

RECEIVED

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

AUG 19 2015

PUBLIC SERVICE
COMMISSION

In the Matter of:

AN INVESTIGATION OF EXISTING AND FUTURE)
SERVICE OF BULLITT UTILITIES, INC.) CASE NO 2014-00163

**ANSWERS OF BULLITT UTILITIES, INC., TO COMMISSION STAFF'S FIRST
INFORMATION REQUESTS**

Comes Bullitt Utilities, Inc. ("Bullitt Utilities"), and for its Answers to Commission Staff's First Information Requests, provides the following information. This information is in addition to the information previously provided in response to the requests for information set forth in the Commission's Order of May 22, 2014, and the Post-Hearing Data requests:

Information Request No. 1: Provide the following information for the project authorized in Case No. 2014-00255.

Information Request No. 1a: Provide a copy of the Kentucky Division of Water ("KY DOW") approval letter for the construction permit to construct the project for transmitting wastewater from the Hunters Hollow collection system to BCSD.

Answer: See Attachment 1, which was attached to the Answers of Bullitt Utilities, Inc., to Post-Hearing Data Requests which were filed with the Public Service Commission ("Commission") on June 23, 2015, in Case No. 2014-00255.

Information Request No. 1b: Provide a copy of the signed contract between Bullitt Utilities and Clark providing for the construction of the project, the Notice to Proceed, and a copy of the down-payment check. If the contractor is not Clark, identify the contractor and provide the same information. If no construction contract has been executed, explain why, and state Bullitt

Utilities' plan to procure a contractor for the project.

Answer: See the signed contract between Bullitt Utilities and Larry Clark Construction, Inc., attached hereto as Attachment 2.

Information Request No. 1c: Provide a copy of each payment request from Clark or the contractor. For each payment request, state whether the request has been paid and provide supporting documentation to verify payment.

Answer: No payment requests have been submitted by Larry Clark Construction, Inc., as it has done very little work on the project. Bullitt Utilities is unable to obtain the financing needed to pay the substantial cost to construct the pump station and wet well, which cost is approximately Three Hundred Fifty Thousand Dollars (\$350,000.00). Additionally, the monthly revenue received by Bullitt Utilities from its customers is insufficient to pay the monthly expenses incurred by Bullitt Utilities in operating and maintaining the Hunters Hollow collection system and no funds are available to pay for the connection of the pump station and wet well. Bullitt Utilities' Application for Surcharge filed in Case No. 2014 - 00255, now pending before the Commission, has not yet been ruled upon. Since there are no funds to pay the cost to construct the pump station and wet well, no further work has been undertaken by Larry Clark Construction, Inc. Bullitt Utilities is unable to state at this when the construction of the pump station and wet well will be completed, as approval of the Application for Surcharge is required before any additional work can be performed on the pump station and wet well. The Application for Surcharge was deemed filed by the Commission on December 23, 2014, the formal hearing on the Application for Surcharge was held on Tuesday, June 9, 2015, and Commission has not yet issued its ruling on the Application for Surcharge.

Information Request No. 1d: State whether Bullitt Utilities has commenced construction of the project for which the CPCN was granted.

Answer: See Answer to Information Request No. 1(c).

Information Request No. 1e: If Bullitt Utilities has commenced construction, provide a summary of the construction activity to date and identify the remaining construction activity as well as all other steps necessary to complete the project.

Answer: See Answer to Information Request No. 1(c).

Information Request No. 1f: If Bullitt Utilities has not commenced construction, state why it has not.

Answer: See Answer to Information Request No. 1(c).

Information Request No. 1g: Provide the anticipated date that the project will be substantially complete. If there is a letter indicating the substantial completion date of the construction, submit the letter with the response.

Answer: See Answer to Information Request No. 1(c).

Information Request No. 1h: If Bullitt Utilities has not obtained all approvals, permits, or other authorizations to complete the project, identify any approvals, permits, or other authorizations that are necessary and state the status with respect to obtaining any such item and the corresponding anticipated date that the approval, permit, or authorization will be obtained.

Answer: As is reflected in Attachment 1, Bullitt Utilities has obtained the necessary authorization from the Kentucky Division of Water authorizing the construction of the pump station and wet well. Approval of the Application for Surcharge is required before any additional work can be performed on the pump station and wet well. See also Answer to Information

Request No. 1(c).

Information Request No. 1i: Provide any reports from any resident inspector that is employed by Bullitt Utilities, BCSD, or any consultant of the aforementioned.

Answer: Bullitt Utilities objects to this Information Request on the basis that it is vague and ambiguous and incapable of answer without speculation as to its meaning. However, without waiving this objection, see Answer to Information Request No. 1(c).

Information Request No. 2: Refer to the Answer of Bullitt Utilities to the Commission's Order of May 7, 2015, in this proceeding . Provide the following information.

Information Request No. 2a: State whether Bullitt Utilities has completed the work to connect the Hunters Hollow collection system with the BCSD sanitary sewer system. If so, provide the date that the work was completed. If not, state why not and provide the anticipated date that the work will be completed.

Answer: The work to connect the Hunters Hollow collection system to the Bullitt County Sanitation System ("BCSD") was completed on May 27, 2015.

Information Request No. 2b: State whether Bullitt Utilities is transmitting wastewater from the Hunters Hollow collection system to BCSD. If so, provide the date that the transmission began. If not, state why and provide the anticipated date that the transmission will begin.

Answer: Bullitt Utilities began pumping wastewater to BCSD on May 27, 2015.

Information Request No. 2c: State whether Bullitt Utilities has had any bypass events for wastewater collected for the Hunters Hollow collection system since May 21, 2015. Provide any documents supplied to the KY DOW regarding each bypass event since May 21, 2015.

Answer: The Bypass Reports filed with the Kentucky DOW for bypass events occurring since

May 21, 2015, are attached as Attachment 5.

Information Request No. 3: Provide any correspondence and documentation exchanged between Bullitt Utilities and KY DOW since May 21, 2015.

Answer: See Attachments 3 and 4.

Information Request No. 4: Provide any correspondence and documentation exchanged between Bullitt Utilities and BCSD since May 21, 2015.

Answer: See Attachment 5.


Information Request No. 5: Provide all documentation, including any log books containing daily activity, that identifies the volume of wastewater transmitted from the Hunters Hollow collection system to BCSD since May 21, 2015.

Answer: Bullitt Utilities's log books do not identify the volume of wastewater transmitted from the Hunters Hollow collection system to BCSD during the relevant time period. The log books specify the pumping rate at the time the pumps are checked.

Information Request No. 6: Provide a schedule of all costs incurred since May 21, 2015, to any vendor, government agency, or third party in response to any bypass event since May 21, 2015, including but not limited to costs to clean a receiving stream and costs to remove or contain wastewater that has left the Hunters Hollow collection system consequent to a bypass event. For each cost, state whether the cost has been paid. If it has been paid, provide the date of payment and source of funds for the payment.

Answer: See Attachment 7.

Certification: The Responses of Bullitt Utilities set forth above are true and accurate to the best of my knowledge, information and belief.



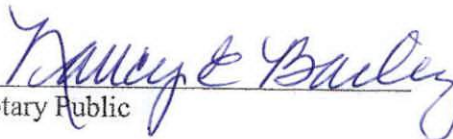
Chris Cogan, AS. POWER OF ATTORNEY
FOR, CARROLL F. COGAN, PRESIDENT

STATE OF KENTUCKY

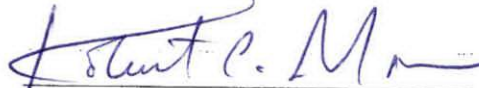
COUNTY OF FRANKLIN

Subscribed and sworn to before me by Christopher G. Cogan, as Attorney-in-Fact for
Carroll F. Cogan, President, Bullitt Utilities, Inc., this 19th day of August, 2015.

My commission expires: 3-11-18


Notary Public

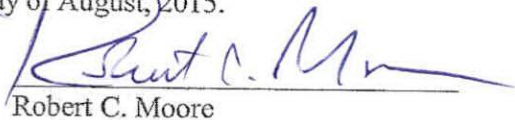
Respectfully submitted,



Robert C. Moore
HAZELRIGG & COX, LLP
415 West Main Street, 1st Floor
P. O. Box 676
Frankfort, Kentucky 40602-0676
(502) 227-2271

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by hand delivery
on Jeff Derouen, Executive Director, Public Service Commission, 211 Sower Blvd., P.O. Box
615, Frankfort, Kentucky 40602 and was served upon Gregory T. Dutton and Jennifer Black
Hans, Assistant Attorney General, 1024 Capital Center Drive, Suite 200, Frankfort, Kentucky
40601-8204, United States Mail on this the 19th day of August, 2015.


Robert C. Moore

ATTACHMENT 1



STEVEN L. BESHEAR
GOVERNOR

LEONARD K. PETERS
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
200 FAIR OAKS LANE, 4TH FLOOR
FRANKFORT, KENTUCKY 40601
www.kentucky.gov

May 12, 2015

Mr. Carroll Cogan
Bullitt Utilities, Inc.
P.O. Box 91588
Louisville, KY 40291

Re: Hunters Hollow Pump Station
Bullitt County, Kentucky
Project ID #: 15-0303
Hunters Hollow Subdivision
Activity ID #: 448, APE20150001

Dear Mr. Cogan:

We have reviewed the plans and specifications for the above referenced project. The plans include the construction of a pump station with two variable frequency drive pumps operating at 210 GPM with 32' of TDH. This is to advise that plans and specifications for the above referenced project are APPROVED with respect to sanitary features of design, as of this date with the requirements contained in the attached construction permit.

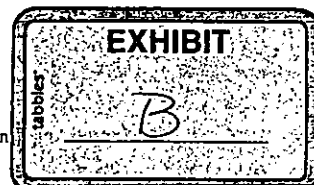
If we can be of any further assistance or should you wish to discuss this correspondence, please do not hesitate to contact me at 502-564-3410 extension 4832.

Sincerely,

Greg Goode, P.E.
Engineering Section
Water Infrastructure Branch
Division of Water

Enclosures

c: Bullitt County Health Department
BlueStone Engineers, PLLC
Bullitt County Sanitation District
Division of Enforcement



ATTACHMENT 2



Civil Engineering
Land Planning
Construction Inspection

3703 Taylorsville Road, Suite 205
Louisville, Kentucky 40220
502.298.2272
www.bluestoneengineers.com

May 21, 2015

Mr. Larry Clark
Larry Clark Construction, Inc.
5427 Bardstown Road
Louisville, KY 40291

**SUBJECT: Hunters Hollow Pump Station
Bullitt County, Kentucky.
Notice To Proceed**

Dear Mr. Clark:

We have received your bid and unit prices for the above project with the Owner and found them to be acceptable. The Owner has provided you a contract to perform the site work as outlined on the bid plans. Upon acceptance and signature of said contract, this letter serves as your official Notice To Proceed.

We look forward to working with you on this project. Please do not hesitate to give me a call if you have questions during construction. You can reach me at 292-9288.

Sincerely,

A handwritten signature in cursive script that reads 'Chris Crumpton'.

Christopher T. Crumpton, P.E.
Engineering Director/Principal

CTC/mlr

cc: Mr. Larry Smithier
Mr. Rob Moore

BULLITT UTILITIES INC.

PO BOX 81588
LOUISVILLE, KY 40291

08-89

9699

21-10/030
404

DATE 5/14/15

⑆CHECK NUMBER

PAY
TO THE
ORDER OF

Larry Clark Construction

\$ 1,000.00

One thousand and

00
100

DOLLARS

PNC BANK

PNC Bank, N.A. 030

FOR

Pump Station Initial payment

W. Clark

⑆009699⑆ ⑆083000⑆08⑆ 3763720614⑆

**CONTRACT FOR CONSTRUCTION
HUNTERS HOLLOW PUMP STATION**

THIS AGREEMENT made this 22nd day of May 2015, by and between Larry Clark Construction Inc., organized and existing under the laws of the State of Kentucky, hereinafter called the "CONTRACTOR", and Bullitt Utilities, Inc., hereinafter called the "OWNER".

WITNESSETH that the Contractor and the Owner for the considerations stated herein mutually agree as follows:

ARTICLE I. Statement of Work. The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment and services, including utility and transportation services, and perform and complete all work embraced in the Hunters Hollow Pump Station Plans dated January 2015, to complete the project, all in strict accordance with the Contract documents, as set out in Article III below, to include documents prepared by BlueStone Engineers, PLLC, hereinafter referred to as "ENGINEER".

ARTICLE II. The Contract Price. The Owner shall pay the Contractor for the performance of the Contract, in current funds, subject to additions and deductions as provided in Bid Proposal included as part of the specifications hereof, the lump sum of Two hundred sixteen thousand six hundred Dollars and no /100 (\$216,600.00), which amount is as stated in the Contractor's submitted bid and unit prices along with the First Addendum dated May 21, 2015, as issued by BlueStone Engineers.

ARTICLE III. Contract. The executed Contract Documents shall consist of the following:

- a. This Agreement
- b. Drawings/Specification Notes
- c. KDOT Specifications
- d. BCSD/MSD Specifications
- e. Project Specifications
- f. First Addendum (dated May 22, 2015)

THIS AGREEMENT, together with other documents enumerated in this Article III, which said other documents are as fully apart of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this Article III shall govern, except as otherwise specifically stated.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed in three original copies on the day and year first above written:

CERTIFICATIONS:

I, Larry Clark (Name)

of said Corporation, that said Agreement was duly signed for and in behalf of said Corporation by authority of its governing body and is within the scope of its corporate powers.

[Signature]
Signature

Larry Clark Construction Inc
Print Name

Pres. d.o.t
Title

[Signature]
WITNESS

CONTRACTOR

[Signature]
Signature

By: Larry Clark
Print Name/Title

OWNER

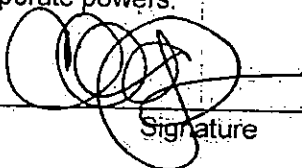
[Signature]
Signature

By: FOR CAROL F. COGAN, ITS PRESIDENT
Print Name/Title

QUESTOR PETER G. COGAN AS BOARD OF ARMY
Signature

CERTIFICATIONS:

I, CHRISTOPHER G. COGAN (Name) certify that I am the POWER OF ATTORNEY (Title) FOR THE PRESIDENT of said entity; that said Agreement was duly signed for and in behalf of said Bullitt Utilities, Inc., by authority of its governing body and is within the scope of its corporate powers.


Signature

By: CHRISTOPHER G. COGAN
Print Name
AS POWER OF ATTORNEY
FOR CARROLL F. COGAN
Title ITS PRESIDENT

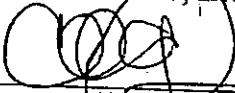
WITNESS: _____

**FIRST ADDENDUM TO CONTRACT FOR CONSTRUCTION
HUNTERS HOLLOW PUMP STATION
(Dated May 22, 2015)**

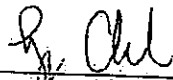
1. The paragraph titled "Payments To Contractor, Initial Payment" is revised to delete the sentence stating "Initial payment of 25% of the contract price will be made by the Owner to the Contractor are monies advanced for the purpose of assisting the Contractor to expedite the work of construction." This deleted sentence is hereby replaced with the following sentence, "The Owner shall make an initial payment of \$1,000 to the Contractor, and thereafter the Contractor will issue its invoices by the end of the month for work performed during that month, and the Owner will issue payment on the immediately preceding invoice on or about the fifteenth day of the next month." The remaining provisions of the paragraph titled "Payments To Contractor, Initial Payment" shall remain in full force and effect.

2. The paragraph titled "Disputes" is revised to add the following provisions as paragraph 3 d., "**Mediation.** Claims, disputes or other matters in question between the parties to this contract shall be first subject to pre-suit mediation prior to the filing of any legal claims or litigation. Pre-suit mediation is a condition precedent to litigation. The obligation to mediate is a material and essential provision of this Contract. Unless otherwise agreed in writing, the CONTRACTOR shall carry on the performance during any mediation or litigation. Either party may initiate a mediation proceeding by submitting a request in writing to the other party within a reasonable time after the claim, dispute or other matter in question has arisen, but in no event after the applicable statute of limitations has expired. The parties shall endeavor in good faith to mutually agree upon an acceptable mediator. In the event the parties have not agreed upon a mediator within 30 days of the request for mediation, the OWNER shall select a mediator. Each party is to bear its own fees, costs and expenses of said mediation. In the event that mediation is unsuccessful, all claims, disputes or other matters in question shall be resolved in the Circuit or District Courts of Bullitt County, Kentucky."

Bullitt Utilities, Inc.



Name, title and date
CHRISTOPHER G. LOGAN A.S. POWER OF ATTORNEY
FOR CARROLL F. LOGAN, ITS PRESIDENT
Larry Clark Construction Company, Inc.

 pces. dat 5-22-15
Name, title and date

ATTACHMENT 3

**Environmental & Public Protection Cabinet
Department for Environmental Protection
Division of Water
Bypass/Overflow Notification
BPR#72415-01**

TEMPO Incident ID#:

Notified by: Larry Smither (Initially Shawn Ford tried to call the incident in but couldn't get an answer)

Date and Time bypass/overflow started: 7/24/15 @ 8:00 A.M.

Date and Time bypass/overflow ended: 8/10/15 @ 8:30 A.M.

Responsible/Affected facility: Hunters Hollow WWTP Lift station

Location: Blue Lick Road at W. Triangle – Bullitt County

Cause of bypass/overflow: It was discovered that the 5 H.P. submersible pump was burnt up and had to be pulled and taken to the repair shop. That only leaves the one submersible pump that is piped up to pump to BCSD.

8/10/15--- On 8/6/15 and 8/7/15 piping changes were made so the self priming pump could also pump into the BCSD sewers. With the rain that has taken place very couple of days, pumping the maximum allowable to BCSD has not been enough during this period to stay ahead of the flow coming into the lift station.

Estimated gallons of loss: 1,080,000

Environmental impact (what streams are impacted?): Trib. to Brooks Run

Method of cleanup: The straw bale barrier has been renewed. Rock has been placed around the barrier and around the lift station. Lime has frequently been spread on the effected area.

Comments:

Notification received by:

Notification date and time:

**Environmental & Public Protection Cabinet
Department for Environmental Protection
Division of Water
Bypass/Overflow Notification
BPR#81815-01**

Incident ID#: 20154698

Notified by: Shawn Ford

Date and Time bypass/overflow started: 8/10/15 2:30 P.M.

Date and Time bypass/overflow ended: 8/18/15 @ 10:00 A.M.

Responsible/Affected facility: Hunters Hollow Subdivision WWTP

Location: Blue Lick Road at W. Triangle – Bullitt County

Cause of bypass/overflow: The flow into the station was greater than the amount Hunters Hollow was aloud to pump to BCSD. Also the 5 H.P. submersible pump is in Quality Electric for repair.

Estimated gallons of loss: 392,000

Environmental impact (what streams are impacted?): Trib. to Brooks Run

Method of cleanup: Lime will be spread on the effected area today and additional information will follow.

Comments:

Notification received by:

Notification date and time:

**Environmental & Public Protection Cabinet
Department for Environmental Protection
Division of Water
Bypass/Overflow Notification
BPR#60815-01**

TEMPO Incident ID#:

Notified by: Larry Smither (At the time the bypass was observed Shawn Ford tried to call the bypass in but couldn't get an answer.)

Date and Time bypass/overflow started: 6/7/15 @ 11:45 A.M.(Correction on start date)

Date and Time bypass/overflow ended: 6/8/15 @ 2:10 P.M.

Responsible/Affected facility: Hunters Hollow WWTP lift station

Location: Blue Lick Road at W. Triangle – Hillview – Bullitt County

Cause of bypass/overflow: There have been two pumps in service pumping to BCSD. (One self primer and one submersible) On the 7th the self primer stopped pumping and our serviceman could not get it pumping again. He found that there was a crack in the suction pipe on the self primer. At that time on Sunday there wasn't anyplace to get the needed parts. The parts are being picked up this morning the 8th so the repairs can be made.

6/8/15 – The needed parts were picked up this A.M. and the defective parts of the self priming pump suction pipe were replaced. The pump is back in service.

Estimated gallons of loss: 93,600

Environmental impact (what streams are impacted?): Trib. to Brooks Run

Method of cleanup: Lime will be spread on the area today. Any solid material will be raked up as soon as it dries enough.

Comments:

Notification received by:

Notification date and time:

5

**Environmental & Public Protection Cabinet
Department for Environmental Protection
Division of Water
Bypass/Overflow Notification
BPR#70715-01**

TEMPO Incident ID#:

Notified by: Shawn Ford -- Incident #20153734

Date and Time bypass/overflow started: 6/26/15 @ 12:40 A.M.

Date and Time bypass/overflow ended: 6/29/15 @ 8:00 A.M.

Responsible/Affected facility: Hunters Hollow subdivision WWTP lift station

Location: Blue Lick Road at W. Triangle – Bullitt County

Cause of bypass/overflow: Due to extremely heavy rain in the area, flash flood of Brooks Run Creek, the amount being pumped to BCSD was not sufficient to keep up with the flow. The excess was pumped out into the straw bale barrier, until the straw bales washed away.

Estimated gallons of loss: 1,080,000

Environmental impact (what streams are impacted?): Trib. to Brooks Run

Method of cleanup: Raked up the solid debris and spread lime on the effected area around the wet well. Also reconstructed the straw bale barrier.

Comments:

Notification received by:

Notification date and time:

WF-4630

EPSON
EXCEED YOUR VISION

Fax Last Transmission

PAGE 001/001

Jul. 07. 2015 18:05

Name : Larry Smither

Fax : 5022417943

Receipt No.	Date	Time	Type	ID	Duration	Pages	Result
930	Jul.07	18:04	Send	4297125	00:38	001/001	OK

**Environmental & Public Protection Cabinet
Department for Environmental Protection
Division of Water
Bypass/Overflow Notification
BPR#70715-02**

TEMPO Incident ID#:

Notified by: Shawn Ford -- Incident #20153823

Date and Time bypass/overflow started: 7/1/15 @ 8:38 A.M.

Date and Time bypass/overflow ended: 7/1/15 @ 9:00 A.M.

Responsible/Affected facility: Hunters Hollow subdivision WWTP lift station

Location: Blue Lick Road at W. Triangle – Bullitt County

Cause of bypass/overflow: Due to heavy peak flow, the amount being pumped to BCSD was not sufficient to keep up with the flow. It was necessary to flush and clean the gate valves. The excess went out into the straw bale barrier.

Estimated gallons of loss: 1,700

Environmental impact (what streams are impacted?): Trib. to Brooks Run

Method of cleanup: Spread lime on the effected area around the wet well.

Comments:

Notification received by:

Notification date and time:

WF-4630

EPSON
EXCEED YOUR VISION

Fax Last Transmission

PAGE 001/001
Jul 07 2015 18:07

Name : Larry Smither
Fax : 5022417943

Receipt No.	Date	Time	Type	ID	Duration	Pages	Result
932	Jul.07	18:07	Send	4297125	00:36	001/001	OK

ATTACHMENT 4

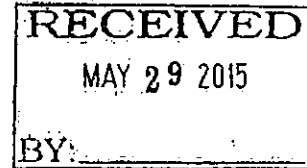
STEVEN L. BESHEAR
GOVERNOR



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



May 21, 2015

Certified No. 7012.3460.0001 0838 6566
Return Receipt Requested

Carroll Cogan
Bullitt Utilities Inc. dba. Hunter Hollow
P.O. Box 91588
Louisville, KY 40291

Re: Notice of Violation
AI ID: 448
AI Name: Hunters Hollow Subd
Activity ID: ENV20150004
Permit No. KY0038610
Bullitt County, KY

Dear Mr. Cogan:

The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility on 5/14/15. 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".

Brad Trivette,
Environmental Inspector III
Division of Water

BT
Enclosure

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

NOTICE OF VIOLATION

To: Carroll Cogan
Bullitt Utilities Inc. dba. Hunter Hollow
P.O. Box 91588
Louisville, KY 40291

AI Name: Hunters Hollow Subd AI ID: 448 Activity ID: ENV20150004
Discovery ID: CIV20150001 County: Bullitt
Enforcement Case ID:
Date(s) Violation(s) Observed: 05/14/2015

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

1 Violation Description for Subject Item AIO00000004480:

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 responsible party/permittee has failed to report the spill or discharge to the Division of Water as required.

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

All future spills/bypasses, which would result in or contribute to the pollution of the waters, must be reported to the Division of Water by the most rapid means available. Additional penalties may be determined by the Division of Enforcement. [401 KAR 5:015 Section 2]

2 Violation Description for Subject Item AIO00000004480:

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 2(1)] as in [40 CFR 122.41(e)].

Description of Non Compliance:

The facility is not being properly operated and maintained as required. The VEOLIA plant was discharging a reddish orange effluent loaded with an excessive amount of the ferric based flocc agent.

The VEOLIA operator told me that the plants aeration blower had been out of operation 5/8/15 to 5/12/15. Larry Smither told me the blower had only been down periodically due to breakers.

It was evident that the air had been off long enough for the plants mix liquor to turn septic dark, The aerators are provided and maintained by the Bullitt Utilities staff.

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. Additional penalties may be determined by the Division of Enforcement [401 KAR 5:065 Section 2(1)]

3 Violation Description for Subject Item AIOO0000004480:

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 was very dark 200 to 400 yards down stream from the effluent discharge. The stream was reddish orange at the outfall and for about 100 feet.

The stream was still to dark to observe how much if any sewer solids will be deposited. The algae were collecting some sewer solids.

5/15/15- There was a dusting of the reddish orange ferric floc on the stream bed just below the 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. Immediately remove all settled sewer solids and ferric from the stream. **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. Additional penalties may be determined by the Division of Enforcement. [KRS 224.70-110]

4 Violation Description for Subject Item AIOO0000004480:

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

Description of Non Compliance:

The waters of the Commonwealth have been degraded. Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. The stream was very dark 200 to 400 yards down stream from the effluent discharge. The stream was reddish orange at the outfall and for about 100 feet.

The stream was still to dark to observe how much if any sewer solids will be deposited. The algae were collecting some sewer solids.

5/15/15- There was a dusting of the reddish orange ferric flocculating material on the stream bed just below the 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. Immediately remove all settled sewer solids and ferric from the stream. 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. Additional penalties may be determined by the Division of Enforcement. [401 KAR 10:031 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 40222-5084
502-429-7122 (8:00 AM - 4:30 PM)
Brad Trivette, Environmental Inspector III

Brad Trivette

Issued By:

Mr. Brad Trivette Environmental Inspector III

Date: May 21, 2015

Charles A. Roth

Issued By:

Mr. Charles Roth, Environmental Control, Supervisor

Date: May 21, 2015

How Delivered: Certified

Certified/Registered # 7012 3460 0001 0838 6566



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

AUG 10 2015

August 3, 2015

Chris Cogan
1800 2nd St
West Tower, Suite 892
Sarasota, FL 34236

Re: AI ID: 448
AI Name: Hunters Hollow Subdivision
Activity ID: ERF20140001
Permit No. KY0038610
Bullitt County, KY
Case No. DOW 140088, DOW-34022

Dear Mr. Cogan:

The Division of Water has reviewed the Sanitary Sewer Evaluation Study (SSES) and Corrective Action Plan (CAP) submitted on behalf of Hunters Hollow Subdivision. Several deficiencies have been noted (comments attached). Please review the comments and revise/resubmit the SSES and CAP in accordance with paragraph 16 of the Agreed Order by no later than sixty (30) days after receipt of this correspondence. If you have any questions, please contact me at (502) 564-2150, ext. 3604.

Sincerely,

Philip Kejzlar
Environmental Enforcement Specialist IV
Division of Enforcement

Cc:
Hon. Rob Moore
Hazelrigg & Cox, LLP
415 West Main St.
PO Box 676
Frankfort, KY 40602-0676

Enclosure

Hunters Hollow Subdivision SSES Comments:

1. The SSES was not complete. A number of tasks needed in the SSES are listed as yet to do in the CAP.
2. The Division of Water (DOW) does not understand why activities such as smoke testing lines looking for illegal connection are considered beyond the scope of the study. It is the opinion of DOW that illegal connections and leaks are a major source of inflow into this system and should be a focus of the study. Part of the system was not even considered.
3. The submitted document called a CAP is not a Corrective Action Plan. A CAP should list the problems encountered while completing the SSES and then discuss and prioritize the problem areas needing work and perhaps giving reasons for their selection.
4. The CAP would also provide a schedule for doing the needed remedial work.
5. There should also be a provision for yearly (if not more frequent) reports on the success of the work as it is completed.
6. In short, the documents should tell us what they did to study the situation; what was found, what is needed to fix things and how and when they propose to do the work.

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

AUG 10 2015

August 4, 2015

CERTIFIED MAIL No. 7014 1820 0000 5796 3599
Return Receipt Requested

Bullitt Utilities Inc.
Attn: Chris Cogan
1800 2nd St
West Tower, Suite 892
Sarasota, FL 34236

Re: Notice of Violation
AI ID: 448
AI Name: Hunters Hollow Subd
Activity ID: ENV20150006
Facility No. KY0038610
Bullitt County, KY
Case No. DOW-34022

Dear Mr. Cogan:

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 3230.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle M. Rice".

Michelle M. Rice
Environmental Enforcement Specialist III
Compliance and Operations Branch

Enclosure

CC:
Hazelrigg & Cox, LLP
Attn: Robert C. Moore
415 West Main Street
P.O. Box 676
Frankfort, KY 40602-0676

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

NOTICE OF VIOLATION

To: Bullitt Utilities Inc.
Attn: Chris Cogan
1800 2nd St
West Tower, Suite 892
Sarasota, FL 34236

AI Name: Hunters Hollow Subd AI ID: 448 Activity ID: ENV20150006
County: Bullitt
Enforcement Case ID: DOW-34022
Facility Number: KY0038610
Date(s) Violation(s) Observed: 08/04/2015

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

1 Violation Description for Subject Item AIOO0000000448():

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 401 KAR 5:065, which cites 40 CFR 122.41(a), by failing to comply with the terms and conditions of KPDES Permit No. KY0038610, Outfall 001-1, for Biochemical Oxygen Demand (BOD) during the months of March, April, May, and June 2015. The permitted limits for BOD Loading are a monthly average of 31.3 lbs/day and a daily maximum of 46.9 lbs/day. The reported results were a monthly average of 37.11 lbs/day and a daily maximum of 50.04 lbs/day for March; a monthly average of 41.03 lbs/day and a daily maximum of 73.39 lbs/day for April; a monthly average of 42.95 lbs/day and a daily maximum of 80.06 lbs/day for May; and a monthly average of 70.06 lbs/day and a daily maximum of 70.06 lbs/day for June. The permitted limits for BOD Concentration are a monthly average of 15 mg/l and a daily maximum of 22.5 mg/l. The reported results were a monthly average of 22 mg/l and a daily maximum of 30 mg/l for March; a monthly average of 25 mg/l and a daily maximum of 44 mg/l for April; a monthly average of 26 mg/l and a daily maximum of 48 mg/l for May; and a monthly average of 42 mg/l and a daily maximum of 42 mg/l for June.

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

Hunters Hollow Subdivision shall comply with the terms and conditions of Agreed Order DOW-34022, executed on November 24, 2014, and amended on March 26, 2015; and KPDES Permit # KY0038610. [KRS 224.70-110]

2 Violation Description for Subject Item AIOO0000000448():

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 401 KAR 5:065, which cites 40 CFR 122.41(a), by failing to comply with the terms and conditions of KPDES Permit No. KY0038610, Outfall 001-1, for Total Suspended Solids (TSS) during the months of April and May 2015. The permitted limits for TSS Loading are a monthly average of 62.6 lbs/day and a daily maximum of 93.8 lbs/day. The reported results were a daily maximum of 128.4 lbs/day for April; and a daily maximum of 123.4 lbs/day for May. The permitted limits for TSS Concentration are a monthly average of 30 mg/l and a daily maximum of 45 mg/l. The reported results were a daily maximum of 77 mg/l for April; and a monthly average of 34 mg/l and a daily maximum of 74 mg/l for May.

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

Hunters Hollow Subdivision shall comply with the terms and conditions of Agreed Order DOW-34022, executed on November 24, 2014, and amended on March 26, 2015; and KPDES Permit # KY0038610. [KRS 224.70-110]

3 Violation Description for Subject Item AIOO0000000448():

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 401 KAR 5:065, which cites 40 CFR 122.41(a), by failing to comply with the terms and conditions of KPDES Permit No. KY0038610, Outfall 001-1, for Total Ammonia Nitrogen (TAN) during the months of April, May, and June 2015. The permitted limits for TAN Loading during the months of May through October are a monthly average of 8.34 lbs/day and a daily maximum of 12.5 lbs/day. The reported results were a monthly average of 25.23 lbs/day and a daily maximum of 31.19 lbs/day for May; and a monthly average of 30.02 lbs/day and a daily maximum of 30.02 lbs/day for June. The permitted limits for TAN Concentration during the months of November through April are a monthly average of 10 mg/l and a daily maximum of 15 mg/l. The reported results were a monthly average of 11.3 mg/l and a daily maximum of 18.1 mg/l for April. The permitted limits for TAN Concentration during the months of May through October are a monthly average of 4 mg/l and a daily maximum of 6 mg/l. The reported results were a monthly average of 15.1 mg/l and a daily maximum of 18.7 mg/l for May; and a monthly average of 18 mg/l and a daily maximum of 18 mg/l for June.

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

Hunters Hollow Subdivision shall comply with the terms and conditions of Agreed Order DOW-34022, executed on November 24, 2014, and amended on March 26, 2015; and KPDES Permit # KY0038610. [KRS 224.70-110]

4 Violation Description for Subject Item AIOO0000000448():

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 401 KAR 5:065, which cites 40 CFR 122.41(a), by failing to comply with the terms and conditions of KPDES Permit No. KY0038610, Outfall 001-1, by failing to sample weekly for Dissolved Oxygen (DO), pH, Total Suspended Solids (TSS), Total Nitrogen (N), Total Ammonia Nitrogen (TAN), Total Phosphorus (P), E. Coli, and Biochemical Oxygen Demand (BOD) during the month of June 2015. The DMR submitted indicated the frequency of analysis for these parameters was once during the month.

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

Hunters Hollow Subdivision shall comply with the terms and conditions of Agreed Order DOW-34022, executed on November 24, 2014, and amended on March 26, 2015; and KPDES Permit # KY0038610. [KRS 224.70-110]

5 Violation Description for Subject Item AIOO0000000448():

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 401 KAR 5:065, which cites 40 CFR 122.41(a), by failing to comply with the terms and conditions of KPDES Permit No. KY0038610, Outfall 001-1, by failing to sample continuously for Effluent Flow during the month of June 2015. The DMR submitted indicated the frequency of analysis for this parameter was once during the month.

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

Hunters Hollow Subdivision shall comply with the terms and conditions of Agreed Order DOW-34022, executed on November 24, 2014, and amended on March 26, 2015; and KPDES Permit # KY0038610. [KRS 224.70-110]

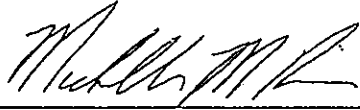
Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance 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 extension 3230 (7:30 AM – 3:30 PM)
Michelle Rice, Environmental Enforcement Specialist III

Issued By:



Michelle M. Rice
Environmental Enforcement Specialist III
Compliance and Operations Branch
Date: August 4, 2015

How Delivered: Certified Mail Certified/Registered # 7014 1820 0000 5796 3599

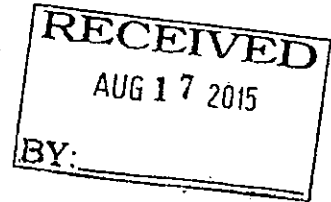


STEVEN L. BESHEAR
GOVERNOR

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



August 14, 2015

Certified No. 9590 9401 0085 5168 0024 77
Return Receipt Requested

Carroll Cogan
Bullitt Utilities Inc. dba. Hunters Hollow
P.O. Box 91588
Louisville, KY 40291

Re: Notice of Violation
AI ID: 448
AI Name: Hunters Hollow Subd
Activity ID: ENV20150009
Permit No. KY0038610
Bullitt County, KY

Dear Carroll Cogan:

The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility on 6/10/15, 7/31/15 and 8/10/15. In addition, the actions taken at the Hunters Hollow Plant caused a large quantity of solids to be sent to the Pioneer Village WWTP on 06/10/15, which resulted in an upset condition at the Pioneer WWTP and degradation to the waters of the Commonwealth. 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,

Brad Trivette,
Environmental Scientist III
Division of Water

Enclosure

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

NOTICE OF VIOLATION

To: Carroll Cogan
Bullitt Utilities Inc. dba. Hunters Hollow
P.O. Box 91588
Louisville, KY 40291

AI Name: Hunters Hollow Subd AI ID: 448 Activity ID: ENV20150009
Discovery ID: CIV20150004 County: Bullitt
Enforcement Case ID:
Date(s) Violation(s) Observed: 06/10/2015; 07/31/15, and 08/10/15

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

1 Violation Description for Subject Item AIOO000000448():

The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. [40 C.F.R. 122.41(l)(6)]. [401 KAR 5:065 Section 2(1)]

Description of Non Compliance:

The facility has failed to report spills, bypasses and/or non-compliance as required by 401 KAR 5:065 Section 2(1).

The incident was reported by BCSD employee Charles Raisor.

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

The permittee must report spills, bypasses and non-compliance as required by 401 KAR 5:065 Section 2(1). 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. Any permit non-compliance shall constitute a violation of the Clean Water Act and KRS 224, among which shall be the following remedies: Enforcement action, permit revocation, revocation and reissuance, or modification; or denial of permit renewal application. Immediately eliminate all constructed bypasses and sanitary sewer overflows (SSO's). Additional remedial measures and penalties may be determined by the Division of Enforcement. [401 KAR 5:065 Section 2(1)]

2 Violation Description for Subject Item AIOO000000448():

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 responsible party/permittee has failed to report the spill or discharge to the Division of Water as required. The incident was reported by BCSD (Bullitt Co. Sanitation District) employee Charles Raisor. However, the incident was not reported by anyone representing Hunters Hollow, Bullitt Utilities Inc, or Covered Bridge Utilities

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

All future spills/bypasses, which would result in or contribute to the pollution of the waters, must be reported to the Division of Water by the most rapid means available. Immediately eliminate all constructed bypasses and sanitary sewer overflows (SSO's). Additional remedial measures and penalties may be determined by the Division of Enforcement. [401 KAR 5:015 Section 2]

3 Violation Description for Subject Item AIOO000000448():

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(c)]. [401 KAR 5:065 Section 2(1)]

Description of Non Compliance:

The facility is not being properly operated and maintained as required.

Even after being denied permission by the Bullitt Co. Sanitation District, PECO employees pumped large volumes of high concentrated sewage waste into the wet well. That waste was eventually pumped to the Pioneer Village WWTP causing a system upset that dumped a large quantity of sewer solids into the stream.

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. Immediately eliminate all constructed bypasses and sanitary sewer overflows (SSO's). Additional remedial measures and penalties may be determined by the Division of Enforcement. [401 KAR 5:065 Section 2(1)]

4 Violation Description for Subject Item AIOO000000448():

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. Sewage and sewer solids were observed in the stream below the Hunters Hollow final effluent outfall on 6/10/15, 7/31/15 and 8/10/15.

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. Immediately eliminate all constructed bypasses and sanitary sewer overflows (SSO's). Additional remedial measures and penalties may be determined by the Division of Enforcement. [KRS 224.70-110]

5 Violation Description for Subject Item AIOO000000448():
Surface waters shall not be aesthetically or otherwise degraded. [401 KAR 10:031 Section 2]

Description of Non Compliance:

Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. There was sewage and sewer solids observed in the stream below the Hunters Hollow final effluent outfall on 6/10/15, 7/31/15 and 8/10/15.

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

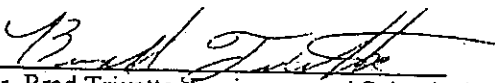
Immediately cease all discharges that are aesthetically or otherwise degrading the waters of the Commonwealth. The effluent must be brought into compliance so as to eliminate stream degradation. Within thirty (30) days of the receipt of this notice, the permittee/responsible party shall submit a plan of action and a schedule of implementation to the undersigned describing the necessary measures taken to address the non-compliance. Immediately eliminate all constructed bypasses and sanitary sewer overflows (SSO's). Additional remedial measures and penalties may be determined by the Division of Enforcement. [401 KAR 10:031 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.

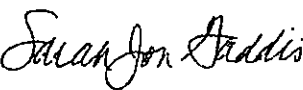
If you have questions or need further information, write or call the undersigned:

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

Issued By:


Mr. Brad Trivette, Environmental Scientist III
Date: August 14, 2015

Issued By:


Ms. Sarah Jon Gaddis, CTAB Branch Manager
Date: August 14, 2015

How Delivered: Certified Certified/Registered # 9590 9401 0085 5168 0024 77

ATTACHMENT 5

BULLITT COUNTY SANITATION DISTRICT



June 10, 2015

Commissioners
Donald Watkins
Chuck Callahan
Lynn Spencer

Mr. Robert Moore
Hazelrigg & Cox, LLP
415 West Main Street
Suite 1
Frankfort, Kentucky 40602-0676

REF: Bullitt Utilities, Inc., Hunters Hollow WWTP; May 2015 Billing

Dear Mr. Moore:

The following information is being provided to Bullitt Utilities for purposes of determining the payment due to BCSD for the treatment of the Hunters Hollow WWTP flow for the month of May 2015.

The system was turned on and pumping began at approximately 5:30 pm on Wednesday, May 27, 2015. From that time till midnight May 31, 2015 the system pumped for a total of 102.5 hours.

The month of May has a total of 744 hours. The 102.5 hours represents 13.78 percent of the total time.

The District should be in receipt of 13.78 percent of the total May 2015 receivables from Hunters Hollow.

Please pass this on to the appropriate parties of Bullitt Utilities. In addition, please provide a copy of the Louisville Water Company Remittance Sheet to Bullitt Utilities.

Respectfully,

Jerry Kennedy
District Manager

HAZELRIGG & COX, LLP

ATTORNEYS AT LAW

415 WEST MAIN STREET, SUITE 1

P.O. Box 676

FRANKFORT, KENTUCKY 40602-0676

July 13, 2015

JOHN B. BAUGHMAN
ROBERT C. MOORE
MARK R. BRENOELMAN

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

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

Via Facsimile: 502-957-0224

Mr. Jerry Kennedy
Bullitt County Sanitation District
297 Lees Lane North
Louisville, Kentucky 40229

Re: Bullit Utilities, Inc.

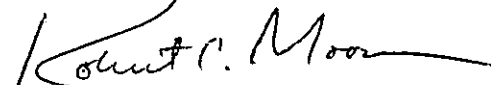
Dear Jerry:

As we discussed during our telephone conversation on July 13, 2015, Linda Wood is forwarding to you on this date a check in the amount of \$2,041.71 made payable to Bullitt County Sanitation District ("BCSD") in payment of the sanitary sewer services provided by BCSD to Bullitt Utilities during the month of May, 2015. The information provided to Ms. Wood by the Louisville Water Company reflects that Bullitt Utilities' total receipts for May of 2015 were \$15,823.22. (See Attachment A: Blue Lick - \$4,872.87, Hunters Hollow - \$10,950.35) This equates to receipts of \$510.426 per day. (\$15,823.22 divided by 31) BCSD began accepting Bullitt Utilities' wastewater on May 27, 2015, and it is to be paid for treatment of wastewater from May 27 through May 31, 2015. The following calculations reflect that BCSD should be paid the amount of \$2041.71 for May of 2015. ($\$510.426 \times 5 = \$2,552.13$ times $.80 = \$2041.71$)

The Louisville Water Company has been requested to make the payment directly to BCSD, but has advised Ms. Wood that it will not do so.

Thank you for your attention to this matter, and please contact me if you have any questions concerning same.

Yours truly,


Robert C. Moore

RCM/neb
Enclosure
cc: Chris Cogan - via electronic mail

From: John Baum
Sent: Thursday, July 09, 2015 1:39 PM
To: Linda Wood
Cc: Laura Warren
Subject: RE: June Sewer Remittance - Blue Lick, Hunters Hollow

Here's Blue Lick - thanks

6/30/2015	AMOUNT
Collections (Gross Receipts)	\$ 5,500.96
Less Billing Charges	\$ (300.00)
Less Taxes Billed	\$ (63.90)
Request Total	\$ 5,137.06

5/31/2015	AMOUNT
Collections (Gross Receipts)	\$ 4,872.87
Less Billing Charges	\$ (200.00)
Less Taxes Billed	\$ (63.90)
Request Total	\$ 4,608.97

From: Linda Wood
Sent: Thursday, July 09, 2015 12:53 PM
To: John Baum
Subject: RE: June Sewer Remittance - Blue Lick, Hunters Hollow

Thanks, John - I'll need the figures on Blue Lick Sewer also. It is also a part of this sewer system. Thanks, Linda Wood

From: John Baum
Sent: Thursday, July 09, 2015 12:34 PM
To: Linda Wood
Cc: Laura Warren
Subject: RE: June Sewer Remittance - Blue Lick, Hunters Hollow

Linda - see the top line, Collections (Gross Receipts) for the information you need.

6/30/2015	AMOUNT
Collections (Gross Receipts)	\$ 11,623.44
Less Billing Charges	\$ (90.00)
Less Taxes Billed	\$ (76.30)
Request Total	\$ 11,457.14

→ ERROR - SHOULD BE \$900.00

5/31/2015	AMOUNT
Collections (Gross Receipts)	\$ 10,950.35
Less Billing Charges	\$ (500.00)
Less Taxes Billed	\$ (76.30)
Request Total	\$ 10,374.05

We can provide this information going forward.

ATTACHMENT 6

To be provided