office
130 Eagle Nest Dr
Paducah, KY 42003-9435
270-898-8468 (8:00 AM - 4:30 PM)
Mr. Rob Topolski, Environmental Inspector III

Issued By: 
Mr. Rob Topolski, Environmental Inspector III
Date: November 8, 2011

Issued By: 
Jennifer Burnett, Environmental Control Supervisor
Date: November 8, 2011

How Delivered: Certified Mail

Certified/Registered # 7011-0110-0001-7371-7300



W+W Service Co
1600 Bleich Rd
Paducah Ky, 42003

DIVISION OF WATER
130 Eagle Nest Dr,
Paducah Ky 42003

RE Notice of VIOLATION
AI ID 39273
AI Name W+W Service Co.
Activity Id ENV20110001
Permit No. Ky 0033782

Item 1. AI 00000392730

When inspection was conducted all seemed to be running smoothly. The pin flock may have been the result of scraping the walls, which is done daily.

Item 2.

As sampled the treatment plant adjust the chlorine and BISULFATE according to the results from Summit Environmental.

Item 3.

W+W service has not had the opportunity to check into all the meters described in said notice. It is not that W+W Service wants to exceed the limits. I try to run a good service, chlorinate and dechlorinate and keep expensive pumps and maintenance cost in line.

Item 4

Summit Environmental supplied WTW with
A composite sampler Set up for 24 hr. as
opposed to a GRAB sample.

As per the discussion to CONTACT
JSA, that is in the plans for this week
or next. I have had a death in the family
and my time has been limited. It is my
hope JSA will come to some agreement
and put in resources that WTW can't afford.

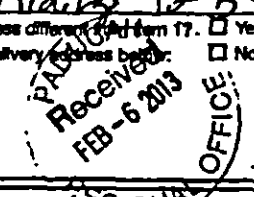
12-5-11

Glenn Redding

OWNER - OPERATOR

WTW Service Co LLC.

270-554-2344

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input checked="" type="checkbox"/> <i>Gretta Kidias</i> <input type="checkbox"/> Addressee	
1. Article Addressed to: <i>Rob</i> <i>W:W Service Co</i> <i>1600 Bleich Road</i> <i>Paducah Ky 42001</i> <i>AL-39273</i> <i>EW20130001</i>	B. Received by (Printed Name) C. Date of Delivery <i>Gretta Kidias</i> <i>2-5-13</i> D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below. <input type="checkbox"/> No <div style="text-align: center;">  </div>	
2. Article Number <i>(Transfer from service label)</i>	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
PS Form 3811, February 2004	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes 7010 0780 0000 3792 9256 Domestic Return Receipt 102595-02-04-1540	



STEVEN L. BESHEAR
GOVERNOR

LEONARD K. PETERS
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water
130 Eagle Nest Dr
Paducah, KY 42003-9435
www.kentucky.gov

January 6, 2011

Certified No. 7010-1870-0003-0965-1044
Return Receipt Requested

Glenn Ridings
W & W Service Co
1600 Bleich Road
Paducah, KY 42003

Re: Notice of Violation
AI ID: 39273
AI Name: W & W Service Co
Activity ID: ENV20100001
Permit No. KY0033782
McCracken County, KY

Dear Mr. Ridings:

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 270-898-8468.

Sincerely,

Mr. Rob Topolski,
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: Glenn Ridings
W & W Service Co
1600 Bleich Road
Paducah, KY 42003

AI Name: W & W Service Co AI ID: 39273 Activity ID: ENV20100001
Discovery ID: CIN20100002 County: McCracken
Date(s) Violation(s) Observed: 12/08/2010

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

1 Violation Description for Subject Item AIOO0000039273():

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]. [401 KAR 5:005 Section 11]

Description of Non Compliance:

This facility feeds liquid sodium hypochlorite (for disinfection) and sodium bisulfite (for dechlorination) through manually controlled metering pumps. This facility has reported significant non-compliance with chlorine limits.

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]

2 Violation Description for Subject Item AIOO0000039273():

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. The past six months of DMRs were reviewed at the Paducah Regional Office. Total Residual Chlorine (TRC) exceedences occurred for each month reviewed. Dissolved Oxygen (DO) exceedences occurred in June, July, August, and October. Nitrogen/Ammonia (N) exceedences occurred in September. Biological Oxygen Demand (BOD) exceedences occurred in October. Fecal Coliform exceedences occurred in May and June.

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)]

3 Violation Description for Subject Item AIOO0000039273():

The permittee is advised that all KPDES permit conditions in KPDES Regulation 401 KAR 5:065, Section 2 will apply to all discharges authorized by this permit.

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. Compliance with permit parameter limitations by utilization of sufficiently sensitive analytical methods is the responsibility of the permittee. [40 C.F.R. 122.41(j)]. [401 KAR 5:065 Section 2(1)]

Description of Non Compliance:

The facility has failed to collect samples in accordance with the monitoring requirements outlined in the permit. Mr. Ridings reported that when he began dechlorinating the effluent through the existing sampling pipe, that the sampling site was relocated to the end of the discharge pipe which is submerged in the stream. Samples have since been collected after mixing with the receiving stream which is in violation of 401 KAR 5:065 Section 2(1).

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

Upon the receipt of this notice, the permittee shall comply with all monitoring requirements specified in the permit and comply with 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)]

4 Violation Description for Subject Item AIOO0000039273():

Duty to comply. Monitoring shall be conducted according to test procedures approved under 40 CFR Part 136, unless another method is required under 40 CFR subchapters N and O. [40 C.F.R. 122.41(j)(4)]. [401 KAR 5:065 Section 2(1)]

Description of Non Compliance:

The facility has failed to monitor permit parameters utilizing approved test procedures. Mr. Ridings said that he has not collected composite samples, but that he collects grab samples and delivers them to Summit Environmental who analyzes all parameters including Dissolved Oxygen, pH, and Total Residual Chlorine (which exceed the instantaneous holding time).

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

The permittee must monitor parameters in accordance with procedures approved under 40 CFR Part 136. 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 AIOO0000039273():

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

Comply with all conditions of the KPDES permit at all times. 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]

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
Paducah Regional Office
130 Eagle Nest Dr
Paducah, KY 42003-9435
270-898-8468 (8:00 AM - 4:30 PM)
Mr. Rob Topolski, Environmental Inspector III

Issued By:



Mr. Rob Topolski, Environmental Inspector III
Date: January 6, 2011

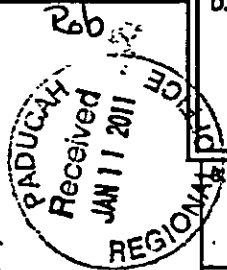
Issued By:



Jennifer Burnett, Environmental Control Supervisor
Date: January 6, 2011

How Delivered: Certified Mail Certified/Registered # 7010-1870-0003-0965-1044

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee <i>X Glen Reding</i></p>
<p>1. Article Addressed to:</p> <p><i>Glen Reding W&W Service 1600 Bleich Rd Podiatrist 164203</i></p> <p><i>AI 39273</i></p>	<p>B. Received by (Printed Name) C. Date of Delivery <i>Glen Reding 1/10/11</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>2. Article Number (Transfer from service label)</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p><i>7010 1870 0003 0965 1044</i></p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>



W&W SERVICE CO.
1600 BLEICH RD.
PADUCAH KY. 42003
270-554-2344



February 1, 2011

DIVISION OF WATER
ROB TOPOLSKY
130 EAGLE NEST DR.
PADUCAH KY. 42003

AI ID: 39273
AI Name: W&W Service Co.
Activity ID: ENV20100001
Permit No. KY0033782
McCracken County, KY

MR. ROB TOPOLSKY:

Item 1. AI0000000392730

W&W Service Co. Inc. has used a manual controlled metering pump for sodium hypochlorite for 30 years. The residual chlorine should be controlled by the disulfate addition. There is a vessel for retention time for chlorine.

Item 2. AI0000000392730

W&W Service Co. Inc. does not exceed permit limits on purpose. W&W does chlorinate and dechlorinate. Sometimes the DMRs reflect small exceedences. As for permit termination that seems a little harsh. Things will get better.

Item 3. AI0000000392730

The influent pipe to the receiving stream has been raised above surface water.

Item 4. AI0000000392730

DOW In Frankfort has been contacted and a waiver for 2 samples (grab sample) has been deemed adequate.

Item 5. AI0000000392730

According to DMRs W&W has strived to operate and maintain a quality facility. Some small occurrences may happen from time to time. W&W is trying to put a clean discharge back into the stream. W&W will explore other methods to update our system.


GLENN RIDINGS
W&W SERVICE CO.

May 11, 2011

DIVISION OF WATER
130 Eagle Nest Dr RE: W+W Service Co
Paducah Ky 42003 9435 Permit No. KY0033782
McCarter Co, Ky,
AID Cin 20110001

Mr. Rob Topolski,

Per the inspection April 7, 2011 some
findings are to be and have been addressed.
I now have WWI + WW collection certificates.
I am in the process of obtaining a composite
sampler. Also my permit for 5 yrs.
has been renewed.

Sincerely
G. Glenn Poling

owner/operator
W+W Service Co
Paducah Ky 42003
270-554-2344



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

W&W Service Co
1600 Bleich Rd
Paducah Ky 42001

Rob

A1 39273

Nov 2011 021

2. Article Number
(Transfer from service label)

7011 0110 0001 7371 7300

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Glenn Kidd

- Agent
- Addressee

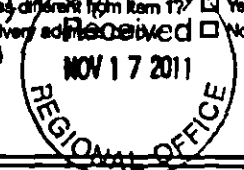
B. Received by (Printed Name)

Glenn Kidd

C. Date of Delivery

11-16-11

D. Is delivery address different from item 1? Yes
If YES, enter delivery address No



3. Service Type

- Certified Mail
- Express Mail
- Registered
- Return Receipt for Merchandise
- Insured Mail
- C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

**NOTICE OF NEW RATE SCHEDULE FOR THE
PADUCAH MCCRACKEN JOINT SEWER AGENCY**

As adopted by the Board of Directors on May 9th 2005, the following rates and charges will be in effect for the entire Paducah McCracken Joint Sewer Agency service area beginning July 1, 2013:

First 3,000 gallons (min.) = \$13.05
Each additional 1,000 gallon = \$4.35/1000 gallon

The following surcharges shall apply to the Agency's industrial users:

For the treatment of biological oxygen demand ("BOD") waste in a concentration exceeding 300 mg/l, an additional surcharge will be imposed of \$0.21 per pound of BOD.
For the treatment of waste containing total suspended solids ("TSS") in a concentration exceeding 350 mg/l, a surcharge will be imposed of \$0.22 per pound of TSS.

The following charges shall apply to the Agency's waste haulers located within McCracken County:

\$39.00 per 1,000 gallons of hauled waste.
The fee for treatment and disposal of acceptable waste generated outside McCracken County shall be exactly double the fee charged for waste generated in McCracken County.