

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

APR 17 2015

PUBLIC SERVICE  
COMMISSION

In the Matter of:

APPLICATION OF BULLITT UTILITIES, INC. )  
FOR A CERTIFICATE OF CONVENIENCE AND ) CASE NO 2014-00255  
NECESSITY AND SURCHARGE FOR SAME )

**ANSWERS OF BULLITT UTILITIES INC., TO THE ATTORNEY GENERAL'S  
SECOND REQUEST FOR INFORMATION**

Comes Bullitt Utilities, Inc. ("Bullitt Utilities"), by counsel, and for its Answers to the Attorney General's Second Request for Information, states as follows.

Bullitt Utilities objects to the Attorney General's Second Request for Information to the extent that they seek to impose requirements in addition to the applicable Public Service Commission rules and/or regulations.

**Information Request No. 1:** From one year prior to the facility failure to the current date, provide all reports and documentation of back-ups into customer homes.

**Answer:** Objection. Bullitt Utilities objects to this request on the basis that it seeks information that is irrelevant to the application for surcharge case filed by Bullitt Utilities. Bullitt Utilities further objects to this request to the extent that it seeks information concerning sanitary sewer systems other than the Hunters Hollow collection system. Without waiving these objections, Bullitt Utilities states as follows. To be provided as Attachment 1.

**Information Request No. 2:** Provide a description and cost accounting of all actions Bullitt Utilities has taken that specifically target decreasing the frequency or severity of back-ups for one year immediately prior to and one year immediately following the facility failure.

**Answer:** Objection. Bullitt Utilities objects to this request on the basis that it seeks

information that is irrelevant to the application for surcharge case filed by Bullitt Utilities.

Without waiving this objection, Bullitt Utilities states that it took the following actions during the timeframe from March 29, 2013, to March 29, 2015, to address inflow and infiltration (I & I) into the Hunters Hollow collection system (hereinafter "Collection System"), which has a direct connection to any back-ups that may have occurred in the Collection System: 1) a video inspection of the Collection System was performed by Pipe Eyes, LLC. The sewer lines in the Collection System were cleaned by jetting prior to the video survey; 2) During periods of heavy rain when the lift station duplex pumps were unable to keep up with the flow in the Collection System, a third pump was used to pump water from the two lift stations in the Collection System; and 3) BlueStone Engineers was engaged to review the results of the video survey of the Collection System prepared by Pipe Eyes, LLC, prepare a Sanitary Sewer Evaluation Study ("SSES") for Bullitt Utilities, and conduct an inspection of the manholes on the Collection System for the amount of \$10,540. The SSES was submitted to the Kentucky Department of Environmental Protection ("DEP"), and is currently being updated at its request.

**Witnesses:** Chris Cogan and Lawrence Smither.

**Information Request No. 3:** Provide a table showing the date and amount of each bypass for one year immediately prior to and one year immediately following the facility failure.

**Answer:** Objection. Bullitt Utilities objects to this request on the basis that it seeks information that is irrelevant to the application for surcharge case filed by Bullitt Utilities. Without waiving this objection, Bullitt Utilities states, see Answers of Bullitt Utilities to the Information Requests of the Public Service Commission in PSC Case No. 20 14-00163, tab two. Information for bypasses occurring after May 1, 2014, See Attachment 2.



**Information Request No. 4:** Reference responses to OAG's First RFI numbers 10 and 11. Confirm that the funds listed are payments made to Mr. Smither for regular maintenance. If that is not the case, provide a table detailing what maintenance was done and the expense.

**Answer:** The payments listed in Bullitt Utilities responses to the Attorney General's First Request for Information numbers 10 and 11 were made to Covered Bridge Utilities, Inc. ("Covered Bridge"), for maintenance during each of the years listed. These maintenance services provided by Covered Bridge included inspections of the Hunters Hollow WWTP.

**Witnesses:** Chris Cogan and Lawrence Smither.

**Information Request No. 5:** Reference responses to OAG's First numbers 9. Provide all correspondence between DOW and Bullitt Utilities regarding the Hunters Hollow WWTP from June 18, 2014 until conclusion of this action.

**Answer:** See Attachment 3.

**Information Request No. 6:** Provide documentation in your possession from either government agencies or privately retained consultants that contain theories or causes for the collapse of the aeration tank.

**Answer:** Objection. Bullitt Utilities objects to this request on the basis that it seeks information that is subject to the attorney client privilege and/or that is subject to the work product doctrine. Without waiving this objection, Bullitt Utilities states that it will provide a report upon completion of the report.

\_\_\_\_\_  
Chris Cogan

STATE OF KENTUCKY

COUNTY OF FRANKLIN

The above answers are true and accurate to the best of my knowledge and belief. Subscribed and sworn to before me by Christopher G. Cogan, as Attorney-in-Fact for Carroll F. Cogan, President, Bullitt Utilities, Inc., this \_\_\_\_ day of April, 2015.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

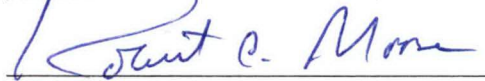
Respectfully submitted,



Robert C. Moore  
HAZELRIGG & COX, LLP  
415 West Main Street, 1<sup>st</sup> 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 by United States Mail on Gregory T. Dutton and Jennifer Black Hans, Assistant Attorney General, 1024 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601-8204, on this the 17<sup>TH</sup> day of April, 2015.



Robert C. Moore

## ATTACHMENT 2



*Cogan/Hunters  
Hollow*

**Environmental & Public Protection Cabinet  
Department for Environmental Protection  
Division of Water  
Bypass/Overflow Notification  
BPR#72814-02**

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TEMPO Incident ID#:

Notified by: Larry Smither

Date and Time bypass/overflow started: 7/27/14 @ 8:00 P.M. (Was found at this time)

Date and Time bypass/overflow ended: 7/28/14 @ 2:00 P.M.

Responsible/Affected facility: Hunters Hollow WWTP

Location: Blue Lick Road at Triangle - Bullitt County

Cause of bypass/overflow: Due to strong storms with very heavy rain the three plant pumps were not able to keep up with the incoming flow. It was necessary to start up a gasoline engine driven portable pump to assist the three pumps in getting caught up with the incoming flow into the plant wet well. This was absolutely necessary to keep water out of basements.

Estimated gallons of loss: 270,000

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

Method of cleanup: Yet to be determined. Will follow up with additional information.

Comments:

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Notification received by:

Notification date and time:

COGAN/HUNTERS  
Hollow

**Environmental & Public Protection Cabinet  
Department for Environmental Protection  
Division of Water  
Bypass/Overflow Notification  
BPR#92914-01**

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TEMPO Incident ID#:

Notified by: Larry Smither

Date and Time bypass/overflow started: 9/29/14 @ 1:00 A.M. (As observed by the temporary plant operator for Veolia Water)

Date and Time bypass/overflow ended: 9/29/14 @ 9:45 A.M.

Responsible/Affected facility: Hunters Hollow WWTP Lift Station

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

Cause of bypass/overflow: There was a very heavy flow coming into the lift station and as reported by the Veolia operator the water was mudding looking and it came with such force that it overflowed the wet well. I was notified of the occurrence by Tim Schaeffer with Veolia at 9:32 A.M. I had my serviceman, Shawn Ford, there by 9:45 A.M. and he reported to me that there was not a bypass at that time and the wet well was pumped down to the normal level. He road around the subdivision to try and locate a possible source. He looked at both remote lift stations and it looked to him that whatever the substance was came through the #2 lift station because it still had a muddy look to it but he could not find where it came from. There were no contractors working in the area.

Estimated gallons of loss: 2,500

Environmental impact (what streams are impacted?): Trib. to Brooks Run (If anything reached the creek would have been minimal.)

Method of cleanup: Lime will be spread on the ground.

Comments:

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Notification received by:

Notification date and time:



Environmental & Public Protection Cabinet  
Department for Environmental Protection  
Division of Water  
Bypass/Overflow Notification  
BPR#12414-01

TEMPO Incident ID#:

Notified by: Larry Smither

Date and Time bypass/overflow started: 12/4/14 @ 10:30 A.M.

Date and Time bypass/overflow ended: 12/7/14 @ 1:00 P.M.

Responsible/Affected facility: Hunters Hollow W/WTP

Location: Blue Lick Road at Triangle

Cause of bypass/overflow: We were notified by Veolia that the Actiflo temporary plant was going to be out of service for a period of time so they could clean it out. It has gotten clogged up and will not let the effluent discharge.

Estimated gallons of loss: 784,000

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

Method of cleanup: The solid material was raked up and disposed of. Lime was spread on the affected area. Bullitt Septic Tank Service is cleaning the creek starting today, December 11, 2014.

Comments: Also note that on December 10, 2014 a structure was installed at the plant lift station, using bales of straw, to help prevent solids and floatables from entering the creek, should we experience any future bypasses.

COGAL/HUNTERS  
Hollow

COGAN / HUNTERS  
Hollow

Environmental & Public Protection Cabinet  
Department for Environmental Protection  
Division of Water  
Bypass/Overflow Notification  
BPR#12414-01

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TEMPO Incident ID#:

Notified by: Larry Smither

Date and Time bypass/overflow started: 12/4/14 @ 10:30 A.M.

Date and Time bypass/overflow ended: 12/7/14 @ 1:00 P.M.

Responsible/Affected facility: Hunters Hollow WWTP

Location: Blue Lick Road at Triangle

Cause of bypass/overflow: We were notified by Veolia that the Actiflo temporary plant was going to be out of service for a period of time so they could clean it out. It has gotten clogged up and will not let the effluent discharge.

Estimated gallons of loss: 784,000

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

Method of cleanup: The solid material was raked up and disposed of. Lime was spread on the effected area. Bullitt Septic Tank Service is cleaning the creek starting today, December 11, 2014.

Comments: Also note that on December 10, 2014 a structure was installed at the plant lift station, using bales of straw, to help prevent solids and floatables from entering the creek, should we experience any future bypasses.

**Environmental & Public Protection Cabinet  
Department for Environmental Protection  
Division of Water  
Bypass/Overflow Notification  
BPR#122814-01**

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TEMPO Incident ID#:

Notified by: Larry Smither

Date and Time bypass/overflow started: 12/28/14 @ 8:45 A.M.

Date and Time bypass/overflow ended: 12/28/14 @ 4:30 P.M.

Responsible/Affected facility: Hunters Hollow lift station #2

Location: Big Oaks – Bullitt County – Hunters Hollow Subdivision

Cause of bypass/overflow: Responded to an alarm call. Found that both lift pumps were stopped up and not pumping. Had to start up the bypass pump to keep water out of basements. Brought in the necessary equipment, pulled both pumps, cleaned, reinstalled and placed back in service.

Estimated gallons of loss: 54,000

Environmental impact (what streams are impacted?): Drainage ditch

Method of cleanup: This info to follow.

Comments:

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Notification received by:

Notification date and time:



HP Officejet Pro 8600 N911n Series

Fax Log for  
Larry Smither  
5022417943  
Dec 28 2014 10:14PM

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Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
				<u>Digital Fax</u>		
Dec 28	10:13PM	Fax Sent	4297125	0:39 N/A	1	OK

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*Logan/Hunter*  
*Hollow*

**Environmental & Public Protection Cabinet  
Department for Environmental Protection  
Division of Water  
Bypass/Overflow Notification  
BPR#122814-01**

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TEMPO Incident ID#:

Revised 1/15/15

Notified by: Larry Smither

Date and Time bypass/overflow started: 12/28/14 @ 8:45 A.M.

Date and Time bypass/overflow ended: 12/28/14 @ 4:30 P.M.

Responsible/Affected facility: Hunters Hollow lift station #2

Location: Big Oaks – Bullitt County – Hunters Hollow Subdivision

Cause of bypass/overflow: Responded to an alarm call. Found that both lift pumps were stopped up and not pumping. Had to start up the bypass pump to keep water out of basements. Brought in the necessary equipment, pulled both pumps, cleaned, reinstalled and placed back in service.

Estimated gallons of loss: 54,000

Environmental impact (what streams are impacted?): Drainage ditch

Method of cleanup: As much as possible, the debris was raked up and disposed of. Lime was also spread on the effected area. We did have a vacuum truck on site on 2 different occasions to vacuum up the remaining solids but due to the extreme cold, most of it was frozen and the truck could not get it all. When it thaws, the truck will try again.  
1/23/15 – Additional information – The frozen area did thaw and the solid material on the ground dried up. So instead of having the tank truck return, two of our servicemen on 1/22/15, using rakes, raked up the effected area completely and properly disposed of all the raked up material. They then spread additional lime on the overflow area. They also picked up all the trash around the site. Job is now complete for this event.

Comments:

HP Officejet Pro 8600 N911n Series

Fax Log for  
Larry Smither  
5022417943  
Jan 23 2015 2:46PM

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Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
				Digital Fax		
Jan 23	2:46PM	Fax Sent	4297125	0:40 N/A	1	OK



**Environmental & Public Protection Cabinet**  
**Department for Environmental Protection**  
**Division of Water**  
**Bypass/Overflow Notification**  
**BPR#122814-01**

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TEMPO Incident ID#:

Revised 1/15/15

Notified by: Larry Smither

Date and Time bypass/overflow started: 12/28/14 @ 8:45 A.M.

Date and Time bypass/overflow ended: 12/28/14 @ 4:30 P.M.

Responsible/Affected facility: Hunters Hollow lift station #2

Location: Big Oaks – Bullitt County – Hunters Hollow Subdivision

Cause of bypass/overflow: Responded to an alarm call. Found that both lift pumps were stopped up and not pumping. Had to start up the bypass pump to keep water out of basements. Brought in the necessary equipment, pulled both pumps, cleaned, reinstalled and placed back in service.

Estimated gallons of loss: 54,000

Environmental impact (what streams are impacted?): Drainage ditch

Method of cleanup: As much as possible, the debris was raked up and disposed of. Lime was also spread on the effected area. We did have a vacuum truck on site on 2 different occasions to vacuum up the remaining solids but due to the extreme cold, most of it was frozen and the truck could not get it all. When it thaws, the truck will try again.

Comments:

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Notification received by:

HP Officejet Pro 8600 N911n Series

Fax Log for  
Larry Smither  
5022417943  
Jan 15 2015 12:34PM

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Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
				Digital Fax		
Jan 15	12:33PM	Fax Sent	4297125	0:36 N/A	1	OK

# ATTACHMENT 3

**HAZELRIGG & COX, LLP**

ATTORNEYS AT LAW

415 WEST MAIN STREET, SUITE 1

P.O. Box 676

FRANKFORT, KENTUCKY 40602-0676

DYKE L. HAZELRIGG (1881-1970)

LOUIS COX (1907-1971)

FAX: (502) 875-7158

TELEPHONE: (502) 227-2271

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

March 31, 2014

Via Facsimile: 502-429-7125

Charlie Roth  
Commonwealth of Kentucky  
Division of Water  
9116 Leesgate Road  
Louisville, Kentucky 40222

Re: Bullitt Hills Utilities, Inc. D/B/A Hunters Hollow  
Notification pursuant to 401 KAR 5:015

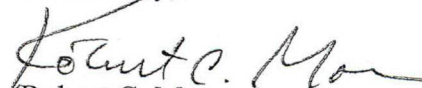
Dear Mr. Roth:

Please be advised that, as you have previously been verbally advised, on or about 5:00 p.m. on March 29, 2014, the Hunters Hollow wastewater treatment plant located at Bluelick Road at Triangle, Bullitt County, Kentucky, suffered a unanticipated catastrophic failure, resulting in the discharge of untreated wastewater from the treatment plant and collection system, and this release is ongoing. Bullitt Utilities is working to address this catastrophic failure and to take steps to minimize or stop the discharge of untreated wastewater. Because the discharge is ongoing, Bullitt Hills is unable to estimate the quantity of the discharge at this time.

Bullitt Utilities is investigating the cause of the unanticipated failure, but is unable to state the cause of the failure at this time.

Please contact me at 502-227-2271 or Larry Smither at 502-241-4809 should you wish to discuss this matter.

Yours truly,

  
Robert C. Moore

RCM

cc: Larry Smither  
Jeff Derouen, Executive Director, Kentucky Public Service Commission - Via Facsimile -  
502-564-3460  
Melanie J. Roberts, County Judge/Executive, Bullitt County, Kentucky - Via Facsimile -  
502-543-1577



HAZELRIGG & COX, LLP

ATTORNEYS AT LAW  
415 WEST MAIN STREET, SUITE 1  
P.O. Box 676  
FRANKFORT, KENTUCKY 40602-0676

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

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

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

April 9, 2014

Via Facsimile: 502-429-7125

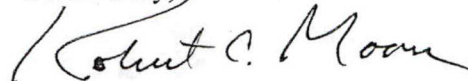
Charlie Roth  
Commonwealth of Kentucky  
Division of Water  
9116 Leesgate Road  
Louisville, Kentucky 40222

Re: Bullitt Utilities, Inc., D/B/A Hunters Hollow  
Notice of Violation  
AI ID: 448  
AI Name: Hunters Hollow Subd  
Activity ID: ENV20140001  
Permit No. KY0038610  
Bullitt County, Kentucky

Dear Mr. Roth:

The above referenced Notice of Violation has been received by Bullitt Utilities, Inc. I am requesting an extension of time to respond to this Notice of Violation to Tuesday, April 15, 2014. Thank you for your attention to this matter. Please contact me at 502-227-2271 should you wish to discuss same.

Yours truly,



Robert C. Moore

RCM

cc: Larry Smither

COCAN/HUNTERS  
Hollow

**HAZELRIGG & COX, LLP**

ATTORNEYS AT LAW

415 WEST MAIN STREET, SUITE 1

P.O. Box 676

FRANKFORT, KENTUCKY 40602-0676

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

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

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

April 15, 2014

Via Facsimile: 502-429-7125

Charles Roth  
Commonwealth of Kentucky  
Division of Water  
9116 Leesgate Road  
Louisville, Kentucky 40222

Re: Bullitt Utilities, Inc. D/B/A Hunters Hollow ("Bullitt Utilities")  
Response to Notice of Violation ("NOV") issued on April 2, 2014 and  
Corrective Action Plan

Dear Mr. Roth:

The following is the response to the above-referenced NOV and contains Bullitt Utilities' Corrective Action Plan:

1. As the Division of Water has been informed, on March 29, 2014, the Hunters Hollow Wastewater Treatment Plant ("WWTP") suffered a catastrophic failure of the treatment facility components. The immediate corrective action taken in response to this failure was the installation of a temporary WWTP by Pecco, Inc., at the site of the Hunters Hollow WWTP on April 1 and 2, 2014. The Pecco temporary WWTP began treatment of wastewater on April 2, 2014, at approximately 6:00 p.m., and has been in operation since that time. The temporary WWTP had a design capacity of 160,000 gpd, but the capacity has since been modified to treat slightly in excess of 200,000 gpd. The normal flow from the Hunters Hollow collection system is between 180,000 gpd and 200,000 gpd. Accordingly, Bullitt Utilities has taken action to stop the discharge of untreated wastewater during normal conditions. Additionally, lime was spread on the soil impacted by the release, and the pumping of pockets of sludge from the tributary to Brooks Run was completed by Okolona Septic Service on March 31, 2014.

Bullitt Utilities is currently discussing the purchase of a 300,000 gpd WWTP that is owned by the Bullitt County Sanitation District ("BCSD"). This above-ground package treatment plant, after installation, would treat the flow from the Hunters Hollow collection system. Bullitt Utilities will keep you advised of the status of these discussions. Bullitt Utilities has retained Chris Crumpton with Bluestone Engineers PLLC to provide the engineering services needed to analyze the design of the 300,000 gpd to confirm that it will provide the needed treatment capacity and capability and the steps required to install same.

Bullitt Utilities is also working with the BCSD to pump approximately 60,000 gpd from the Hunters Hollow collection system into a BCSD lift station for treatment by the BCSD's Willabrook WWTP and BCSD Plant No. 3. The connection into the lift station has been made, but the pump in the lift station failed and will take approximately one week to replace.



Mr. Charles Roth  
April 15, 2014  
Page two

Bullitt Utilities is also working with the BCSD to determine the most efficient long term solution to the issues raised by the failure of the Hunters Hollow WWTP. Options under review include the construction of the above-described 300,000 gpd and/or the redirection of the flow from the Hunters Hollow collection system into the BCSD's system. These discussions are ongoing.

2. Bullitt Utilities states that, prior to its failure, the Hunters Hollow WWTP was being properly operated and maintained by an operator licensed by the Commonwealth of Kentucky that has substantial experience in the operation and maintenance of wastewater treatment plants. This operation and maintenance is not believed to have caused or contributed to the failure of the Hunters Hollow WWTP, and Bullitt Utilities disputes the assertion in the NOV to the contrary.

The immediate corrective action taken in response to this failure was the installation of a temporary WWTP by Pecco, Inc., at the site of the Hunters Hollow WWTP on April 1 and 2, 2014. The Pecco temporary WWTP began treatment of wastewater on April 2, 2014, at approximately 6:00 p.m., and has been in operation since that time. The temporary WWTP had a design capacity of 160,000 , but the capacity has since been modified to treat slightly in excess of 200,000 gpd. The normal flow from the Hunters Hollow collection system is between 180,000 gpd and 200,000 gpd 180,000 gpd. The Pecco temporary WWTP is being manned on a 24 hour a day basis to ensure that it is operating properly. The operation of the temporary WWTP is also reviewed by an operator licensed by the Commonwealth of Kentucky that has substantial experience in the operation and maintenance of wastewater treatment plants.

Bullitt Utilities is currently discussing the purchase of a 300,000 gpd WWTP that is owned by the Bullitt County Sanitation District ("BCSD"). This above-ground package treatment plant would treat the flow from the Hunters Hollow collection system. Bullitt Utilities will keep you advised of the status of these discussions. Bullitt Utilities has retained Chris Crumpton with Bluestone Engineers PLLC to provide the engineering services needed to analyze the design of the 300,000 gpd to confirm that it will provide the needed treatment capacity and capability and the steps required to install same.

Bullitt Utilities is also working with the BCSD to pump approximately 60,000 gpd from the Hunters Hollow collection system into a BCSD lift station for treatment by the BCSD's Willabrook WWTP and BCSD Plant No. 3. The connection into the lift station has been made, but the pump in the lift station failed and will take approximately one week to replace.

Bullitt Utilities is also working with the BCSD to determine the most efficient long term solution to the issues raised by the failure of the Hunters Hollow WWTP. Options under review include the construction of the above-described 300,000 gpd and/or the redirection of the flow from the Hunters Hollow collection system into the BCSD's system. These discussions are ongoing.

3. The immediate corrective action taken in response to this failure was the installation of a temporary WWTP by Pecco, Inc., at the site of the Hunters Hollow WWTP on April 1 and 2, 2014. The Pecco temporary WWTP began treatment of wastewater on April 2, 2014, at approximately 6:00 p.m., and has been in operation since that time. The temporary WWTP had a



Mr. Charles Roth  
April 15, 2014  
Page three

design capacity of 160,000 , but the capacity has since been modified to treat slightly in excess of 200,000 gpd. The normal flow from the Hunters Hollow collection system is between 180,000 gpd and 200,000 gpd. Accordingly, Bullitt Utilities has taken action to stop the discharge of untreated wastewater during normal conditions. Additionally, lime was spread on the soil impacted by the release, and the pumping of pockets of sludge from the tributary to Brooks Run was completed by Okolona Septic Service on March 31, 2014.

Bullitt Utilities is currently discussing the purchase of a 300,000 gpd WWTP that is owned by the Bullitt County Sanitation District ("BCSD"). This above-ground package treatment plant would treat the flow from the Hunters Hollow collection system. Bullitt Utilities will keep you advised of the status of these discussions. Bullitt Utilities has retained Chris Crumpton with Bluestone Engineers PLLC to provide the engineering services needed to analyze the design of the 300,000 gpd to confirm that it will provide the needed treatment capacity and capability and the steps required to install same.

Bullitt Utilities is also working with the BCSD to pump approximately 60,000 gpd from the Hunters Hollow collection system into a BCSD lift station for treatment by the BCSD's Willabrook WWTP and the BCSD Plant No. 3. The connection into the lift station had been made, but the pump in the lift station failed and will take approximately one week to replace.

Bullitt Utilities is also working with the BCSD to determine the most efficient long term solution to the issues raised by the failure of the Hunters Hollow WWTP. Options under review include the construction of the above-described 300,000 gpd and/or the redirection of the flow from the Hunters Hollow collection system into the BCSD's system. These discussions are ongoing.

Bullitt Utilities will provide a schedule to implement the permanent solution to the failure of the Hunters Hollow WWTP after the solution has been determined.

4. The immediate corrective action taken in response to this failure was the installation of a temporary WWTP by Pecco, Inc., at the site of the Hunters Hollow WWTP on April 1 and 2, 2014. The Pecco temporary WWTP began treatment of wastewater on April 2, 2014, at approximately 6:00 p.m., and has been in operation since that time. The temporary WWTP had a design capacity of 160,000 , but the capacity has since been modified to treat slightly in excess of 200,000 gpd. The normal flow from the Hunters Hollow collection system is between 180,000 gpd and 200,000 gpd. Accordingly, Bullitt Utilities has taken action to stop the discharge of untreated wastewater during normal conditions. Additionally, lime was spread on the soil impacted by the release, and the pumping of pockets of sludge from the tributary to Brooks Run was completed by Okolona Septic Service on March 31, 2014.

Bullitt Utilities is currently discussing the purchase of a 300,000 gpd WWTP that is owned by the Bullitt County Sanitation District ("BCSD"). This above-ground package treatment plant would treat the flow from the Hunters Hollow collection system. Bullitt Utilities will keep you advised of the status of these discussions.



Mr. Charles Roth  
April 15, 2014  
Page four

Bullitt Utilities is also working with the BCSD to pump approximately 60,000 gpd from the Hunters Hollow collection system into a BCSD lift station for treatment by the BCSD's Willabrook WWTP and BCSD Plant No. 3. The connection into the lift station has been made, but the pump in the lift station failed and will take approximately one week to replace.

Bullitt Utilities is also working with the BCSD to determine the most efficient long term solution to the issues raised by the failure of the Hunters Hollow WWTP. Options under review include the construction of the above-described 300,000 gpd and/or the redirection of the flow from the Hunters Hollow collection system into the BCSD's system. These discussions are ongoing.

Bullitt Utilities will collect samples for analysis as set forth in its KPDES permit on a two-times per week basis. To the extent possible, starting with the week of April 21, 2014, sampling shall be conducted in accordance with the KPDES permit requirements. Sample results will be submitted to the Louisville Regional Office upon receipt, and in accordance with the KPDES permit requirements.

Bullitt Utilities will provide a schedule to implement the permanent solution to the failure of the Hunters Hollow WWTP after the solution has been determined.

5. Bullitt Utilities states that, prior to its failure, the Hunters Hollow WWTP was being properly operated and maintained by an operator licensed by the Commonwealth of Kentucky that has substantial experience in the operation and maintenance of wastewater treatment plants. This operation and maintenance is not believed to have caused or contributed to the failure of the Hunters Hollow WWTP, and Bullitt Utilities disputes the assertion in the NOV to the contrary.

The immediate corrective action taken in response to this failure was the installation of a temporary WWTP by Pecco, Inc., at the site of the Hunters Hollow WWTP on April 1 and 2, 2014. The Pecco temporary WWTP began treatment of wastewater on April 2, 2014, at approximately 6:00 p.m., and has been in operation since that time. The temporary WWTP had a design capacity of 160,000 , but the capacity has since been modified to treat slightly in excess of 200,000 gpd. The normal flow from the Hunters Hollow collection system is between 180,000 gpd and 200,000 gpd.

Bullitt Utilities is currently discussing the purchase of a 300,000 gpd WWTP that is owned by the Bullitt County Sanitation District ("BCSD"). This above-ground package treatment plant would treat the flow from the Hunters Hollow collection system. Bullitt Utilities will keep you advised of the status of these discussions.

Bullitt Utilities is also working with the BCSD to pump approximately 60,000 gpd from the Hunters Hollow collection system into a BCSD lift station for treatment by the BCSD's Willabrook WWTP and the BCSD Plant No. 3. The connection into the lift station had been made, but the pump in the lift station failed and will take approximately one week to replace.

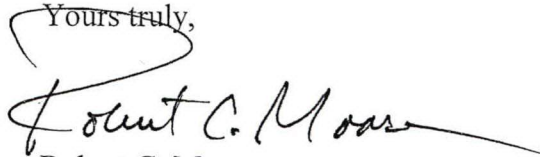
Bullitt Utilities is also working with the BCSD to determine the most efficient long term solution to the issues raised by the failure of the Hunters Hollow WWTP. Options under review include

Mr. Charles Roth  
April 15, 2014  
Page five

the construction of the above-described 300,000 gpd and/or the redirection of the flow from the Hunters Hollow collection system into the BCSD's system. These discussions are ongoing. Bullitt Utilities will collect samples for analysis as set forth in its KPDES permit on a two-times per week basis. To the extent possible, starting with the week of April 21, 2014, sampling shall be conducted in accordance with the KPDES permit requirements. Sample results will be submitted to the Louisville Regional Office upon receipt, and in accordance with the KPDES permit requirements. The results of the sampling conducted the week of April 7, 2014, have not yet been received, and Bullitt Utilities is working to comply with the requirements of its KPDES permit.

Bullitt Utilities will provide a schedule to implement the permanent solution to the failure of the Hunters Hollow WWTP after the solution has been determined.

Please contact me at your earliest convenience should you wish to discuss this response and Corrective Action Plan or have any questions concerning same.

Yours truly,  
  
Robert C. Moore

RCM

cc: Bullitt Utilities, Inc.



*Bogan/Hunters Hollow*

**HAZELRIGG & COX, LLP**

ATTORNEYS AT LAW

415 WEST MAIN STREET, SUITE 1

P.O. Box 676

FRANKFORT, KENTUCKY 40602-0676

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

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

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

April 25, 2014

Via Facsimile: 502-429-7125

Charles Roth  
Commonwealth of Kentucky  
Division of Water  
9116 Leesgate Road  
Louisville, Kentucky 40222

Re: Bullitt Utilities, Inc. D/B/A Hunters Hollow ("Bullitt Utilities")  
Response to Notice of Violation ("NOV") issued on April 2, 2014 and  
Corrective Action Plan

Dear Mr. Roth:

Pursuant to the discussions at our meeting on Monday, April 21, 2014, I am providing you with an update to the response to the above-referenced NOV:


1. The temporary WWTP by Pecco, Inc., is continuing to treat slightly in excess of 200,000 gpd of flow from the Hunters Hollow collection system. Samples of the discharge from the temporary WWTP have been collected, and Beckmar Laboratories advised on this date that the results of the sampling are under review and I should be able to provide you a copy of the sampling results on Monday, April 28, 2014.

Bullitt Utilities has inspected the 300,000 gpd WWTP that is owned by the Bullitt County Sanitation District ("BCSD"), and is also making inquiries in the industry to determine if there are other WWTP's available for purchase for use at this site. Bullitt Utilities will be engaging in further discussions with BCSD the week of April 28, 2014, concerning both a short term and long term resolution of this issue, and will advise you of the results of these discussions.

Bullitt Utilities continues to work with the BCSD to pump approximately 60,000 gpd from the Hunters Hollow collection system into a BCSD lift station for treatment by the BCSD's Willabrook WWTP and BCSD Plant No. 3. The BCSD advised as late as April 25, 2014, that it is in the process of determining the proper size pump to be used in this pump station, and once that determination has been made, will obtain the pump and install same so that the diversion of this flow can be made. The BCSD has been advised by letter that Bullitt Utilities is willing to provide any needed assistance in helping to determine the proper size pump and other requirements of the pump, locating the pump or even in purchasing the pump.

Charles Roth  
April 25, 2014  
Page Two

Please contact me at your earliest convenience should you wish to discuss this update, or have any questions concerning same.

Yours truly,  
  
Robert C. Moore

RCM  
cc: Bullitt Utilities, Inc.



STEVEN L. BESHEAR  
GOVERNOR



Cogan/Hunters  
Hollow

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

June 19, 2014

Certified No. 7011 1570 0001 9953 0513  
Return Receipt Requested

Mr. 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: ENV20140003  
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 June 11, 2014. 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 black ink that reads "Charles A. Roth".

Mr. Charlie Roth,  
Supervisor  
Division of Water

CAR  
Enclosure

CC: Robert Moore-via electronic mail  
Bullitt Utilities, Inc.-via electronic mail  
Jeff Cummins-via electronic mail  
Daniel Cleveland-via electronic mail

Energy and Environment Cabinet  
Department for Environmental Protection  
Division of Water  
Wastewater Inspection Report

**AI ID:** 448      **AI Type:** RESIDENCE- Subdivision (nec)  
**AI Name:** Hunters Hollow Subd  
**AI Address:** Blue Lick Rd  
**City:** Louisville, **State:** Kentucky **Zip:** 40218  
**County:** Bullitt **Regional Office:** Louisville Regional Office  
**Latitude:** 38.073611 **Longitude:** -85.694444  
**Site Contact:** Larry Smither  
**Title:** Operator **Phone #:** 502-241-4809  
**Inspection Type:** WW Routine-Min Nmun **Activity #:** CIN20140020  
**Incident IDs:** 2376131  
**Inspection Start Date:** June 11, 2014 **Time:** 11:45 AM **End Date:** June 11, 2014 **Time:** 01:45 PM  
**Site/Permit ID:** KY0038610

**Lead DEP Investigator:** Charlie Roth  
**Other DEP Investigators:**  
**External Investigators:**  
**Persons Interviewed:** Larry Smither; Jeff Stipe

**General Comments:** Jeff Stipe, PECC and Larry Smither, Bullitt Utilities were onsite. PECCO plant still running at around 200,000gpd. When I arrived there was a discharge from the old Hunters Hollow influent pipe to the ground. There were two streams of raw sewage running on the ground and into the stream behind the plant. By the time I was ready to leave the bypass appeared to have ceased as well as the flow of raw sewage to the stream. Samples for E. coli, BOD, TSS and ammonia were collected from the temporary PECCO plant effluent as well as instream immediately below the plant. Flow in the stream appeared normal and clear above the plant. The outfall from the PECCO plant was murky. The stream below the plant was grey in color with visible sewage solids and a sewage odor. Sample results for E. coli showed 99,999 col/100ml from the effluent and 99,999 col/100ml from the stream immediately below the site.

The Veolia Actiflow plant was still not setup. According to Veolia, Bullitt Utilities is responsible for the cost of installing the piping and for running electricity to their plant. They estimate the once completed it will take an additional three weeks for this system to be operational.

Headdon Septic was onsite cleaning sewage from the concrete pad of the old Hunters Hollow Plant. Larry Smither indicated that engineers were to be onsite later to check the pad for suitability in use for a possible permanent new plant. In addition, Arrow Electric was onsite checking the needs for running electricity to the Veolia plant.

**Overall Compliance Status:** Out of Compliance- NOV

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### Investigation Results

---

**SI:** AIO0448

**SI Description:**

**Inspector Comment:**

**Requirement:** Does the facility hold the proper KPDES permit?. [401 KAR 5:055 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility does not hold an active KPDES permit. The previous permit KY0038610 expired 11/30/2013. An application was submitted 9/13/2013 and is under review by the Division.

**Requirement:** Is the facility being operated under the supervision of a properly certified operator? [401 KAR 5:010]

---



Section 1]. [401 KAR 5:010 Section 1]

**Compliance Status:** C-No Violations observed

**Comment:** Jeff Stipe and James Wilkerson of PECCO are running the temporary plant working under Larry Smither of Bullitt Utilities, Inc. #13390, expires 6/30/2015.

**Requirement:** Is the collection system under the primary responsibility of an individual who holds an active collection system certification at the level appropriate for the size of the treatment facility receiving the waste? [401 KAR 5:010 Section 2]. [401 KAR 5:010 Section 2]

**Compliance Status:** C-No Violations observed

**Comment:** Shawn Ford, WW Collections #21343, expires 6/30/2015.

**Requirement:** Is the facility being properly operated and maintained as specified in regulation 5:065? This includes: (a) proper operation and maintenance of all facilities, systems of treatment and control, and related appurtenances which are installed or used by the permittee to achieve compliance with permit conditions; (b) proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures; (c) this provision also 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)]. [401 KAR 5:065 Section 2(1)]

**Compliance Status:** V-Out of Compliance-NOV

**Comment:** The facility is not being properly operated and maintained as required. The temporary treatment plant is only capable of treating part of the total wet weather flow. During the time of this inspection, raw sewage from the Hunters Hollow influent pipe was observed being discharge onto the ground were it ran into the stream. The stream was grey in color with visible sewage solids and a sewage odor. Additionally, sample results showed E. coli at 99,999 col/100ml from the effluent and 99,999 col/100ml from the stream immediately below the outfall.

**Requirement:** Are the disinfection unit(s) maintained and operated properly to allow for compliance with permit conditions? [401 KAR 5:005 Section 11]. [401 KAR 5:005 Section 11]

**Compliance Status:** V-Out of Compliance-NOV

**Comment:** The facility has failed to properly maintain and / or operate the disinfection unit. Sample results from the effluent showed E. coli at 99,999 col/100ml.

**Requirement:** Have pollutants entered the waters of the Commonwealth? [KRS 224.70-110]. [KRS 224.70-110]

**Compliance Status:** V-Out of Compliance-NOV

**Comment:** Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. The stream immediately below the plant continues to be grey in color with signs of sewage solids visible. Additionally, samples taken instream immediately below the outfall showed E. coli at 99,999 col/ml.

**Requirement:** Have surface waters been aesthetically or otherwise degraded? [401 KAR 10:031 Section 2]. [401 KAR 10:031 Section 2]

**Compliance Status:** V-Out of Compliance-NOV

**Comment:** The waters of the Commonwealth have been degraded. The stream immediately below the plant continues to be grey in color with signs of sewage solids visible. Additionally, samples taken instream immediately below the outfall showed E. coli at 99,999 col/ml.

**Documentation**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Photos taken             | <input type="checkbox"/> Record of visual determination of opacity |
| <input type="checkbox"/> Documents obtained from facility    | <input checked="" type="checkbox"/> Samples taken by DEP           |
| <input type="checkbox"/> Samples taken by outside source     | <input type="checkbox"/> Regional office instrument readings taken |
| <input type="checkbox"/> Request for Submission of Documents | <input type="checkbox"/> Other documentation                       |

**Inspector:**

*Charles A. Roth*

Date: June 19, 2014

Received By: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Delivery Method: Electronic Mail

Certified Mail Number:



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

NOTICE OF VIOLATION

To: Bullitt Utilities, Inc. dba Hunters Hollow  
Blue Lick Rd  
Louisville, KY 40218

AI Name: Hunters Hollow Subd      AI ID: 448      Activity ID: ENV20140003  
Discovery ID: CIN20140020      County: Bullitt  
Enforcement Case ID:  
Date(s) Violation(s) Observed: 06/11/2014

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

**1 Violation Description for Subject Item AIOO0000004480:**

**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 C.F.R. 122.41(e)].

**Description of Non Compliance:**

The facility is not being properly operated and maintained as required. The temporary treatment plant is only capable of treating part of the total wet weather flow. During the time of this inspection, raw sewage from the Hunters Hollow influent pipe was observed being discharge onto the ground were it ran into the stream. The stream was grey in color with visible sewage solids and a sewage odor. Additionally, sample results showed E. coli at 99,999 col/100ml from the effluent and 99,999 col/100ml from the stream immediately below the outfall.

**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)]

**2 Violation Description for Subject Item AIOO0000004480:**

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. Sample results from the effluent showed E. coli at 99,999 col/100ml.

**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]

**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 immediately below the plant continues to be grey in color with signs of sewage solids visible. Additionally, samples taken instream immediately below the outfall showed E. coli at 99,999 col/ml.

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

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

**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. The stream immediately below the plant continues to be grey in color with signs of sewage solids visible. Additionally, samples taken instream immediately below the outfall showed E. coli at 99,999 col/ml.

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

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

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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  
502 425-4543 (8:00 AM – 4:30 PM)  
Mr. Charlie Roth, Environmental Control Supervisor

*Charles A. Roth*

Issued By:

Mr. Charlie Roth, Environmental Control Supervisor  
Date: June 19, 2014

How Delivered: Certified mail and electronic mail  
Certified/Registered # 7011 1570 0001 9953 0513

**HAZELRIGG & COX, LLP**

ATTORNEYS AT LAW

415 WEST MAIN STREET, SUITE 1

P.O. Box 676

FRANKFORT, KENTUCKY 40602-0676

DYKE L. HAZELRIGG (1881-1970)

LOUIS COX (1907-1971)

FAX: (502) 875-7158

TELEPHONE: (502) 227-2271

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

June 20, 2014

Via Electronic Mail and Facsimile: 502-429-7125

Charles Roth  
Commonwealth of Kentucky  
Division of Water  
9116 Leesgate Road  
Louisville, Kentucky 40222

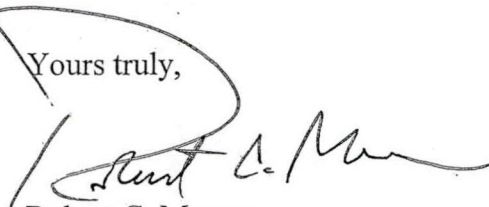
Re: Bullitt Utilities, Inc. D/B/A Hunters Hollow ("Bullitt Utilities")  
Hunters Hollow Wastewater Treatment Plant ("Hunters Hollow WWTP")

Dear Mr. Roth:

I spoke with Larry Smither on Thursday, June 19, 2014, and he advised me that you had contacted him that day concerning a complaint that solids had been observed in the stream receiving the discharge from the Hunters Hollow WWTP. Please be advised that Bullitt Septic Service has been requested to clean the stream, and this cleaning should be performed on June 20, 2014.

Please contact me should you wish to discuss this matter or need any additional information concerning same.

Yours truly,



Robert C. Moore

RCM

cc: Bullitt Utilities, Inc.





STEVEN L. BESHEAR  
GOVERNOR

*Cogan / Hunters  
Hollow*  
LEONARD K. PETERS  
SECRETARY

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water  
9116 Leesgate Rd  
Louisville, KY 402225084  
www.kentucky.gov

June 19, 2014

Via Electronic Mail

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

RE: Hunters Hollow Subd -- 448  
Permit No.: KY0038610  
Bullitt County, Kentucky  
Activity ID: CIN20140019

Dear Mr. Cogan:

Attached for your information and records is a copy of the WW Routine-Min Nmun performed at Hunters Hollow Subd on June 4, 2014.

If you have any questions or comments concerning this inspection, please contact the Louisville Regional Office at: (502) 429-7122.

Sincerely,

*Charles A. Roth*

Charlie Roth  
Environmental Control Supervisor  
Louisville Regional Office  
Division of Water

CAR

Enclosure:

CC: Robert Moore-via electronic mail  
Jeff Cummins-via electronic mail  
Daniel Cleveland-via electronic mail

Energy and Environment Cabinet  
Department for Environmental Protection  
Division of Water  
Wastewater Inspection Report

**AI ID:** 448      **AI Type:** RESIDENCE- Subdivision (nec)  
**AI Name:** Hunters Hollow Subd  
**AI Address:** Blue Lick Rd  
**City:** Louisville, **State:** Kentucky **Zip:** 40218  
**County:** Bullitt **Regional Office:** Louisville Regional Office  
**Latitude:** 38.073611    **Longitude:** -85.694444  
**Site Contact:** Larry Smither  
**Title:** Operator      **Phone #:** 502-241-4809  
**Inspection Type:** WW Routine-Min Nmun **Activity #:** CIN20140019  
**Incident IDs:** 2376131  
**Inspection Start Date:** June 4, 2014 **Time:** 12:30 PM **End Date:** June 4, 2014 **Time:** 02:00 PM  
**Site/Permit ID:** KY0038610

**Lead DEP Investigator:** Charlie Roth  
**Other DEP Investigators:**  
**External Investigators:**  
**Persons Interviewed:** Larry Smither; Jeff Stipe; Tim Schaeffer

**General Comments:** Jeff Stipe of PECCO, Larry Smither of Bullitt Utilities and Tim Schaeffer of Veolia Water were onsite on this day. The PECCO temporary plant was still running at around 200,000 gpd. PECCO is still running 3 (20,000gal) digesters, 2 (18,000gal) clarifiers, 1 (10,000gal) chlorine contact and 1 (225gal) dechlorination tanks. Dissolved Oxygen measured of the effluent was 4.85 mg/l. Mr. Stipe indicated that the air compressor had been down for about 30 minutes for maintenance and was now back running. The effluent appeared murky and the stream below the site showed signs of sewage solids and grey water with a sewage odor evident. The Hunters Hollow WWTP did not appear to be bypassing influent at this time.

The Veolia Actiflow treatment plant had arrived onsite that morning. Mr. Tim Schaeffer of Veolia was present at the time. The indication at this time from Veolia was that they would leave the PECCO setup adding another 20,000 gal digester and 20,000 gal surge tank. Flow under 200,000gpd would continue to run through the PECCO plant. Wet weather flow above 200,000 would be piped around the PECCO plant to rejoin the treated effluent from the PECCO plant and the combination run to the Actiflow system. Disinfection is to be conducted between the 20K surge tank and the Actiflow system with dechlorination after the Actiflow treatment prior to discharge. There will be approximately (6-8) 225-300 gal totes onsite for chemical additives. These totes will have secondary containment and will be secured behind fencing. Veolia is to provide Bullitt Utilities with a process flow schematic by Friday 6/07/2014.  
**Overall Compliance Status:** Out of Comp- Viol documented

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### Investigation Results

**SI:** AIOO448

**SI Description:**

**Inspector Comment:**

**Requirement:** Does the facility hold the proper KPDES permit?. [401 KAR 5:055 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility does not hold an active KPDES permit. The permit expired 11/30/2013. An application for renewal was submitted 9/13/2013 and is under review by the Division.

---



**Requirement:** Is the facility being operated under the supervision of a properly certified operator? [401 KAR 5:010 Section 1]. [401 KAR 5:010 Section 1]

**Compliance Status:** C-No Violations observed

**Comment:** Jeff Stipe and James Wilderson of PECCO are operating the temporary plant. They are not certified operators, however they are operating under the supervision of Larry Smither of Bullitt Utilities, Inc. who is certified WW Treatment II, #13390, expires 6/30/2015.

**Requirement:** Is the collection system under the primary responsibility of an individual who holds an active collection system certification at the level appropriate for the size of the treatment facility receiving the waste? [401 KAR 5:010 Section 2]. [401 KAR 5:010 Section 2]

**Compliance Status:** C-No Violations observed

**Comment:** Shawn Ford, WW Collections II, #21343, expires 6/30/2015.

**Requirement:** Is the facility being properly operated and maintained as specified in regulation 5:065? This includes: (a) proper operation and maintenance of all facilities, systems of treatment and control, and related appurtenances which are installed or used by the permittee to achieve compliance with permit conditions;

(b) proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures;

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

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility is not being properly operated and maintained as required. At the time of this inspection there did not appear to be any raw influent being discharge from the Hunters Hollow plant to the stream. However, the stream below the plant did appear grey in color with signs of sewage solids. The effluent from the temporary treatment plant was murky in color. Samples for E. coli from the effluent on this day showed a result of 99,999 col/100ml.

**Requirement:** Are the disinfection unit(s) maintained and operated properly to allow for compliance with permit conditions? [401 KAR 5:005 Section 11]. [401 KAR 5:005 Section 11]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility has failed to properly maintain and / or operate the disinfection unit. Sample taken from the effluent showed E coli results of 99,999 col/100ml.

**Requirement:** Have pollutants entered the waters of the Commonwealth? [KRS 224.70-110]. [KRS 224.70-110]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. The stream immediately below the plant was grey in color with signs of sewage solids visible. Samples taken instream immediately below the outfall showed E. coli at 99,999 col/100ml and a Dissolved Oxygen (DO) reading of 0.97 mg/l.

**Requirement:** Have surface waters been aesthetically or otherwise degraded? [401 KAR 10:031 Section 2]. [401 KAR 10:031 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The waters of the Commonwealth have been degraded. The stream immediately below the plant was grey in color with signs of sewage solids visible. Samples taken instream immediately below the outfall showed E. coli at 99,999 col/100ml and a Dissolved Oxygen (DO) reading of 0.97 mg/l.

#### Documentation

- |  |  |
|--|--|
| <input type="checkbox"/> Photos taken                        | <input type="checkbox"/> Record of visual determination of opacity |
| <input type="checkbox"/> Documents obtained from facility    | <input checked="" type="checkbox"/> Samples taken by DEP           |
| <input type="checkbox"/> Samples taken by outside source     | <input type="checkbox"/> Regional office instrument readings taken |
| <input type="checkbox"/> Request for Submission of Documents | <input type="checkbox"/> Other documentation                       |

Inspector:

*Charles A. Roth*



Date: June 19, 2014

Received By: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Delivery Method: Electronic Mail

Certified Mail Number:



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

June 19, 2014

Certified No. 7011 1570 0001 9953 0513  
Return Receipt Requested

Mr. 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: ENV20140003  
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 June 11, 2014. 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,

Mr. Charlie Roth,  
Supervisor  
Division of Water

CAR  
Enclosure

CC: Robert Moore-via electronic mail  
Bullitt Utilities, Inc.-via electronic mail  
Jeff Cummins-via electronic mail  
Daniel Cleveland-via electronic mail

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

NOTICE OF VIOLATION

To: Bullitt Utilities, Inc. dba Hunters Hollow  
Blue Lick Rd  
Louisville, KY 40218

AI Name: Hunters Hollow Subd      AI ID: 448      Activity ID: ENV20140003  
Discovery ID: CIN20140020      County: Bullitt  
Enforcement Case ID:  
Date(s) Violation(s) Observed: 06/11/2014

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

**1 Violation Description for Subject Item AIOO0000004480:**

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 C.F.R. 122.41(e)].

**Description of Non Compliance:**

The facility is not being properly operated and maintained as required. The temporary treatment plant is only capable of treating part of the total wet weather flow. During the time of this inspection, raw sewage from the Hunters Hollow influent pipe was observed being discharge onto the ground were it ran into the stream. The stream was grey in color with visible sewage solids and a sewage odor. Additionally, sample results showed E. coli at 99,999 col/100ml from the effluent and 99,999 col/100ml from the stream immediately below the outfall.

**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)]

**2 Violation Description for Subject Item AIOO0000004480:**

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. Sample results from the effluent showed E. coli at 99,999 col/100ml.

**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]

**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 immediately below the plant continues to be grey in color with signs of sewage solids visible. Additionally, samples taken instream immediately below the outfall showed E. coli at 99,999 col/ml.

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

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

**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. The stream immediately below the plant continues to be grey in color with signs of sewage solids visible. Additionally, samples taken instream immediately below the outfall showed E. coli at 99,999 col/ml.

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

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

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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.

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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  
502 425-4543 (8:00 AM – 4:30 PM)  
Mr. Charlie Roth, Environmental Control Supervisor

*Charles A. Roth*

Issued By:

Mr. Charlie Roth, Environmental Control Supervisor  
Date: June 19, 2014

How Delivered: Certified mail and electronic mail  
Certified/Registered # 7011 1570 0001 9953 0513



Energy and Environment Cabinet  
Department for Environmental Protection  
Division of Water  
Wastewater Inspection Report

**AI ID:** 448      **AI Type:** RESIDENCE- Subdivision (nec)  
**AI Name:** Hunters Hollow Subd  
**AI Address:** Blue Lick Rd  
**City:** Louisville, **State:** Kentucky **Zip:** 40218  
**County:** Bullitt **Regional Office:** Louisville Regional Office  
**Latitude:** 38.073611 **Longitude:** -85.694444  
**Site Contact:** Larry Smither  
**Title:** Operator **Phone #:** 502-241-4809  
**Inspection Type:** WW Routine-Min Nmun **Activity #:** CIN20140020  
**Incident IDs:** 2376131  
**Inspection Start Date:** June 11, 2014 **Time:** 11:45 AM **End Date:** June 11, 2014 **Time:** 01:45 PM  
**Site/Permit ID:** KY0038610

**Lead DEP Investigator:** Charlie Roth  
**Other DEP Investigators:**  
**External Investigators:**  
**Persons Interviewed:** Larry Smither; Jeff Stipe

**General Comments:** Jeff Stipe, PECC and Larry Smither, Bullitt Utilities were onsite. PECCO plant still running at around 200,000gpd. When I arrived there was a discharge from the old Hunters Hollow influent pipe to the ground. There were two streams of raw sewage running on the ground and into the stream behind the plant. By the time I was ready to leave the bypass appeared to have ceased as well as the flow of raw sewage to the stream. Samples for E. coli, BOD, TSS and ammonia were collected from the temporary PECCO plant effluent as well as instream immediately below the plant. Flow in the stream appeared normal and clear above the plant. The outfall from the PECCO plant was murky. The stream below the plant was grey in color with visible sewage solids and a sewage odor. Sample results for E. coli showed 99,999 col/100ml from the effluent and 99,999 col/100ml from the stream immediately below the site. The Veolia Actiflow plant was still not setup. According to Veolia, Bullitt Utilities is responsible for the cost of installing the piping and for running electricity to their plant. They estimate the once completed it will take an additional three weeks for this system to be operational. Headdon Septic was onsite cleaning sewage from the concrete pad of the old Hunters Hollow Plant. Larry Smither indicated that engineers were to be onsite later to check the pad for suitability in use for a possible permanent new plant. In addition, Arrow Electric was onsite checking the needs for running electricity to the Veolia plant.

**Overall Compliance Status:** Out of Compliance- NOV

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**Investigation Results**

**SI:** AIOO448

**SI Description:**

**Inspector Comment:**

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**Requirement:** Does the facility hold the proper KPDES permit?. [401 KAR 5:055 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility does not hold an active KPDES permit. The previous permit KY0038610 expired 11/30/2013. An application was submitted 9/13/2013 and is under review by the Division.

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**Requirement:** Is the facility being operated under the supervision of a properly certified operator? [401 KAR 5:010]

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Section 1]. [401 KAR 5:010 Section 1]

**Compliance Status:** C-No Violations observed

**Comment:** Jeff Stipe and James Wilkerson of PECCO are running the temporary plant working under Larry Smither of Bullitt Utilities, Inc. #13390, expires 6/30/2015.

**Requirement:** Is the collection system under the primary responsibility of an individual who holds an active collection system certification at the level appropriate for the size of the treatment facility receiving the waste? [401 KAR 5:010 Section 2]. [401 KAR 5:010 Section 2]

**Compliance Status:** C-No Violations observed

**Comment:** Shawn Ford, WW Collections #21343, expires 6/30/2015.

**Requirement:** Is the facility being properly operated and maintained as specified in regulation 5:065? This includes: (a) proper operation and maintenance of all facilities, systems of treatment and control, and related appurtenances which are installed or used by the permittee to achieve compliance with permit conditions; (b) proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures; (c) this provision also 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)]. [401 KAR 5:065 Section 2(1)]

**Compliance Status:** V-Out of Compliance-NOV

**Comment:** The facility is not being properly operated and maintained as required. The temporary treatment plant is only capable of treating part of the total wet weather flow. During the time of this inspection, raw sewage from the Hunters Hollow influent pipe was observed being discharge onto the ground were it ran into the stream. The stream was grey in color with visible sewage solids and a sewage odor. Additionally, sample results showed E. coli at 99,999 col/100ml from the effluent and 99,999 col/100ml from the stream immediately below the outfall.

**Requirement:** Are the disinfection unit(s) maintained and operated properly to allow for compliance with permit conditions? [401 KAR 5:005 Section 11]. [401 KAR 5:005 Section 11]

**Compliance Status:** V-Out of Compliance-NOV

**Comment:** The facility has failed to properly maintain and / or operate the disinfection unit. Sample results from the effluent showed E. coli at 99,999 col/100ml.

**Requirement:** Have pollutants entered the waters of the Commonwealth? [KRS 224.70-110]. [KRS 224.70-110]

**Compliance Status:** V-Out of Compliance-NOV

**Comment:** Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. The stream immediately below the plant continues to be grey in color with signs of sewage solids visible. Additionally, samples taken instream immediately below the outfall showed E. coli at 99,999 col/ml.

**Requirement:** Have surface waters been aesthetically or otherwise degraded? [401 KAR 10:031 Section 2]. [401 KAR 10:031 Section 2]

**Compliance Status:** V-Out of Compliance-NOV

**Comment:** The waters of the Commonwealth have been degraded. The stream immediately below the plant continues to be grey in color with signs of sewage solids visible. Additionally, samples taken instream immediately below the outfall showed E. coli at 99,999 col/ml.

**Documentation**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Photos taken             | <input type="checkbox"/> Record of visual determination of opacity |
| <input type="checkbox"/> Documents obtained from facility    | <input checked="" type="checkbox"/> Samples taken by DEP           |
| <input type="checkbox"/> Samples taken by outside source     | <input type="checkbox"/> Regional office instrument readings taken |
| <input type="checkbox"/> Request for Submission of Documents | <input type="checkbox"/> Other documentation                       |

Inspector:

*Charles A. Roth*

Date: June 19, 2014

Received By: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Delivery Method: Electronic Mail

Certified Mail Number:

## Robert Moore

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**From:** Roth, Charlie (EEC) [Charlie.Roth@ky.gov]  
**Sent:** Thursday, June 19, 2014 4:30 PM  
**To:** bullittutilities@gmail.com; Robert Moore; Cummins, Jeff (EEC); Cleveland, Daniel (EEC)  
**Subject:** Hunters Hollow Inspection reports and NOV  
**Attachments:** DOWRoutine060414.pdf; DOWNOV061914.pdf

Attached please find the reports for Routine Inspections conducted at the Hunters Hollow WWTP on 6/4/14 and 6/11/14. In addition, there is a Notice of Violation issued as a result of the findings of the 6/11/14 inspection.

If you have any questions please feel free to contact me at 502-429-7122 or via email at [charlie.roth@ky.gov](mailto:charlie.roth@ky.gov).

Sincerely,

Charles Roth, Supervisor  
Division of Water  
Louisville Regional Office  
502-429-7122



**HAZELRIGG & COX, LLP**

ATTORNEYS AT LAW

415 WEST MAIN STREET, SUITE 1

P.O. Box 676

FRANKFORT, KENTUCKY 40602-0676

DYKE L. HAZELRIGG (1881-1970)

LOUIS COX (1907-1971)

FAX: (502) 875-7158

TELEPHONE: (502) 227-2271

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

June 20, 2014

Via Electronic Mail and Facsimile: 502-429-7125

Charles Roth  
Commonwealth of Kentucky  
Division of Water  
9116 Leesgate Road  
Louisville, Kentucky 40222

Re: Bullitt Utilities, Inc. D/B/A Hunters Hollow ("Bullitt Utilities")  
Preliminary Response to Notice of Violation ("NOV") issued on May 16, 2014

Dear Mr. Roth:

The following is the updated response to the above-referenced NOV and the plan of action and schedule of implementation referenced in the May 16, 2014, NOV.

The NOV directs Bullitt Utilities to immediately stop the discharge of all raw untreated sewage, remove all visible settled sewer solids from the receiving stream, operate the disinfection unit in compliance with the KPDES permit, and cease all activities contributing to the pollution of waters of the Commonwealth. The plan of action and schedule of implementation to address these issues is set forth below.

The Pecco temporary WWTP has continued to operate to treat the normal flow from the Hunters Hollow collection system. However, during wet weather, highly diluted flow has occasionally been bypassed. As has been discussed with officials of the Department of Environmental Protection ("DEP"), Bullitt Utilities has contracted with Veolia Water ("Veolia") for the installation of a mobile Actiflo trailer to treat the Hunters Hollow flow ("WWTP"). The information provided by Veolia indicates that this WWTP has the capacity to treat all of the flow from the Hunters Hollow collection system, including the wet weather flow, and its discharge should be in compliance with the applicable KPDES requirements.

The Veolia-Actiflow plant was delivered to the plant site on June 4, 2014. Since that date, the Veolia personnel, along with Larry Smither, have been working to bring this temporary WWTP on-line. The work to install this temporary WWTP has included the preparation of the pad, ordering and installation of piping needed to connect all of the different tanks, installation of a temporary shelter, renting and installation of a temporary fence to enclose the chemical shelter and installation of a step-up transformer, as the temporary WWTP requires 480 volts of electricity, and the renting of an all terrain forklift.

I have attached a process flow diagram for the temporary WWTP for your review, as well as a document describing the steps taken during the week of June 9, 2014, to install the Veolia WWTP. It is my understanding that the Veolia WWTP will be operational within the next several days. Please note that after the Veolia WWTP is operational, there will be an approximately 3 day "shake-down" period.

Mr. Charles Roth  
June 20, 2014  
Page Two

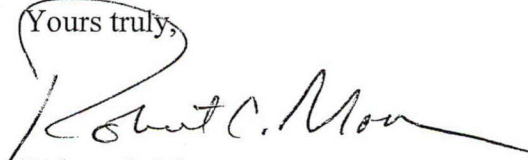
Pursuant to our discussions at the May 19, 2014, meeting, two water samples per week will be collected from the discharge of this WWTP during the first two weeks of its operation.

With respect to removing the settled sewer solids from the receiving stream, Bullitt County Septic cleaned the settled solids from the receiving stream on Monday, May 19, 2014, and Hedden Septic Tank Service cleaned the solids from the receiving stream the week of May 26, 2014. Additionally, Bullitt Septic Service has been requested to clean any solids in the receiving stream on June 20, 2014. After the Veolia WWTP is in operation, the stream will be inspected and additional cleaning performed, if necessary.

With respect to maintaining compliance with the applicable KPDES parameters, the Veolia WWTP will be able to treat all of the flow from the Hunters Hollow collection system, including the wet weather flow. Additionally, the Veolia WWTP has been designed so that its discharge will be in compliance with the KPDES permit limits, including the limits applicable to e-coli.

With respect to the permanent solution to the failure of the Hunters Hollow WWTP, Bullitt Utilities is investigating the following options: 1) entering into an agreement with the Louisville and Jefferson County Metropolitan Sewer District ("MSD") providing for MSD to accept the flow into its system and provide the required treatment. A meeting was held with representatives of MSD on June 11, 2014, and MSD is reviewing this option at this time. Based on the discussions to date with MSD, it could accept all of the flow from the system, including the wet weather flow; 2) entering into an agreement with the Bullitt County Sanitation District ("BCSD") providing for the BCSD to accept the flow into its system and provide the required treatment. A meeting was held with representatives of the BCSD on June 19, 2014, and discussions are ongoing with the BCSD; and 3) constructing a new WWTP at the Hunters Hollow site, and continue to operate same. A quote for the construction of a 300,000 gpd WWTP has been received and upon the receipt of the quote for engineering work needed to install this WWTP, an application for a certificate of convenience and necessity to install a new WWTP will be filed with the Public Service Commission. All three options will require the approval of a surcharge by the Pulic Service Commission.

Please contact me should you wish to discuss this matter or need any additional information concerning same.

Yours truly,  
  
Robert C. Moore

RCM

cc: Bullitt Utilities, Inc.  
Jeff Cummins - via electronic mail  
Daniel Cleveland - via electronic mail



**The following occurred the week of June 9, 2014, in installing the Veolia WWTP:**

**·Monday**

Labor force arrived on site to initiate installation of system  
Actiflo trailer assembly was initiated, awaiting lift  
Ancillary equipment arrived on site (forwarding and AOD pumps)  
Rock path to stream completed  
Lift arrived on site

**·Tuesday**

Actiflo trailer was fully assembled and awaiting utilities (lift was required)  
Met with electricians to discuss 2nd quote for electrical drop  
Utility provider to be contacted by Bullitt Utilities regarding removal of 24V drop and replacing it with 480V  
Walked system down and discussed proposed piping plan and process flow  
Requested ETA of chemical storage building and informed it was one and a half weeks out by Larry Smither

**·Wednesday**

Met with Chris Cogan and discussed current status of project and supplies for project  
Requested Veolia assist with blower piping that had yet to be installed.  
Chris Cogan requested additional quote for piping from Veolia  
Informed Chris Cogan and Larry Smither that without materials, the Veolia labor force would depart and return when materials arrived  
Chris Cogan requested a hold on departure until a decision could be made regarding piping ETA and blower piping installation scope  
Chemical delivery of Hydrex, Sodium Hypochlorite and Sodium Bisulphite  
Chemicals were loaded on secondary containment and a security fence procured and assembled around the chemical totes  
Ferric arrived late in the afternoon and was secured in the fenced in area, covered with a tarp and secured.



**·Thursday**

Received additional quotes for piping supplies which were provided to Bullitt Utilities

Blower piping installation approved by Bullitt Utilities to be installed by Veolia labor force with oversight by Bullitt Utilities

Approval for piping order received by Bullitt Utilities

Initial system piping procured by Veolia labor force and delivered to site

Installation of blower piping initiated - 50% completed by end of day

Partial order of requested piping was retrieved by Veolia and delivered to site

**·Friday**

Remainder of blower piping to be installed today

Awaiting technician to "shim" blowers to allow use with present system

System piping installation to be initiated today.

Remainder of pipe order will be acquired by Veolia labor force and delivered to site

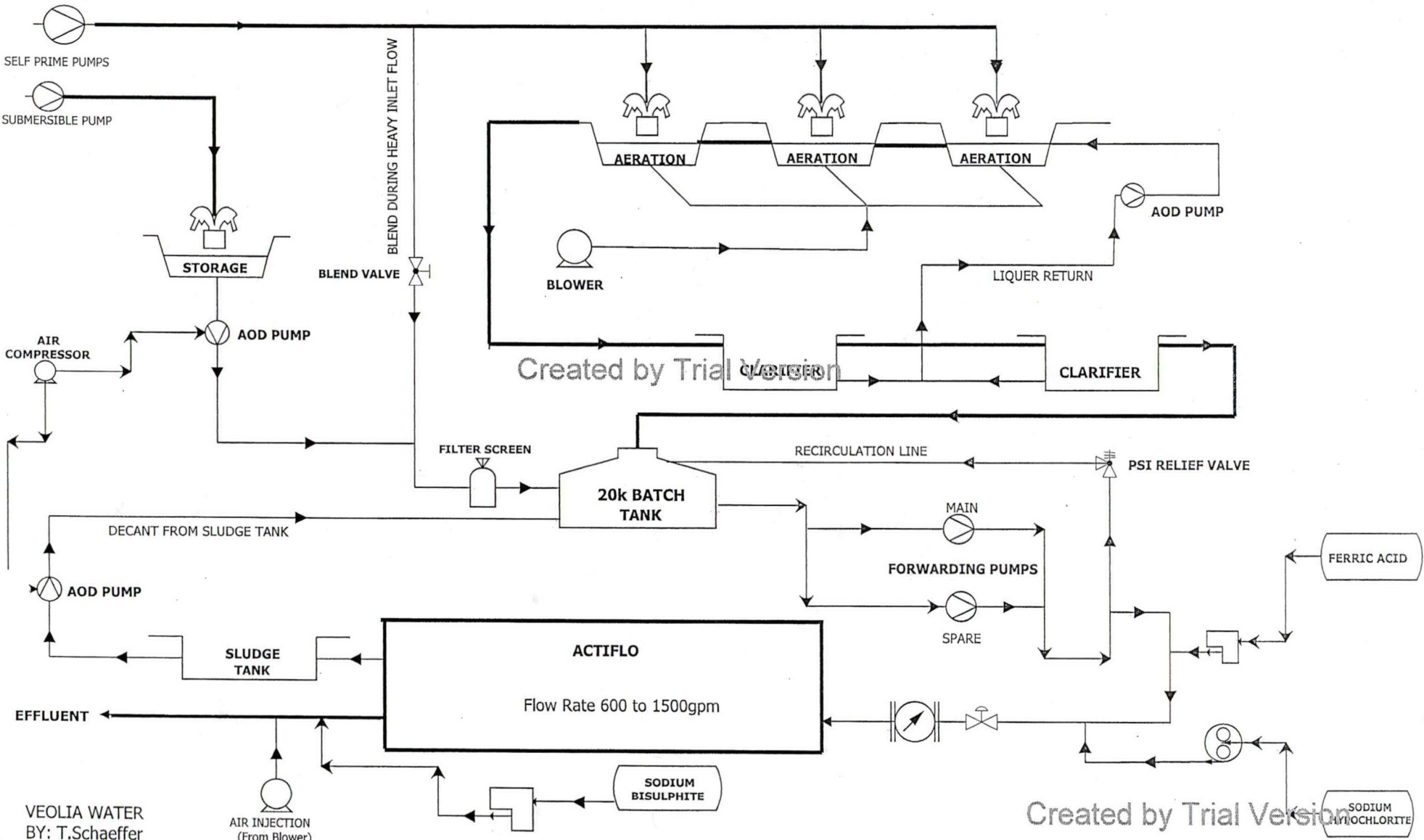
Work was to continue through the weekend, provided all materials to pipe the system are on site. The filter trailer to screen raw feed prior to the batch tank, will arrive Monday. An additional AOD pump will be sent to site, as a spare, by Wednesday.

We are currently awaiting the following to be completed:

- Chemical storage building arrival/installation
- Rolloff tank for sludge to be delivered (building arrival dependent)
- 480V electrical drop
- Bag Filter Trailer (Monday arrival)

# BULLITT UTILITIES PROCESS FLOW DIAGRAM

## RAW FEED PUMPS



VEOLIA WATER  
 BY: T.Schaeffer  
 DATE: June 13, 2014

Created by Trial Version

**HAZELRIGG & COX, LLP**

ATTORNEYS AT LAW

415 WEST MAIN STREET, SUITE 1

P.O. Box 676

FRANKFORT, KENTUCKY 40602-0676

May 23, 2014

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

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

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

*Via Electronic Mail and Facsimile: 502-429-7125*

Charles Roth  
Commonwealth of Kentucky  
Division of Water  
9116 Leesgate Road  
Louisville, Kentucky 40222

Re: Bullitt Utilities, Inc. D/B/A Hunters Hollow ("Bullitt Utilities")  
Preliminary Response to Notice of Violation ("NOV") issued on May 16, 2014

Dear Mr. Roth:

The following is a preliminary response to the above-referenced NOV. A more comprehensive response to the NOV will be provided at a later date that contains the requested plan of action and schedule of implementation.

The NOV directs Bullitt Utilities to immediately stop the discharge of all raw untreated sewage and to remove all visible settled sewer solids from the receiving stream. The Pecco temporary WWTP has continued to operate to treat the flow from the Hunters Hollow collection system, however due to the capacity of this WWTP, untreated wastewater has been bypassed into the receiving stream. As discussed during the May 19, 2014, meeting with Jeff Cummins, Daniel Cleveland, Brad Trivette, Tom Gabbard, Philip Kejzlar and Justin Schul, Bullitt Utilities has contracted with Veolia Water ("Veolia") for the installation of a mobile Actiflo trailer to treat the Hunters Hollow flow ("WWTP"). The information provided by Veolia indicates that this WWTP has the capacity to treat all of the flow from the Hunters Hollow collection system, and its discharge should be in compliance with the applicable KPDES requirements.

Bullitt Utilities anticipates that the Veolia WWTP will be delivered to the former site of the Hunters Hollow WWTP the week of May 26, 2014, and begin operations thereafter. The supplies that are needed to operate the Veolia WWTP are also to be delivered to the site the week of May 26, 2014. The Division of Water will be notified when this WWTP is delivered to the site and placed into operation, should you want to review its installation. Pursuant to our discussions at the May 19, 2014, meeting, two water samples per week will be collected from the discharge of this WWTP during the first two weeks of its operation.

With respect to removing the settled sewer solids from the receiving stream, Bullitt County Septic cleaned the settled solids from the receiving stream, most recently on Monday, May 19, 2014. Hedden Septic Tank Service has been requested to do some additional cleaning of the receiving stream the week of May 26, 2014. After the Veolia WWTP is in operation, the stream will be inspected and additional cleaning performed, if necessary.



Mr. Charles Roth  
May 23, 2014  
Page two

Bullitt Utilities also performed some general housekeeping at the site the week of May 19, 2014, including beginning cutting up equipment from the failed plant that will be removed in the near future.

Please contact me at your earliest convenience should you wish to discuss this preliminary response.

Yours truly,

A handwritten signature in cursive script that reads "Robert C. Moore". The signature is written in black ink and has a long horizontal flourish extending to the right.

Robert C. Moore

RCM

cc: Bullitt Utilities, Inc.  
Jeff Cummins - via electronic mail  
Daniel Cleveland - via electronic mail



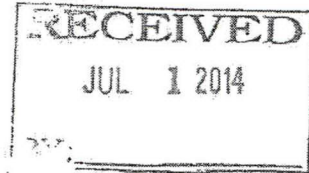
STEVEN L. BESHEAR  
GOVERNOR

LEONARD K. PETERS  
SECRETARY

*Cogan/Hunters  
Review*

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water  
9116 Leesgate Rd  
Louisville, KY 402225084  
www.kentucky.gov



June 27, 2014

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

RE: Hunters Hollow Subd -- 448  
Permit No.: KY0038610  
Bullitt County, Kentucky  
Activity ID: CIN20140021

Dear Mr. Cogan:

Attached for your information and records is a copy of the WW Routine-Min Nmun performed at Hunters Hollow Subd on June 18, 2014.

If you have any questions or comments concerning this inspection, please contact the Louisville Regional Office at: (502) 429-7122.

Sincerely,

*Brad Trivette*

Brad Trivette  
Environmental Inspector  
Louisville Regional Office  
Division of Water

BT  
Enclosure:

Energy and Environment Cabinet  
Department for Environmental Protection  
Division of Water  
Wastewater Inspection Report

**AI ID:** 448      **AI Type:** RESIDENCE- Subdivision (nec)  
**AI Name:** Hunters Hollow Subd  
**AI Address:** Blue Lick Rd  
**City:** Louisville, **State:** Kentucky **Zip:** 40218  
**County:** Bullitt **Regional Office:** Louisville Regional Office  
**Latitude:** 38.073611 **Longitude:** -85.694444  
**Site Contact:** Larry Smither  
**Title:** Operator  
**Inspection Type:** WW Routine-Min Nmun **Activity #:** CIN20140021  
**Incident IDs:**  
**Inspection Start Date:** June 18, 2014 **Time:** 12:00 AM **End Date:** June 18, 2014 **Time:** 12:00 AM  
**Site/Permit ID:** KY0038610

**Lead DEP Investigator:** Brad Trivette  
**Other DEP Investigators:**  
**External Investigators:**  
**Persons Interviewed:** Jeff Sipe

**General Comments:** KY0038610 - HUNTERS HOLLOW SUBD  
**Overall Compliance Status:** Out of Comp- Viol documented

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**Investigation Results**

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**SI:** AIOO448

**SI Description:**

**Inspector Comment:** Still treating approx. 200,000 gallon/day. Even though it's been dry for several days, there was a heavy raw sewage overflow to the stream. The stream is very dark and has heavy solids accumulations. The new plant is still without any electric. Cogan still getting bids according to Jeff Sipe

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**Requirement:** Does the facility hold the proper KPDES permit?. [401 KAR 5:055 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility does not hold an active KPDES permit. The facility does not hold an active KPDES permit. The previous permit KY0038610 expired 11/30/2013. An application was submitted 9/13/2013 and is under review by the Division.

---

**Requirement:** Is the facility being operated under the supervision of a properly certified operator? [401 KAR 5:010 Section 1]. [401 KAR 5:010 Section 1]

**Compliance Status:** C-No Violations observed

**Comment:** The PECCO plant is being operated under the supervision of certified operator Larry Smither.

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**Requirement:** Is the collection system under the primary responsibility of an individual who holds an active collection system certification at the level appropriate for the size of the treatment facility receiving the waste? [401 KAR 5:010 Section 2]. [401 KAR 5:010 Section 2]

**Compliance Status:** E-Not Evaluated

**Comment:**

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**Requirement:** Is the facility being properly operated and maintained as specified in regulation 5:065? This includes:  
(a) proper operation and maintenance of all facilities, systems of treatment and control, and related appurtenances which are installed or used by the permittee to achieve compliance with permit conditions;  
(b) proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures;  
(c) this provision also 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)]. [401 KAR 5:065 Section 2(1)]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility is not being properly operated and maintained as required. The frank tanks were in the need of cleaning. The discharge was getting much more cloudy. There was a heavy overflow of raw sewage going directly to the stream.

**Requirement:** Are the disinfection unit(s) maintained and operated properly to allow for compliance with permit conditions? [401 KAR 5:005 Section 11]. [401 KAR 5:005 Section 11]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility has failed to properly maintain and / or operate the disinfection unit. The plant discharge had a E-Coli result of >249,960 colonies/100 m

**Requirement:** Have pollutants entered the waters of the Commonwealth? [KRS 224.70-110]. [KRS 224.70-110]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. There was a heavy overflow of raw sewage going directly to the stream. The stream is very dark, odorous and has heavy load of accumulating sewer solids.

**Requirement:** Have surface waters been aesthetically or otherwise degraded? [401 KAR 10:031 Section 2]. [401 KAR 10:031 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The waters of the Commonwealth have been degraded. There was a heavy overflow of raw sewage going directly to the stream. The stream is very dark, odorous and has heavy load of accumulating sewer solids

**Documentation**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Photos taken             | <input type="checkbox"/> Record of visual determination of opacity |
| <input type="checkbox"/> Documents obtained from facility    | <input checked="" type="checkbox"/> Samples taken by DEP           |
| <input type="checkbox"/> Samples taken by outside source     | <input type="checkbox"/> Regional office instrument readings taken |
| <input type="checkbox"/> Request for Submission of Documents | <input type="checkbox"/> Other documentation                       |

**Inspector:**

*Brad Trivette*

**Date:** 6/27/14

**Received By:** Carrol Cogan

**Title:** Owner

**Date:** 6/27/14

**Delivery Method:** Mail



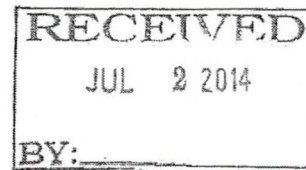
STEVEN L. BESHEAR  
GOVERNOR

*Cogan Hunters  
Hollow*

LEONARD K. PETERS  
SECRETARY

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water  
9116 Leesgate Rd  
Louisville, KY 402225084  
www.kentucky.gov



June 30, 2014

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

RE: Hunters Hollow Subd -- 448  
Permit No.: KY0038610  
Bullitt County, Kentucky  
Activity ID: CIN20140022

Dear Mr. Cogan:

Attached for your information and records is a copy of the WW Routine-Min Nmun performed at Hunters Hollow Subd on June 21, 2014.

If you have any questions or comments concerning this inspection, please contact the Louisville Regional Office at: (502) 429-7122.

Sincerely,

*Brad Trivette*

Brad Trivette  
Environmental Inspector  
Louisville Regional Office  
Division of Water

BT  
Enclosure:

Energy and Environment Cabinet  
Department for Environmental Protection  
Division of Water  
Wastewater Inspection Report

**AI ID:** 448      **AI Type:** RESIDENCE- Subdivision (nec)  
**AI Name:** Hunters Hollow Subd  
**AI Address:** Blue Lick Rd  
**City:** Louisville, **State:** Kentucky **Zip:** 40218  
**County:** Bullitt **Regional Office:** Louisville Regional Office  
**Latitude:** 38.073611 **Longitude:** -85.694444  
**Site Contact:** Larry Smither  
**Inspection Type:** WW Routine-Min Nmun **Activity #:** CIN20140022  
**Inspection Start Date:** June 21, 2014 **Time:** 12:00 AM **End Date:** June 21, 2014 **Time:** 12:00 AM  
**Site/Permit ID:** KY0038610

**Lead DEP Investigator:** Brad Trivette  
**Other DEP Investigators:**  
**External Investigators:**  
**Persons Interviewed:**

**General Comments:**  
**Overall Compliance Status:** Out of Comp- Viol documented

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**Investigation Results**

**SI:** AIOO448

**SI Description:**

**Inspector Comment:** The PECCO plant tanks have been cleaned out since the inspection on the 18th. The effluent is much clearer today.  
The Veolia Actiflow plant is still not in operation. Still waiting for the Cogans to get the electric wired up for the plant.  
The piping is in.

---

**Requirement:** Does the facility hold the proper KPDES permit?. [401 KAR 5:055 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility does not hold an active KPDES permit.

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**Requirement:** Is the facility being operated under the supervision of a properly certified operator? [401 KAR 5:010 Section 1]. [401 KAR 5:010 Section 1]

**Compliance Status:** C-No Violations observed

**Comment:**

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**Requirement:** Is the collection system under the primary responsibility of an individual who holds an active collection system certification at the level appropriate for the size of the treatment facility receiving the waste? [401 KAR 5:010 Section 2]. [401 KAR 5:010 Section 2]

**Compliance Status:** C-No Violations observed

**Comment:** Shawn Ford is the collection system operator.

---

**Requirement:** Is the facility being properly operated and maintained as specified in regulation 5:065? This includes:  
(a) proper operation and maintenance of all facilities, systems of treatment and control, and related appurtenances which are installed or used by the permittee to achieve compliance with permit conditions;  
(b) proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures;  
(c) this provision also 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)]. [401 KAR 5:065 Section 2(1)]

**Compliance Status:** D-Out of Compliance-Violations Documented

---



**Comment:** The facility is not being properly operated and maintained as required. There is still a heavy overflow of raw sewage entering the stream. The stream is very dark, has a strong odor and a heavy load of visible sewer solids.

**Requirement:** Are the disinfection unit(s) maintained and operated properly to allow for compliance with permit conditions? [401 KAR 5:005 Section 11]. [401 KAR 5:005 Section 11]

**Compliance Status:** E-Not Evaluated

**Comment:**

**Requirement:** Have pollutants entered the waters of the Commonwealth? [KRS 224.70-110]. [KRS 224.70-110]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. There is still a heavy overflow of raw sewage entering the stream. The stream is very dark, has a strong odor and a heavy load of visible sewer solids.

**Requirement:** Have surface waters been aesthetically or otherwise degraded? [401 KAR 10:031 Section 2]. [401 KAR 10:031 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The waters of the Commonwealth have been degraded. There is still a heavy overflow of raw sewage entering the stream. The stream is very dark, has a strong odor and a heavy load of visible sewer solids.

**Documentation**

- Photos taken
- Documents obtained from facility
- Samples taken by outside source
- Request for Submission of Documents

- Record of visual determination of opacity
- Samples taken by DEP
- Regional office instrument readings taken
- Other documentation

**Inspector:**

*Brad Trivette*

**Date:** 6/30/14

**Received By:** Carrol Cogan  
**Delivery Method:** Mail

**Title:** Owner

**Date:** 6/30/14

**HAZELRIGG & COX, LLP**

ATTORNEYS AT LAW

415 WEST MAIN STREET, SUITE 1

P.O. Box 676

FRANKFORT, KENTUCKY 40602-0676

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

*Cox/Hunter*  
*Hollow*  
DYKE L. HAZELRIGG (1881-1970)  
LOUIS COX (1907-1971)

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

July 23, 2014

Via Electronic Mail and Facsimile: 502-429-7125

Charles Roth  
Commonwealth of Kentucky  
Division of Water  
9116 Leesgate Road  
Louisville, Kentucky 40222

Re: Bullitt Utilities, Inc. D/B/A Hunters Hollow ("Bullitt Utilities")  
Preliminary Response to Notice of Violation ("NOV") issued on June 19, 2014

Dear Mr. Roth:

The following is the response to the above-referenced NOV.

The NOV directs Bullitt Utilities to properly operate and maintain the Hunters Hollow WWTP, achieve compliance with the conditions of its KPDES permit, cease all activity which is contributing to the pollution of the waters of the Commonwealth in contravention of its KPDES permit, and cease all activity which, aesthetically or otherwise, is degrading the waters of the Commonwealth.

As has been discussed with you and other officials of the Department of Environmental Protection ("DEP"), Bullitt Utilities has contracted with Veolia Water ("Veolia") to install a mobile Actiflo WWTP to treat the flow from the Hunters Hollow collection system ("Veolia temporary WWTP"), which utilizes some of the equipment from the Pecco temporary WWTP. The information provided by Veolia indicates that this WWTP has the capacity to treat all of the flow from the Hunters Hollow collection system, including the wet weather flow, and it is anticipated that there will be no discharges from this WWTP in violation of its KPDES permit.

The Veolia temporary WWTP began to treat one hundred percent (100%) of the flow from the Hunters Hollow collection system on July 17, 2014. Two samples will be obtained from the discharge from this WWTP during the first two weeks of its operation to confirm that Bullitt Utilities is operating in compliance with its WWTP. Beckmar labs has already collected the first discharge sample from the WWTP, and I believe the DOW has collected one discharge sample as well. Please note that the installation of the Veolia temporary WWTP is in accordance with the plan of action and schedule of implementation previously provided to you.

With respect to removing settled sewer solids from the receiving stream, Bullitt County Septic cleaned the settled solids from the receiving stream multiple times from June 25, 2014, through July 13, 2014. Now that the Veolia temporary WWTP is in operation, the stream will be inspected and additional cleaning performed.

Mr. Charles Roth  
July 23, 2014  
Page two

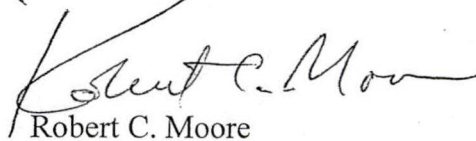
With respect to maintaining compliance with the applicable KPDES parameters, the Veolia temporary WWTP will be able to treat all of the flow from the Hunters Hollow collection system, including the wet weather flow. Again, as stated above, the Veolia temporary WWTP has been designed so that its discharge will be in compliance with the KPDES permit limits, including the limits applicable to e-coli.

As you are aware, on July 17, 2014, a meeting was held at the Kentucky Public Service Commission to determine both a temporary and permanent solution to the failure of the Hunters Hollow WWTP. Bullitt Utilities is investigating the options discussed at that meeting, including entering into an agreement with the Bullitt County Sanitation District to accept the flow into its system and provide the required treatment on a temporary basis and thereafter, the Louisville and Jefferson County Metropolitan Sewer District would accept the flow into its system and provide the required treatment on a permanent basis. I will keep you updated on these discussions as they progress.

Additionally, an application for a certificate of convenience and necessity to install a new WWTP, as well as for a surcharge, was filed with the Public Service Commission on July 17, 2014.

Please contact me should you wish to discuss this matter or need any additional information concerning same.

Yours truly,

A handwritten signature in cursive script that reads "Robert C. Moore". The signature is written in black ink and is positioned below the "Yours truly," text.

Robert C. Moore

RCM

cc: Bullitt Utilities, Inc.  
Jeff Cummins - via electronic mail  
Daniel Cleveland - via electronic mail

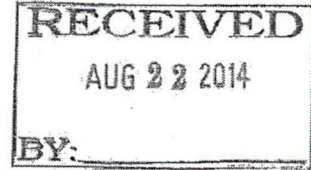


STEVEN L. BESHEAR  
GOVERNOR



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



August 18, 2014

CERTIFIED MAIL No. 7008 1830 0003 6511 9806  
Return Receipt Requested

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: ENV20140004  
Facility 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. 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 3580.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald Polly".

Donald Polly, Enforcement Specialist  
Compliance and Operations Branch

Enclosure

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

NOTICE OF VIOLATION

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

AI Name: Hunters Hollow Subd      AI ID: 448      Activity ID: ENV20140004  
County: Bullitt  
Facility Number: KY0038610  
Date(s) Violation(s) Observed: 07/25/2014

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 Total Ammonia Nitrogen (TAN) Loading during the months of Jan, Apr, May, Jun, Jul, Aug and Oct 2012; Jun, Sept and Oct 2013; and May 2014. The permitted limits for TAN Loading during the months of Nov through Apr are a monthly avg of 20.9 lbs/day and a daily max of 31.3 lbs/day. The reported results were a monthly avg of 24.24 lbs/day and a daily max of 92.03 lbs/day for Jan 2012; a monthly avg of 29.82 lbs/day and a daily max of 42.11 lbs/day for Apr 2012; The permitted limits for TAN Loading during the months of May through Oct are a monthly avg of 8.34 lbs/day and a daily max of 12.5 lbs/day. The reported results were a daily max of 18.35 lbs/day for May 2012; a monthly avg of 12.47 lbs/day and a daily max of 37.95 lbs/day for Jun 2012; a monthly avg of 24.48 lbs/day and a daily max of 40.88 lbs/day for Jul 2012; a monthly avg of 10.09 lbs/day and a daily max of 20.68 lbs/day for Aug 2012; a daily max of 14.804 lbs/day for Oct 2012; a daily max of 15.60 lbs/day for Jun 2013; a monthly avg of 22.97 lbs/day and a daily max of 60.19 lbs/day for Sept 2013; a monthly avg of 8.995 lbs/day and a daily max of 24.22 lbs/day for Oct 2013; a monthly avg of 21.56 lbs/day and a daily max of 24.35 lbs/day for May 2014.

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

Hunters Hollow Subd shall comply with the terms and conditions of KPDES permit #KY0038610. The KDEP will continue to monitor your DMRs. [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 Ammonia Nitrogen (TAN) Concentration during the months of Jan, Apr, May, Jun, Jul, Aug and Oct 2012; May, Jun, Sept and Oct 2013; and May 2014. The permitted limits for TAN Concentration during the months of Nov through Apr are a monthly avg of 10.0 mg/l and a daily max of 15.0 mg/l. The reported results were a daily max of 15.9 mg/l for Jan 2012; a monthly avg of 11 mg/l for Apr 2012. The permitted limits for TAN Concentration during the months of May through Oct are a monthly avg of 4.0 mg/l and a daily max of 6.0 mg/l. The reported results were a daily max of 10 mg/l for May 2012; a monthly avg of 4.5 mg/l and a daily max of 13 mg/l for Jun 2012; a monthly avg of 10.50 mg/l and a daily max of 17.20 mg/l for Jul 2012; a daily max of 8.70 mg/l for Aug 2012; a daily max of 7.10 mg/l for Oct 2012; a daily max of 11.1 mg/l for May 2013; a daily max of 8.5 mg/l for Jun 2013; a monthly avg of 10.9 mg/l and a daily max of 28.3 mg/l for Sept 2013; a monthly avg of 4.1 mg/l and a daily max of 11.3 mg/l for Oct 2013; and a monthly avg of 12.9 mg/l and a daily max of 14.6 mg/l for May 2014.

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

Hunters Hollow Subd shall comply with the terms and conditions of KPDES permit #KY0038610. The KDEP will continue to monitor your DMRs. [KRS 224.70-110]

3 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 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 Jan, Mar and Apr 2012; Feb, Mar, May, Oct and Nov 2013; Jan, Apr and May 2014. The permitted limits for BOD Loading are a monthly avg of 31.3 lbs/day and a daily max of 46.9 lbs/day. The reported results were a monthly avg of 98.83 lbs/day and a daily max of 434.1 lbs/day for Jan 2012; a monthly avg of 42.22 lbs/day and a daily max of 84.9 lbs/day for Mar 2012; a monthly avg of 40.44 lbs/day and a daily max of 81.7 lbs/day for Apr 2012; a daily max of 73.26 lbs/day for Feb 2013; a monthly avg of 33.45 lbs/day and a daily max of 80.16 lbs/day for Apr 2013; a daily max of 55.17 lbs/day for May 2013; a daily max of 59.9 lbs/day for Oct 2013; a daily max of 73.94 lbs/day for Nov 2013; a daily max of 63.84 lbs/day for Jan 2014; a monthly avg of 124.5 lbs/day and a daily max of 270.2 lbs/day for Apr 2014; and a monthly avg of 43.4 lbs/day and a daily max of 71.7 lbs/day for May 2014. The permitted limits for BOD Concentration are a monthly avg of 15 mg/l and a daily max of 22.5 mg/l. The reported results were a monthly avg of 19 mg/l and a daily max of 75 mg/l for Jan 2012; a monthly avg of 17 mg/l and a daily max of 37 mg/l for Mar 2012; a daily max of 28 mg/l for Apr 2012; a daily max of 36 mg/l for Feb 2013; a monthly avg of 16 mg/l and a daily max of 36 mg/l for Mar 2013; a daily max of 27 mg/l for May 2013; a daily max of 27 mg/l for Oct 2013; a daily max of 31 mg/l for Nov 2013; a daily max of 33 mg/l for Jan 2014; a monthly avg of 75 mg/l and a daily max of 162 mg/l for Apr 2014; and a monthly avg of 26 mg/l and a daily max of 43 mg/l for May 2014.



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

Hunters Hollow Subd shall comply with the terms and conditions of KPDES permit #KY0038610. The KDEP will continue to monitor your DMRs. [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, for Total Suspended Solids (TSS) during the months of Jan and Feb 2012; Jan, Mar and Dec 2013; Jan and Apr 2014. 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 monthly average of 76.79 lbs/day and a daily maximum of 301.0 lbs/day for Jan 2012; a daily maximum of 105.5 lbs/day for Feb 2012; a daily maximum of 111.3 lbs/day for Mar 2013; a monthly average of 129.4 lbs/day and a daily maximum of 302.7 lbs/day for Dec 2013; a daily maximum of 121.9 lbs/day for Jan 2014; and a daily maximum of 100.1 lbs/day for Apr 2014. 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 52 mg/l for Jan 2012; a daily maximum of 46 mg/l for Jan 2013; a daily maximum of 50 mg/l for Mar 2013; a monthly average of 60 mg/l and a daily maximum of 132 mg/l for Dec 2013; a daily maximum of 63 mg/l for Jan 2014; and a monthly average of 33 mg/l and a daily maximum of 60 mg/l for Apr 2014.

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

Hunters Hollow Subd shall comply with the terms and conditions of KPDES permit #KY0038610. The KDEP will continue to monitor your DMRs. [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, for Total Phosphorus (P) during the months of Jan, Apr, May, Jul, Aug, Sept, Oct, Nov and Dec 2012; Jan, Jun, Aug, Sept, Nov and Dec 2013; Jan, Feb, Apr and May 2014. The permitted limit for P Concentration is a monthly average of 1.0 mg/l. The reported results were a monthly average of 1.8 mg/l for Jan 2012; a monthly average of 1.3 mg/l for Apr 2012; a monthly average of 1.4 mg/l for May 2012; a monthly average of 1.9 mg/l for Jul 2012; a monthly average of 2.6 mg/l for Aug 2012; a monthly average of 1.8 mg/l for Sept 2012; a monthly average of 1.5 mg/l for Oct 2012; a monthly average of 2.4 mg/l for Nov 2012; a monthly average of 1.5 mg/l for Dec 2012; a monthly average of 1.2 mg/l for Jan 2013; a monthly average of 1.46 mg/l for Jun 2013; a monthly average of 2.2 mg/l for Aug 2013; a monthly average of 2.53 mg/l for Sept 2013; a monthly average of 1.3 mg/l for Nov



2013; a monthly average of 1.42 mg/l for Dec 2013; a monthly average of 1.44 mg/l for Jan 2014; a monthly average of 1.4 mg/l for Feb 2014; a monthly average of 2.4 mg/l for Apr 2014; and a monthly average of 2.37 mg/l for May 2014.

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

Hunters Hollow Subd shall comply with the terms and conditions of KPDES permit #KY0038610. The KDEP will continue to monitor your DMRs. [KRS 224.70-110]

6 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 Dissolved Oxygen (DO) during the months of May, Sept and Oct 2013; and Apr 2014. The permitted limit for DO Concentration is a minimum of 7 mg/l. The reported results were a minimum of 5.1 mg/l for May 2013; a minimum of 4.2 mg/l for Sept 2013; a minimum of 2.6 mg/l for Oct 2013; and a minimum of 4.7 mg/l for Apr 2014.

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

Hunters Hollow Subd shall comply with the terms and conditions of KPDES permit #KY0038610. The KDEP will continue to monitor your DMRs. [KRS 224.70-110]

7 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 E. Coli during the months of Dec 2012; Mar, Sept, Oct and Dec 2013; and Jan, Apr and May 2014. The permitted limits for E. Coli Concentration are a 30-day geometric mean of 130 per 100ml and a 7-day geometric mean of 240 per 100ml. The reported results were a 30-day geometric mean of 706 per 100ml and a 7-day geometric mean of 99,999 per 100ml for Dec 2012; a 7-day geometric mean of 49,174 per 100ml for Mar 2013; a 7-day geometric mean of 1,553 per 100ml for Sept 2013; a 30-day geometric mean of 1,106 per 100ml and a 7-day geometric mean of 99,999 per 100ml for Oct 2013; a 7-day geometric mean of 28,925 per 100ml for Dec 2013; a 7-day geometric mean of 99,999 per 100ml for Jan 2014; a 30-day geometric mean of 39,441 per 100ml and a 7-day geometric mean of 99,999 per 100ml for Apr 2014; and a 30-day geometric mean of 99,999 per 100ml and a 7-day geometric mean of 99,999 per 100ml for May 2014.

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

Hunters Hollow Subd shall comply with the terms and conditions of KPDES permit #KY0038610. The KDEP will continue to monitor your DMRs. [KRS 224.70-110]

- 8 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 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 Residual Chlorine (TRC) during the month of Jan 2014. The permitted limits for TRC Concentration are a monthly average of 0.011 mg/l and a daily maximum of 0.019 mg/l. The reported results were a monthly average of 0.43 mg/l and a daily maximum of 2.12 mg/l.

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

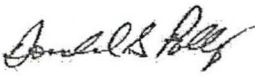
Hunters Hollow Subd shall comply with the terms and conditions of KPDES permit #KY0038610. The KDEP will continue to monitor your DMRs. [KRS 224.70-110]

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 3580 (7:45 AM – 3:45 PM)  
Donald Polly, Enforcement Specialist

Issued By: \_\_\_\_\_

  
Donald Polly  
Environmental Enforcement Specialist  
Compliance and Operations Branch  
Date: August 18, 2014

How Delivered: Certified Mail Certified/Registered # 7008 1830 0003 6511 9806





STEVEN L. BESHEAR  
GOVERNOR

LEONARD K. PETERS  
SECRETARY

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water  
9116 Leesgate Rd  
Louisville, KY 402225084  
www.kentucky.gov

August 19, 2014

Via Electronic Mail

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

RE: Hunters Hollow Subd -- 448  
Permit No.: KY0038610  
Bullitt County, Kentucky  
Activity ID: CIN20140023

Dear Mr. Cogan:

Attached for your information and records is a copy of the WW Routine-Min Nmun performed at Hunters Hollow Subd on July 16, 2014.

If you have any questions or comments concerning this inspection, please contact the Louisville Regional Office at: (502) 429-7122.

Sincerely,

Charles A. Roth  
Environmental Control Supervisor  
Louisville Regional Office  
Division of Water

CAR

Enclosure:

CC: Jeff Cummins-via electronic mail  
Daniel Cleveland-via electronic mail  
Robert Moore-via electronic mail

Energy and Environment Cabinet  
Department for Environmental Protection  
Division of Water  
Wastewater Inspection Report

**AI ID:** 448      **AI Type:** RESIDENCE- Subdivision (nec)  
**AI Name:** Hunters Hollow Subd  
**AI Address:** Blue Lick Rd  
**City:** Louisville, **State:** Kentucky **Zip:** 40218  
**County:** Bullitt **Regional Office:** Louisville Regional Office  
**Latitude:** 38.073611 **Longitude:** -85.694444  
**Site Contact:** Larry Smither  
**Title:** Operator      **Phone #:** 502-241-4809  
**Inspection Type:** WW Routine-Min Nmun **Activity #:** CIN20140023  
**Incident IDs:** 2376131  
**Inspection Start Date:** July 16, 2014 **Time:** 12:45 PM **End Date:** July 16, 2014 **Time:** 02:00 PM  
**Site/Permit ID:** KY0038610

**Lead DEP Investigator:** Charlie Roth  
**Other DEP Investigators:**  
**External Investigators:**  
**Persons Interviewed:** Jeff Stipe; Tim Schaeffer

**General Comments:** The Hunters Hollow plant was bypassing influent to the ground at the time of this inspection. The stream was grey in color with deposits of sludge and a sewage odor. The piping has been completed from the PECCO plant to the Veolia plant. They were filling the second frank tank in anticipation of taking flow to the Veolia plant. The original wood storage shed for the chemical totes would not work, so PECCO brought in three metal storage bins. Each bin contained either a tote for Liquichlor, Ferric Chloride or Bisulfite. The feed lines and metering pumps for these totes were being installed at the time. Anticipate start-up of the Veolia plant on the 17th.

7/17/2014. Follow-up site visit. The Veolia plant was started at around 10:00am. All flow was routed from the PECCO plant to the Veolia plant around 11:00am and the discharge line from the PECCO plant was disconnected. This pipe will be used to take any wet weather flow from the wet well of the Hunters Hollow plant to the Veolia plant. At normal flow it takes about 2.5 hours to fill the frack tanks in order to run a batch flow to the Veolia plant. At 300 gpm it will take about 1 hour to run a batch through.

**Overall Compliance Status:** Out of Comp- Viol documented

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**Investigation Results**

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**SI:** AIOO448

**SI Description:**

**Inspector Comment:**

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**Requirement:** Does the facility hold the proper KPDES permit?. [401 KAR 5:055 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility does not hold an active KPDES permit. The previous permit KY0038610 expired 11/30/2013. An application was submitted 9/13/2013 and is under review by the Division.

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**Requirement:** Is the facility being operated under the supervision of a properly certified operator? [401 KAR 5:010 Section 1]. [401 KAR 5:010 Section 1]

**Compliance Status:** C-No Violations observed

**Comment:** Jeff Stipe and James Wilkerson of PECCO are operating the temporary plant working under Larry Smither of Bullitt Utilities, Inc. #13390, expires 6/30/2015.

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**Requirement:** Is the collection system under the primary responsibility of an individual who holds an active collection system certification at the level appropriate for the size of the treatment facility receiving the waste? [401 KAR 5:010 Section 2]. [401 KAR 5:010 Section 2]

**Compliance Status:** C-No Violations observed

**Comment:** Shawn Ford, WW Collections #21343, expires 6/30/2015.

**Requirement:** Is the facility being properly operated and maintained as specified in regulation 5:065? This includes: (a) proper operation and maintenance of all facilities, systems of treatment and control, and related appurtenances which are installed or used by the permittee to achieve compliance with permit conditions;

(b) proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures;

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

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility is not being properly operated and maintained as required. The temporary treatment plant is only capable of treating part of the total wet weather flow. During the time of this inspection raw sewage from the Hunters Hollow influent pipe was observed being discharged onto the ground where it ran into the stream. The stream was grey in color with visible sewage solids and a sewage odor.

**Requirement:** Are the disinfection unit(s) maintained and operated properly to allow for compliance with permit conditions? [401 KAR 5:005 Section 11]. [401 KAR 5:005 Section 11]

**Compliance Status:** I-No Violations obs-but impending viol trends obs

**Comment:** Disinfection unit is operating but has previously shown elevated E. coli numbers.

**Requirement:** Have pollutants entered the waters of the Commonwealth? [KRS 224.70-110]. [KRS 224.70-110]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. The stream immediately below the plant was grey in color with signs of sewage solids visible.

**Requirement:** Have surface waters been aesthetically or otherwise degraded? [401 KAR 10:031 Section 2]. [401 KAR 10:031 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The waters of the Commonwealth have been degraded. The stream immediately below the plant was grey in color with signs of sewage solids visible.

**Documentation**

- Photos taken
- Documents obtained from facility
- Samples taken by outside source
- Request for Submission of Documents

- Record of visual determination of opacity
- Samples taken by DEP
- Regional office instrument readings taken
- Other documentation

**Inspector:**

*Charles A. Roth*

**Date:** 8/19/2014

**Received By:** \_\_\_\_\_ **Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Delivery Method:** Electronic Mail

**Certified Mail Number:**





STEVEN L. BESHEAR  
GOVERNOR

LEONARD K. PETERS  
SECRETARY

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water  
9116 Leesgate Rd  
Louisville, KY 40225084  
www.kentucky.gov

August 19, 2014

Via Electronic Mail

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

RE: Hunters Hollow Subd -- 448  
Permit No.: KY0038610  
Bullitt County, Kentucky  
Activity ID: CIN20140024

Dear Mr. Cogan:

Attached for your information and records is a copy of the WW Routine-Min Nmun performed at Hunters Hollow Subd on August 6, 2014.

If you have any questions or comments concerning this inspection, please contact the Louisville Regional Office at: (502) 429-7122.

Sincerely,

Charles A. Roth  
Environmental Control Supervisor  
Louisville Regional Office  
Division of Water

CAR

Enclosure:

CC: Jeff Cummins-via electronic mail  
Daniel Cleveland-via electronic mail  
Robert Moore-via electronic mail

Energy and Environment Cabinet  
Department for Environmental Protection  
Division of Water  
Wastewater Inspection Report

**AI ID:** 448      **AI Type:** RESIDENCE- Subdivision (nec)  
**AI Name:** Hunters Hollow Subd  
**AI Address:** Blue Lick Rd  
**City:** Louisville, **State:** Kentucky **Zip:** 40218  
**County:** Bullitt **Regional Office:** Louisville Regional Office  
**Latitude:** 38.073611 **Longitude:** -85.694444  
**Site Contact:** Larry Smither  
**Title:** Operator      **Phone #:** 502-241-4809  
**Inspection Type:** WW Routine-Min Nmun **Activity #:** CIN20140024  
**Incident IDs:** 2376131  
**Inspection Start Date:** August 6, 2014 **Time:** 11:15 AM **End Date:** August 6, 2014 **Time:** 12:20 PM  
**Site/Permit ID:** KY0038610

**Lead DEP Investigator:** Charlie Roth  
**Other DEP Investigators:**  
**External Investigators:**  
**Persons Interviewed:** Ken Buzek

**General Comments:** The Veolia plant at Hunters Hollow was refilling and was not discharging at the time of my arrival. However, at around 11:50am the plant was started up and began discharging about 15 minutes later. Mr. Ken Buzek, Veolia engineer, was onsite at the time. He indicated that when discharging the flow was 150 gpm or around 230,000 gpd with 70,000 gallons recycled to the holding tank. Mr. Buzek indicated that it was taking approximately 2-3 hours to refill the holding tank between run times. The stream appeared clearer, with the exception of a reddish color below the outfall. Mr. Buzek indicated that due to fluctuating levels of turbidity, especially at the start of a running cycle it takes some time to adjust the ferric chloride coagulant feed resulting in some overfeeding. Hunters Hollow still has a gas pump set up at the wet well with visible indication of debris at the end of the hose from a possible bypass. The Veolia plant is capable of treating all flow from the Hunters Hollow collection system, therefore it would seem that a bypass from the wet well should not be necessary. Sufficient pumping capacity should be established to take all flow from the wet well to the Veolia plant.

**Overall Compliance Status:** Out of Comp- Viol documented

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**Investigation Results**

**SI:** AIO0448

**SI Description:**

**Inspector Comment:**

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**Requirement:** Does the facility hold the proper KPDES permit?. [401 KAR 5:055 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility does not hold an active KPDES permit. The previous permit, KY0038610 expired on 11/30/2013. An application was submitted 9/13/2013 and is under review by the Division.

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**Requirement:** Is the facility being operated under the supervision of a properly certified operator? [401 KAR 5:010 Section 1]. [401 KAR 5:010 Section 1]

**Compliance Status:** C-No Violations observed

**Comment:** Veolia personnel are not certified, but are operating under the license of Larry Smither of Bullitt Utilities, Inc. #13390, expires 6/30/2015.

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**Requirement:** Is the collection system under the primary responsibility of an individual who holds an

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active collection system certification at the level appropriate for the size of the treatment facility receiving the waste? [401 KAR 5:010 Section 2]. [401 KAR 5:010 Section 2]

**Compliance Status:** C-No Violations observed

**Comment:** Shawn Ford, WW Collections #21343 expires 6/30/2015.

**Requirement:** Is the facility being properly operated and maintained as specified in regulation 5:065? This includes:  
(a) proper operation and maintenance of all facilities, systems of treatment and control, and related appurtenances which are installed or used by the permittee to achieve compliance with permit conditions;  
(b) proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures;  
(c) this provision also 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)]. [401 KAR 5:065 Section 2(1)]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility is not being properly operated and maintained as required. The Veolia plant is capable of treating all flow from the Hunters Hollow system. However, there is still a gas pump at the wet well with indications of debris having been pumped out onto the ground. All flow from the wet well should be directed to the treatment facility.

**Requirement:** Are the disinfection unit(s) maintained and operated properly to allow for compliance with permit conditions? [401 KAR 5:005 Section 11]. [401 KAR 5:005 Section 11]

**Compliance Status:** I-No Violations obs-but impending viol trends obs

**Comment:** E. coli sample from the effluent taken on 8/6/14, indicated a result of 3.0 col/100ml. TRC reading by Veoliw indicated 0.00 mg/l while DOW reading indicated 0.04 mg/l

**Requirement:** Have pollutants entered the waters of the Commonwealth? [KRS 224.70-110]. [KRS 224.70-110]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. Stream appeared clearer, however there was visible indication of a reddish color on the stream substrate, attributable to the feeding of ferric chloride.

**Requirement:** Have surface waters been aesthetically or otherwise degraded? [401 KAR 10:031 Section 2]. [401 KAR 10:031 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The waters of the Commonwealth have been degraded. Stream appeared clearer, however there was visible indication of a reddish color on the stream substrate, attributable to the feeding of ferric chloride.

**Documentation**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Photos taken             | <input type="checkbox"/> Record of visual determination of opacity |
| <input type="checkbox"/> Documents obtained from facility    | <input type="checkbox"/> Samples taken by DEP                      |
| <input type="checkbox"/> Samples taken by outside source     | <input type="checkbox"/> Regional office instrument readings taken |
| <input type="checkbox"/> Request for Submission of Documents | <input type="checkbox"/> Other documentation                       |

**Inspector:**

*Charles A. Roth*

**Date:** 8/19/2014

**Received By:** \_\_\_\_\_ **Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Delivery Method:** Electronic Mail



**Certified Mail Number:**



STEVEN L. BESHEAR  
GOVERNOR

LEONARD K. PETERS  
SECRETARY

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water  
9116 Leesgate Rd  
Louisville, KY 40225084  
www.kentucky.gov

August 19, 2014

Via Electronic Mail

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

RE: Hunters Hollow Subd -- 448  
Permit No.: KY0038610  
Bullitt County, Kentucky  
Activity ID: CIN20140025

Dear Mr. Cogan:

Attached for your information and records is a copy of the WW Routine-Min Nmun performed at Hunters Hollow Subd on August 12, 2014.

If you have any questions or comments concerning this inspection, please contact the Louisville Regional Office at: (502) 429-7122.

Sincerely,

Charles A. Roth  
Environmental Inspector  
Louisville Regional Office  
Division of Water

CAR

Enclosure:

CC: Jeff Cummins-via electronic mail  
Daniel Cleveland-via electronic mail  
Robert Moore-via electronic mail

Energy and Environment Cabinet  
Department for Environmental Protection  
Division of Water  
Wastewater Inspection Report

**AI ID:** 448      **AI Type:** RESIDENCE- Subdivision (nec)  
**AI Name:** Hunters Hollow Subd  
**AI Address:** Blue Lick Rd  
**City:** Louisville, **State:** Kentucky **Zip:** 40218  
**County:** Bullitt **Regional Office:** Louisville Regional Office  
**Latitude:** 38.073611 **Longitude:** -85.694444  
**Site Contact:** Larry Smither  
**Title:** Operator      **Phone #:** 502-241-4809  
**Inspection Type:** WW Routine-Min Nmun **Activity #:** CIN20140025  
**Incident IDs:** 2376131  
**Inspection Start Date:** August 12, 2014 **Time:** 12:50 PM **End Date:** August 12, 2014 **Time:** 01:30 PM  
**Site/Permit ID:** KY0038610

**Lead DEP Investigator:** Charlie Roth  
**Other DEP Investigators:**  
**External Investigators:**  
**Persons Interviewed:** Michael Giffen

**General Comments:** The Veolia plant is running about 4 hours on with 1-1.5 hours off to refill the holding tanks. The stream substrate at the outfall still is reddish in color from the ferric chloride coagulant, but water clarity is better. The wet well at Hunters Hollow appears to have overflowed. The debris seems to have been confined to the ground in the vicinity of the wet well. The Veolia plant is capable of treating all flow from the Hunters Hollow system. Therefore there should not be a need for a bypass from the wet well. Hunters Hollow should provide sufficient pumping capability to take all flow from the wet well to the Veolia plant.

**Overall Compliance Status:** Out of Comp- Viol documented

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**Investigation Results**

**SI:** AIOO448

**SI Description:**

**Inspector Comment:**

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**Requirement:** Does the facility hold the proper KPDES permit?. [401 KAR 5:055 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility does not hold an active KPDES permit. The previous permit, KY0038610 expired on 11/30/2013. An application was submitted 9/13/2013 and is under review by the Division.

---

**Requirement:** Is the facility being operated under the supervision of a properly certified operator? [401 KAR 5:010 Section 1]. [401 KAR 5:010 Section 1]

**Compliance Status:** C-No Violations observed

**Comment:** Veollia personnel are not certified, but are operating under the license of Larry Smither of Bullitt Utilities, Inc. #13390, expires 6/30/2015.

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**Requirement:** Is the collection system under the primary responsibility of an individual who holds an active collection system certification at the level appropriate for the size of the treatment facility receiving the waste? [401 KAR 5:010 Section 2]. [401 KAR 5:010 Section 2]

**Compliance Status:** C-No Violations observed

**Comment:** Shawn Ford, WW Collections, #21343, expires 6/30/2015.

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**Requirement:** Is the facility being properly operated and maintained as specified in regulation 5:065? This includes:



(a) proper operation and maintenance of all facilities, systems of treatment and control, and related appurtenances which are installed or used by the permittee to achieve compliance with permit conditions;  
(b) proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures;  
(c) this provision also 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)]. [401 KAR 5:065 Section 2(1)]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility is not being properly operated and maintained as required. The Veolia plant is capable of treating all flow from the Hunters Hollow system. However, there is still a gas pump at the wet well as well as indications of an overflow from the wet well onto the ground. All flow from the wet well should be directed to the treatment facility.

**Requirement:** Are the disinfection unit(s) maintained and operated properly to allow for compliance with permit conditions? [401 KAR 5:005 Section 11], [401 KAR 5:005 Section 11]

**Compliance Status:** C-No Violations observed

**Comment:** No violations indicated at the time of the inspection.

**Requirement:** Have pollutants entered the waters of the Commonwealth? [KRS 224.70-110]. [KRS 224.70-110]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. Stream appears clearer, however there is still visible indication of a reddish color on the stream substrate due to the feeding of ferric chloride.

**Requirement:** Have surface waters been aesthetically or otherwise degraded? [401 KAR 10:031 Section 2]. [401 KAR 10:031 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The waters of the Commonwealth have been degraded. Stream appears clearer, however there is still visible indication of a reddish color on the stream substrate due to the feeding of ferric chloride.

**Documentation**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Photos taken             | <input type="checkbox"/> Record of visual determination of opacity |
| <input type="checkbox"/> Documents obtained from facility    | <input type="checkbox"/> Samples taken by DEP                      |
| <input type="checkbox"/> Samples taken by outside source     | <input type="checkbox"/> Regional office instrument readings taken |
| <input type="checkbox"/> Request for Submission of Documents | <input type="checkbox"/> Other documentation                       |

**Inspector:**

*Charles A. Roth*

**Date:** 8/19/14

**Received By:** \_\_\_\_\_ **Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Delivery Method:** Electronic Mail

**Certified Mail Number:**

## Robert Moore

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**To:** Roth, Charlie (EEC)  
**Subject:** RE: Hunters Hollow Inspection Reports

Charlie, Thank you. Rob Moore 082014

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**From:** Roth, Charlie (EEC) [<mailto:Charlie.Roth@ky.gov>]  
**Sent:** Tuesday, August 19, 2014 10:03 AM  
**To:** [bullittutilities@gmail.com](mailto:bullittutilities@gmail.com); Robert Moore; Cummins, Jeff (EEC); Cleveland, Daniel (EEC)  
**Subject:** Hunters Hollow Inspection Reports

Attached please find the reports for Routine Inspections conducted at the Hunters Hollow WWTP on July 16, 2014, August 6, 2014 and August 12, 2014.

If you have any questions please feel free to contact me at 502-429-7122 or via email at [charlie.roth@ky.gov](mailto:charlie.roth@ky.gov).

Sincerely,

Charles Roth, Supervisor  
Division of Water  
Louisville Regional Office  
502-429-7122



LEONARD K. PETERS  
SECRETARY

STEVEN L. BESHEAR  
GOVERNOR

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water  
9116 Leesgate Rd  
Louisville, KY 402225084  
www.kentucky.gov

September 24, 2014

Mr. Carol Cogan  
Bullitt Utilites, Inc D/B/A/ Hunters Hollow  
P.O. Box 91588  
Louisville, Kentucky 40291

RE: Hunters Hollow Subd -- 448  
Permit No.: KY0038610  
Bullitt County, Kentucky  
Activity ID: CIN20140027

Dear Mr. Cogan:

Attached for your information and records is a copy of the WW Routine-Min Nmun performed at Hunters Hollow Subd on August 29, 2014.

If you have any questions or comments concerning this inspection, please contact the Louisville Regional Office at: (502) 429-7122.

Sincerely,

Charlie Roth  
Environmental Control Supervisor  
Louisville Regional Office  
Division of Water

CAR  
Enclosure:



Energy and Environment Cabinet  
Department for Environmental Protection  
Division of Water  
Wastewater Inspection Report

**AI ID:** 448      **AI Type:** RESIDENCE- Subdivision (nec)  
**AI Name:** Hunters Hollow Subd  
**AI Address:** Blue Lick Rd  
**City:** Louisville, **State:** Kentucky **Zip:** 40218  
**County:** Bullitt **Regional Office:** Louisville Regional Office  
**Latitude:** 38.073611 **Longitude:** -85.694444  
**Site Contact:** Larry Smither  
**Title:** Operator      **Phone #:** 502-241-4809  
**Inspection Type:** WW Routine-Min Nmun **Activity #:** CIN20140027  
**Incident IDs:** 2376131  
**Inspection Start Date:** August 29, 2014 **Time:** 12:15 PM **End Date:** August 29, 2014 **Time:** 01:15 PM  
**Site/Permit ID:** KY0038610

**Lead DEP Investigator:** Charlie Roth  
**Other DEP Investigators:**  
**External Investigators:**  
**Persons Interviewed:** Larry Smither; James Peoples; Mike Shaw

**General Comments:** The Veolia plant was running at 235 GPM. The area had a 2 inch rain event on Wednesday 8/27. As a result the wet well at the Hunters Hollow WWTP was overflowing to the stream. This overflow was reported to the Division on 8/29/14 at 5:40pm. The gas pump at the wet well was running, however it was not taking all of the influent to the Veolia plant. Apparently there was a lack of communication between Bullitt Utilities and Veolia concerning the need to anticipate increased flow during wet weather and the need to make the necessary adjustments to the Actiflow system to account for the additional influent flow. Larry Smither and Shaun Ford were onsite meeting with Mike Shaw on Veolia to work out the plan for handling wet weather flows during future rain events. The overflow from the wet well was reported to have ended at 1:15 pm on 8/29. Sludge was hauled on Thursday 8/28. The effluent from the Veolia plant appeared clear. The stream at the outfall looked clear, however there was grey water entering the stream from the wet well overflow.

**Overall Compliance Status:** Out of Comp- Viol documented

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**Investigation Results**

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**SI:** AIOO448

**SI Description:**

**Inspector Comment:**

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**Requirement:** Does the facility hold the proper KPDES permit?. [401 KAR 5:055 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** KY0038610. The facility does not hold an active KPDES permit. The permit expired on 11/30/13. The renewal application was submitted on 9/13/13 and is under review by the Division. The permit was continued on 12/1/13.

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**Requirement:** Is the facility being operated under the supervision of a properly certified operator? [401 KAR 5:010 Section 1]. [401 KAR 5:010 Section 1]

**Compliance Status:** C-No Violations observed

**Comment:** Veolia personnel are not certified, but are operating under the license of Larry Smither of Bullitt Utilities, Inc. #13390, expires 6/30/2015.

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**Requirement:** Is the collection system under the primary responsibility of an individual who holds an

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active collection system certification at the level appropriate for the size of the treatment facility receiving the waste? [401 KAR 5:010 Section 2]. [401 KAR 5:010 Section 2]

**Compliance Status:** C-No Violations observed

**Comment:** Shawn Ford, WW Collections, #21343, expires 6/30/2015.

**Requirement:** Is the facility being properly operated and maintained as specified in regulation 5:065? This includes:  
(a) proper operation and maintenance of all facilities, systems of treatment and control, and related appurtenances which are installed or used by the permittee to achieve compliance with permit conditions;  
(b) proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures;  
(c) this provision also 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)]. [401 KAR 5:065 Section 2(1)]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility is not being properly operated and maintained as required. The wet well at the Hunters Hollow was overflowing at the time of the inspection. Apparently there is need of better communication between Veolia and Bullitt Utilities concerning adjustments that need to be made to the Actiflow plant in order to treat additional flow during rain events. Sewage from the wet well was going into the stream.

**Requirement:** Are the disinfection unit(s) maintained and operated properly to allow for compliance with permit conditions? [401 KAR 5:005 Section 11]. [401 KAR 5:005 Section 11]

**Compliance Status:** C-No Violations observed

**Comment:** Hypochlorite used for disinfection.

**Requirement:** Have pollutants entered the waters of the Commonwealth? [KRS 224.70-110]. [KRS 224.70-110]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. Sewage from the wet well overflow was entering the stream.

**Requirement:** Have surface waters been aesthetically or otherwise degraded? [401 KAR 10:031 Section 2]. [401 KAR 10:031 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The waters of the Commonwealth have been degraded. Sewage from the wet well overflow was entering the stream.

**Documentation**

- Photos taken
- Documents obtained from facility
- Samples taken by outside source
- Request for Submission of Documents

- Record of visual determination of opacity
- Samples taken by DEP
- Regional office instrument readings taken
- Other documentation

**Inspector:**

*Charles A. Roth*

**Date:** 9/24/14

**Received By:** \_\_\_\_\_ **Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Delivery Method:** Regular Mail

**Certified Mail Number:**





STEVEN L. BESHEAR  
GOVERNOR

LEONARD K. PETERS  
SECRETARY

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water  
9116 Leesgate Rd  
Louisville, KY 402225084  
www.kentucky.gov

September 24, 2014

Mr. Carol Cogan  
Bullitt Utilities, Inc. D/B/A Hunters Hollow  
P.O. Box 91588  
Louisville, Kentucky 40291

RE: Hunters Hollow Subd -- 448  
Permit No.: KY0038610  
Bullitt County, Kentucky  
Activity ID: CIN20140026

Dear Mr. Cogan:

Attached for your information and records is a copy of the WW Routine-Min Nmun performed at Hunters Hollow Subd on August 22, 2014.

If you have any questions or comments concerning this inspection, please contact the Louisville Regional Office at: (502) 429-7122.

Sincerely,

A handwritten signature in cursive script that reads "Charles A. Roth".

Charlie Roth  
Environmental Control Supervisor  
Louisville Regional Office  
Division of Water

CAR  
Enclosure:



Energy and Environment Cabinet  
Department for Environmental Protection  
Division of Water  
Wastewater Inspection Report

**AI ID:** 448      **AI Type:** RESIDENCE- Subdivision (nec)  
**AI Name:** Hunters Hollow Subd  
**AI Address:** Blue Lick Rd  
**City:** Louisville, **State:** Kentucky **Zip:** 40218  
**County:** Bullitt **Regional Office:** Louisville Regional Office  
**Latitude:** 38.073611 **Longitude:** -85.694444  
**Site Contact:** Larry Smither  
**Title:** Operator **Phone #:** 502-241-4809  
**Inspection Type:** WW Routine-Min Nmun **Activity #:** CIN20140026  
**Incident IDs:** 2376131  
**Inspection Start Date:** August 22, 2014 **Time:** 10:30 AM **End Date:** August 22, 2014 **Time:** 11:30 AM  
**Site/Permit ID:** KY0038610

**Lead DEP Investigator:** Charlie Roth  
**Other DEP Investigators:**  
**External Investigators:**  
**Persons Interviewed:** Ken Buzek

**General Comments:** The Veolia plant started discharging at 7:30am. It is currently running for about 8-9 hours before shutting off to allow tanks to refill. Discharging at 220GPM. Sludge was pumped from the sludge tank on 8/21/14. The influent filters to the Veolia plant are to be cleaned today. The gas pump at the Hunters Hollow wet well has been valved into the influent line to the Veolia plant. There was still some staining of the stream bed from the Ferric Chloride, evident below the discharge. The water clarity of the effluent and stream looked good at the time of this inspection.  
**Overall Compliance Status:** Out of Comp- Viol documented

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**Investigation Results**

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**SI:** AIOO448

**SI Description:**

**Inspector Comment:**

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**Requirement:** Does the facility hold the proper KPDES permit?. [401 KAR 5:055 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** KY0038610. The facility does not hold an active KPDES permit. The permit expired on 11/30/13. The renewal application was submitted on 9/13/13 and is under review by the Division. The current permit was continued on 12/1/13.

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**Requirement:** Is the facility being operated under the supervision of a properly certified operator? [401 KAR 5:010 Section 1]. [401 KAR 5:010 Section 1]

**Compliance Status:** C-No Violations observed

**Comment:** Veolia personnel are not certified, but are operating under the license of Larry Smither of Bullitt Utilities, Inc. #13390, expires 6/30/2015.

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**Requirement:** Is the collection system under the primary responsibility of an individual who holds an active collection system certification at the level appropriate for the size of the treatment facility receiving the waste? [401 KAR 5:010 Section 2]. [401 KAR 5:010 Section 2]

**Compliance Status:** C-No Violations observed

**Comment:** Shawn Ford, WW Collections, #21343, expires 6/30/2015.

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**Requirement:** Is the facility being properly operated and maintained as specified in regulation 5:065? This includes:

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(a) proper operation and maintenance of all facilities, systems of treatment and control, and related appurtenances which are installed or used by the permittee to achieve compliance with permit conditions;  
(b) proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures;  
(c) this provision also 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)]. [401 KAR 5:065 Section 2(1)]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility is not being properly operated and maintained as required. There was still evidence of sewage on the ground surrounding the wet well at the Hunters Hollow Plant. The use of the Ferric Chloride coagulant has resulted in the staining of the substrate in the receiving stream below the outfall.

**Requirement:** Are the disinfection unit(s) maintained and operated properly to allow for compliance with permit conditions? [401 KAR 5:005 Section 11]. [401 KAR 5:005 Section 11]

**Compliance Status:** C-No Violations observed

**Comment:** Hypochlorite used for disinfection.

**Requirement:** Have pollutants entered the waters of the Commonwealth? [KRS 224.70-110]. [KRS 224.70-110]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. The effluent and stream appeared clearer, however there was still staining of substrate evident below the outfall due to the Ferric Chloride.

**Requirement:** Have surface waters been aesthetically or otherwise degraded? [401 KAR 10:031 Section 2]. [401 KAR 10:031 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The waters of the Commonwealth have been degraded. The effluent and stream appeared clearer, however there was still staining of substrate evident below the outfall due to the Ferric Chloride.

**Documentation**

- Photos taken
- Documents obtained from facility
- Samples taken by outside source
- Request for Submission of Documents

- Record of visual determination of opacity
- Samples taken by DEP
- Regional office instrument readings taken
- Other documentation

**Inspector:**

*Charles A. Roth*

**Date:** 9/24/14

**Received By:** \_\_\_\_\_ **Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Delivery Method:** Regular Mail

**Certified Mail Number:**



LEONARD K. PETERS  
SECRETARY

STEVEN L. BESHEAR  
GOVERNOR

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water  
9116 Leesgate Rd  
Louisville, KY 402225084  
www.kentucky.gov

September 24, 2014

Mr. Carol Cogan  
Bullitt Utilites, Inc D/B/A/ Hunters Hollow  
P.O. Box 91588  
Louisville, Kentucky 40291

RE: Hunters Hollow Subd -- 448  
Permit No.: KY0038610  
Bullitt County, Kentucky  
Activity ID: CIN20140027

Dear Mr. Cogan:

Attached for your information and records is a copy of the WW Routine-Min Nmun performed at Hunters Hollow Subd on August 29, 2014.

If you have any questions or comments concerning this inspection, please contact the Louisville Regional Office at: (502) 429-7122.

Sincerely,

Charlie Roth  
Environmental Control Supervisor  
Louisville Regional Office  
Division of Water

CAR  
Enclosure:



Energy and Environment Cabinet  
Department for Environmental Protection  
Division of Water  
Wastewater Inspection Report

**AI ID:** 448      **AI Type:** RESIDENCE- Subdivision (nec)  
**AI Name:** Hunters Hollow Subd  
**AI Address:** Blue Lick Rd  
**City:** Louisville, **State:** Kentucky **Zip:** 40218  
**County:** Bullitt **Regional Office:** Louisville Regional Office  
**Latitude:** 38.073611 **Longitude:** -85.694444  
**Site Contact:** Larry Smither  
**Title:** Operator      **Phone #:** 502-241-4809  
**Inspection Type:** WW Routine-Min Nmun **Activity #:** CIN20140027  
**Incident IDs:** 2376131  
**Inspection Start Date:** August 29, 2014 **Time:** 12:15 PM **End Date:** August 29, 2014 **Time:** 01:15 PM  
**Site/Permit ID:** KY0038610

**Lead DEP Investigator:** Charlie Roth  
**Other DEP Investigators:**  
**External Investigators:**  
**Persons Interviewed:** Larry Smither; James Peoples; Mike Shaw

**General Comments:** The Veolia plant was running at 235 GPM. The area had a 2 inch rain event on Wednesday 8/27. As a result the wet well at the Hunters Hollow WWTP was overflowing to the stream. This overflow was reported to the Division on 8/29/14 at 5:40pm. The gas pump at the wet well was running, however it was not taking all of the influent to the Veolia plant. Apparently there was a lack of communication between Bullitt Utilities and Veolia concerning the need to anticipate increased flow during wet weather and the need to make the necessary adjustments to the Actiflow system to account for the additional influent flow. Larry Smither and Shaun Ford were onsite meeting with Mike Shaw on Veolia to work out the plan for handling wet weather flows during future rain events. The overflow from the wet well was reported to have ended at 1:15 pm on 8/29. Sludge was hauled on Thursday 8/28. The effluent from the Veolia plant appeared clear. The stream at the outfall looked clear, however there was grey water entering the stream from the wet well overflow.

**Overall Compliance Status:** Out of Comp- Viol documented

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**Investigation Results**

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**SI:** AIOO448

**SI Description:**

**Inspector Comment:**

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**Requirement:** Does the facility hold the proper KPDES permit?. [401 KAR 5:055 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** KY0038610. The facility does not hold an active KPDES permit. The permit expired on 11/30/13. The renewal application was submitted on 9/13/13 and is under review by the Division. The permit was continued on 12/1/13.

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**Requirement:** Is the facility being operated under the supervision of a properly certified operator? [401 KAR 5:010 Section 1]. [401 KAR 5:010 Section 1]

**Compliance Status:** C-No Violations observed

**Comment:** Veolia personnel are not certified, but are operating under the license of Larry Smither of Bullitt Utilities, Inc. #13390, expires 6/30/2015.

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**Requirement:** Is the collection system under the primary responsibility of an individual who holds an

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active collection system certification at the level appropriate for the size of the treatment facility receiving the waste? [401 KAR 5:010 Section 2]. [401 KAR 5:010 Section 2]

**Compliance Status:** C-No Violations observed

**Comment:** Shawn Ford, WW Collections, #21343, expires 6/30/2015.

**Requirement:** Is the facility being properly operated and maintained as specified in regulation 5:065? This includes:

(a) proper operation and maintenance of all facilities, systems of treatment and control, and related appurtenances which are installed or used by the permittee to achieve compliance with permit conditions;

(b) proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures;

(c) this provision also 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)]. [401

KAR 5:065 Section 2(1)]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility is not being properly operated and maintained as required. The wet well at the Hunters Hollow was overflowing at the time of the inspection. Apparently there is need of better communication between Veolia and Bullitt Utilities concerning adjustments that need to be made to the Actiflow plant in order to treat additional flow during rain events. Sewage from the wet well was going into the stream.

**Requirement:** Are the disinfection unit(s) maintained and operated properly to allow for compliance with permit conditions? [401 KAR 5:005 Section 11]. [401 KAR 5:005 Section 11]

**Compliance Status:** C-No Violations observed

**Comment:** Hypochlorite used for disinfection.

**Requirement:** Have pollutants entered the waters of the Commonwealth? [KRS 224.70-110]. [KRS 224.70-110]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. Sewage from the wet well overflow was entering the stream.

**Requirement:** Have surface waters been aesthetically or otherwise degraded? [401 KAR 10:031 Section 2]. [401 KAR 10:031 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The waters of the Commonwealth have been degraded. Sewage from the wet well overflow was entering the stream.

**Documentation**

- Photos taken
- Documents obtained from facility
- Samples taken by outside source
- Request for Submission of Documents

- Record of visual determination of opacity
- Samples taken by DEP
- Regional office instrument readings taken
- Other documentation

**Inspector:**

*Charles A. Roth*

**Date:** 9/24/14

**Received By:** \_\_\_\_\_ **Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Delivery Method:** Regular Mail

**Certified Mail Number:**





STEVEN L. BESHEAR  
GOVERNOR

LEONARD K. PETERS  
SECRETARY

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water  
9116 Leesgate Rd  
Louisville, KY 402225084  
www.kentucky.gov

September 24, 2014

Mr. Carol Cogan  
Bullitt Utilities, Inc. D/B/A Hunters Hollow  
P.O. Box 91588  
Louisville, Kentucky 40291

RE: Hunters Hollow Subd -- 448  
Permit No.: KY0038610  
Bullitt County, Kentucky  
Activity ID: CIN20140026

Dear Mr. Cogan:

Attached for your information and records is a copy of the WW Routine-Min Nmun performed at Hunters Hollow Subd on August 22, 2014.

If you have any questions or comments concerning this inspection, please contact the Louisville Regional Office at: (502) 429-7122.

Sincerely,

Charlie Roth  
Environmental Control Supervisor  
Louisville Regional Office  
Division of Water

CAR  
Enclosure:



Energy and Environment Cabinet  
Department for Environmental Protection  
Division of Water  
Wastewater Inspection Report

**AI ID:** 448      **AI Type:** RESIDENCE- Subdivision (nec)  
**AI Name:** Hunters Hollow Subd  
**AI Address:** Blue Lick Rd  
**City:** Louisville, **State:** Kentucky **Zip:** 40218  
**County:** Bullitt **Regional Office:** Louisville Regional Office  
**Latitude:** 38.073611 **Longitude:** -85.694444  
**Site Contact:** Larry Smither  
**Title:** Operator **Phone #:** 502-241-4809  
**Inspection Type:** WW Routine-Min Nmun **Activity #:** CIN20140026  
**Incident IDs:** 2376131  
**Inspection Start Date:** August 22, 2014 **Time:** 10:30 AM **End Date:** August 22, 2014 **Time:** 11:30 AM  
**Site/Permit ID:** KY0038610

**Lead DEP Investigator:** Charlie Roth  
**Other DEP Investigators:**  
**External Investigators:**  
**Persons Interviewed:** Ken Buzek

**General Comments:** The Veolia plant started discharging at 7:30am. It is currently running for about 8-9 hours before shutting off to allow tanks to refill. Discharging at 220GPM, Sludge was pumped from the sludge tank on 8/21/14. The influent filters to the Veolia plant are to be cleaned today. The gas pump at the Hunters Hollow wet well has been valved into the influent line to the Veolia plant. There was still some staining of the stream bed from the Ferric Chloride, evident below the discharge. The water clarity of the effluent and stream looked good at the time of this inspection.  
**Overall Compliance Status:** Out of Comp- Viol documented

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**Investigation Results**

**SI:** A100448

**SI Description:**

**Inspector Comment:**

**Requirement:** Does the facility hold the proper KPDES permit?. [401 KAR 5:055 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** KY0038610. The facility does not hold an active KPDES permit. The permit expired on 11/30/13. The renewal application was submitted on 9/13/13 and is under review by the Division. The current permit was continued on 12/1/13.

**Requirement:** Is the facility being operated under the supervision of a properly certified operator? [401 KAR 5:010 Section 1]. [401 KAR 5:010 Section 1]

**Compliance Status:** C-No Violations observed

**Comment:** Veolia personnel are not certified, but are operating under the license of Larry Smither of Bullitt Utilities, Inc. #13390, expires 6/30/2015.

**Requirement:** Is the collection system under the primary responsibility of an individual who holds an active collection system certification at the level appropriate for the size of the treatment facility receiving the waste? [401 KAR 5:010 Section 2]. [401 KAR 5:010 Section 2]

**Compliance Status:** C-No Violations observed

**Comment:** Shawn Ford, WW Collections, #21343, expires 6/30/2015.

**Requirement:** Is the facility being properly operated and maintained as specified in regulation 5:065? This includes:

(a) proper operation and maintenance of all facilities, systems of treatment and control, and related appurtenances which are installed or used by the permittee to achieve compliance with permit conditions;  
(b) proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures;  
(c) this provision also 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)]. [401 KAR 5:065 Section 2(1)]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility is not being properly operated and maintained as required. There was still evidence of sewage on the ground surrounding the wet well at the Hunters Hollow Plant. The use of the Ferric Chloride coagulant has resulted in the staining of the substrate in the receiving stream below the outfall.

**Requirement:** Are the disinfection unit(s) maintained and operated properly to allow for compliance with permit conditions? [401 KAR 5:005 Section 11]. [401 KAR 5:005 Section 11]

**Compliance Status:** C-No Violations observed

**Comment:** Hypochlorite used for disinfection.

**Requirement:** Have pollutants entered the waters of the Commonwealth? [KRS 224.70-110]. [KRS 224.70-110]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. The effluent and stream appeared clearer, however there was still staining of substrate evident below the outfall due to the Ferric Chloride.

**Requirement:** Have surface waters been aesthetically or otherwise degraded? [401 KAR 10:031 Section 2]. [401 KAR 10:031 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The waters of the Commonwealth have been degraded. The effluent and stream appeared clearer, however there was still staining of substrate evident below the outfall due to the Ferric Chloride.

**Documentation**

- Photos taken
- Documents obtained from facility
- Samples taken by outside source
- Request for Submission of Documents

- Record of visual determination of opacity
- Samples taken by DEP
- Regional office instrument readings taken
- Other documentation

**Inspector:**

*Charles A. Roth*

**Date:** 9/24/14

**Received By:** \_\_\_\_\_ **Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Delivery Method:** Regular Mail

**Certified Mail Number:**



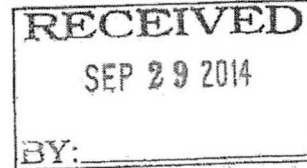


STEVEN L. BESHEAR  
GOVERNOR

LEONARD K. PETERS  
SECRETARY

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water  
9116 Leesgate Rd  
Louisville, KY 402225084  
www.kentucky.gov



September 24, 2014

Mr. Carol Cogan  
Bullitt Utilities, Inc. D/B/A Hunters Hollow  
P.O. Box 91588  
Louisville, Kentucky 40291

RE: Hunters Hollow Subd -- 448  
Permit No.: KY0038610  
Bullitt County, Kentucky  
Activity ID: CIN20140028

Dear Mr. Cogan:

Attached for your information and records is a copy of the WW CEI-Minor Non-Mun performed at Hunters Hollow Subd on September 10, 2014.

*All laboratory analyses required to demonstrate compliance with the conditions of this permit shall be performed by a Division of Water (DOW) certified general wastewater laboratory and field-only laboratory. Compliance with this requirement shall commence on January 1, 2015 for analyses performed by a general wastewater laboratory and January 1, 2016 for a field-only wastewater laboratories. The deadline for submitting a completed application is October 1, 2014 for a general wastewater laboratory and October 1, 2015 for a field-only wastewater laboratory.*

*For information or questions regarding the certification process, contact Frank Hall at 502-564-3410 or email at [DOWLabCertification@ky.gov](mailto:DOWLabCertification@ky.gov). Required documents can be found at <http://water.ky.gov/permitting/Pages/WasteWaterCertification.aspx>.*

If you have any questions or comments concerning this inspection, please contact the Louisville Regional Office at: (502) 429-7122.

Sincerely,

Charlie Roth  
Environmental Control Supervisor  
Louisville Regional Office  
Division of Water

CAR  
Enclosure:





Energy and Environment Cabinet  
Department for Environmental Protection  
Division of Water  
Wastewater Inspection Report

**AI ID:** 448      **AI Type:** RESIDENCE- Subdivision (nec)  
**AI Name:** Hunters Hollow Subd  
**AI Address:** Blue Lick Rd  
**City:** Louisville, **State:** Kentucky **Zip:** 40218  
**County:** Bullitt **Regional Office:** Louisville Regional Office  
**Latitude:** 38.073611 **Longitude:** -85.694444  
**Site Contact:** Larry Smither  
**Title:** Operator      **Phone #:** 502-241-4809  
**Inspection Type:** WW CEI-Minor Non-Mun **Activity #:** CIN20140028  
**Incident IDs:** 2376131  
**Inspection Start Date:** September 10, 2014 **Time:** 01:15 PM **End Date:** September 10, 2014 **Time:** 02:30 PM  
**Site/Permit ID:** KY0038610

**Lead DEP Investigator:** Charlie Roth  
**Other DEP Investigators:**  
**External Investigators:**  
**Persons Interviewed:** Ron Guidry

**General Comments:** The Veolia plant was not discharging at the time of the inspection. When running it is operating at about 230 GPM. Currently there is about 1.5 hours between run times. The filter was changed that morning, they are getting about 3 days of use between filter changes. Sludge is being hauled 1/week at this time. The effluent from the Veolia plant looked clear. The stream appeared clear with little indication of previous staining from Ferric Chloride. There was still some indication of sludge on a portion of the stream bank from the previous overflow event on 8/29/14.  
The current treatment process consists of a series of 7 portable frac tanks trailers. Five are used for aeration and two are use for storage of influent prior to treatment trough the Veolia Actiflow system. There are three skids for chemical storage and treatment, Ferric Chloride as a coagulant, Hypochlorite for disinfection and Bisulfite for dechlorination.

On 3/29/14 the Hunters Hollow WWTP suffered a catastrophic failure. The 250,000 GPD plant collapsed. On 4/2/14 PECCO had installed a temporary treatment system consisting of a series of portable frac tanks. This system could treat only dry weather flow. Therefore, during wet weather there was frequent releases of untreated sewage to the stream. On 7/17/14 the Veolia Actiflow system started up. Veolia indicated this design was capable of treating all flow including wet weather from the Hunters Hollow system.

**Overall Compliance Status:** Out of Comp- Viol documented

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**Investigation Results**

**SI:** AIO0448

**SI Description:**

**Inspector Comment:**

**Requirement:** Does the facility hold the proper KPDES permit?. [401 KAR 5:055 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** KY0038610. The facility does not hold an active KPDES permit. The permit expired on 11/30/13. The

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renewal application was received on 9/13/13 and is under review by the Division. The permit was continued effective 12/1/13.

**Requirement:** Have all required permits been obtained from the Division of Water prior to the construction or modification of the facility? [401 KAR 5:005 Section 1]

**Compliance Status:** C-No Violations observed

**Comment:**

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**Requirement:** Is the facility being operated under the supervision of a properly certified operator? [401 KAR 5:010 Section 1]

**Compliance Status:** C-No Violations observed

**Comment:** Veolia personnel are not certified, but are operating under the license of Larry Smither of Bullitt Utilities, Inc. # 13390, expires 6/30/15.

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**Requirement:** Is the collection system under the primary responsibility of an individual who holds an active collection system certification at the level appropriate for the size of the treatment facility receiving the waste? [401 KAR 5:010 Section 2]

**Compliance Status:** C-No Violations observed

**Comment:** Shawn Ford, WW Collections, #21343, expires 6/30/15.

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**Requirement:** Does the permittee retain records of all monitoring information including: the date, exact place, and time of sampling or measurements; the name of the individual who performed the sampling or measurements; the dates and times analyses were performed; the name of the individual who performed the analyses; the analytical techniques or methods used; the results of the analyses; 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 the period required by the cabinet and at a minimum of at least three (3) years from the date of the sample, measurement, report, or application? [401 KAR 5:065 Section 2(1)]

**Compliance Status:** C-No Violations observed

**Comment:** Records maintained by Bullitt Utilites and Veolia.

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**Requirement:** Is the facility required to prepare and implement a groundwater protection plan (GPP) as specified in regulation 401 KAR 5:037? If yes, does the facility have a GPP? [401 KAR 5:037 Section 3]

**Compliance Status:** E-Not Evaluated

**Comment:**

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**Requirement:** Is the permittee reporting monitoring results to the cabinet at the intervals specified in the permit? [401 KAR 5:065 Section 2(1)]

**Compliance Status:** I-No Violations obs-but impending viol trends obs

**Comment:** DMR review for 7/1/13-7/31/14 showed DMRs submitted late for Aug 2013.

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**Requirement:** Are the monitoring results reported to the cabinet on a Discharge Monitoring Report (DMR)? [401 KAR 5:065 Section 2(1)]

**Compliance Status:** C-No Violations observed

**Comment:** DMRs submitted via NetDMR

---

**Requirement:** If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR Part 136 or as specified in the permit, are the results of this monitoring included in the calculation and reporting of the data submitted in the DMR? [401 KAR 5:065 Section 2(1)]

**Compliance Status:** E-Not Evaluated

**Comment:**

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**Requirement:** Are the calculations for all limitations which require averaging of measurements utilizing an arithmetic mean unless otherwise specified by the Cabinet in the permit? [401 KAR 5:065 Section 2(1)]

**Compliance Status:** E-Not Evaluated

**Comment:**

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**Requirement:** Is the permittee in compliance for the reporting of spills, bypasses, and non-compliance according 401 KAR 5:065 Section 2(1)

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility has failed to report spills, bypasses and/or non-compliance as required by 401 KAR 5:065 Section 2(1). Spills are normally reported to the Louisville Regional Office via fax. Records show there were two NOV's issued (07/02/13 and 11/12/13) for failure to notify.

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**Requirement:** Did the facility notify the Division of Water by the most rapid means available whenever, by reason of emergency or accident, a spill or discharge occurs which results in pollution of the waters of the Commonwealth? [401 KAR 5:015 Section 2]



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**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The responsible party/permittee has failed to report the spill or discharge to the Division of Water as required. Spills are normally reported to the Louisville Regional Office via fax. Records show there were two NOV's issued (07/02/13 and 11/12/13) for failure to notify.

**Requirement:** Is the facility being properly operated and maintained as specified in regulation 5:065? This includes:  
(a) proper operation and maintenance of all facilities, systems of treatment and control, and related appurtenances which are installed or used by the permittee to achieve compliance with permit conditions;  
(b) proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures;  
(c) this provision also 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)]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility is not being properly operated and maintained as required. The previous plant showed numeric permit violations and instances of stream degradation. Since the collapse of the original Hunters Hollow WWTP there continued to be instance of stream degradation due to operations of the system. The current Veolia plant appears to be producing a clearer effluent. There have still been instances of stream degradation due to overflows from the wet well at the Hunters Hollow site.

**Requirement:** Are the disinfection unit(s) maintained and operated properly to allow for compliance with permit conditions? [401 KAR 5:005 Section 11]

**Compliance Status:** C-No Violations observed

**Comment:** Hypochlorite utilized for disinfection in the current Veolia Actiflow system.

**Requirement:** Does the flow measuring device measure all flow received at the WWTP? For large wastewater facilities (average daily design capacity >50, 000 gpd), is flow measured by an indicating, recording, and totalizing flow measuring device? [401 KAR 5:005 Section 12]

**Compliance Status:** C-No Violations observed

**Comment:** Flow is measured through the Veolia system.

**Requirement:** Is a source of water provided for cleanup? If potable water is used, is a backflow preventor installed to protect the water supply? [401 KAR 5:005 Section 10(6)]

**Compliance Status:** C-No Violations observed

**Comment:**

**Requirement:** Has fencing with a lockable gate been installed around the wastewater treatment plant? [401 KAR 5:005 Section 10(7)]

**Compliance Status:** I-No Violations obs-but impending viol trends obs

**Comment:** There is no fencing around the current system, however it is manned 24 hours.

**Requirement:** Has an all-weather access road been installed to allow access to the wastewater treatment plant? Is the road adequately maintained to allow access to the facility for operation and maintenance activity? [401 KAR 5:005 Section 10(8)]

**Compliance Status:** C-No Violations observed

**Comment:** Gravel road to Actiflow system.

**Requirement:** Sewage sludge. Did the facility meet the requirements governing the disposal of sewage sludge from publicly owned treatment works, in accordance with 40 CFR Part 503? [401 KAR 5:065 Section 2(4)]

**Compliance Status:** C-No Violations observed

**Comment:** Sludge is currently hauled weekly by septic hauler.

**Requirement:** Is the effluent in compliance with KPDES permit limitations? Do the Discharge Monitoring Reports indicate KPDES permit violations? [401 KAR 5:065 Section 2(1)]. [401 KAR 5:065 Section 2(1)]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility has failed to comply with the effluent limitations contained in the permit. DMR review for 7/1/13-7/31/14 showed permit limits exceeded for: Dissolved Oxygen (DO) 9/13, 10/13 and 4/14. Total Suspended Solids (TSS) 12/13, 1/14, 4/14, 6/14 and 7/14. Total Ammonia Nitrogen (TAN) 9/13, 10/13, 5/14, 6/14 and 7/14. Total Phosphorus 8/13, 9/13, 11/13, 12/13, 1/14, 2/14, 4/14, 5/14, 6/14 and 7/14. Total Residual Chlorine 1/14. E. coli. 9/13, 10/13, 12/13, 1/14, 4/14, 5/14, 6/14, 7/14. BOD 10/13, 11/13, 1/14, 4/14, 5/14, 6/14, and 7/14. An NOV was issued by the Division of Enforcement on 7/25/14 for permit limit violations.

**Requirement:** Are samples taken in compliance with the monitoring requirements and taken at the following location(s): nearest accessible point after final treatment, but prior to actual discharge or mixing with receiving waters? Are the samples representative of plant flow? Are flow proportioned samples obtained when required by the KPDES



permit? Are grab samples collected according to the KPDES permit requirements? Are composite samples collected and analyzed according to the KPDES permit conditions? Are samples collected according to KPDES permit requirements? [401 KAR 5:065 Section 2(1)]

**Compliance Status:** C-No Violations observed

**Comment:** Beckmar Lab sets up ISCO sampler and collects samples 1/week.

**Requirement:** Are the facility sample collection procedures adequate? Are the samples collected in proper containers, preserved, and refrigerated properly? Are all samples analyzed within the allowed holding times? [401 KAR 5:065 Section 2(1)]

**Compliance Status:** C-No Violations observed

**Comment:** Beckmar Lab sets up ISCO sampler and collects samples 1/week.

**Requirement:** Is the facility sampling in accordance with sampling requirements specified for biomonitoring in the KPDES permit conditions? [401 KAR 5:065 Section 2(1)]

**Compliance Status:** N-Not Applicable

**Comment:**

**Requirement:** Have pollutants entered the waters of the Commonwealth? [KRS 224.70-110]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. The effluent from the Veolia plant appeared clear at the time in this inspection, however there was still visual indication of sludge remaining along the stream from the previous overflow of the wet well.

**Requirement:** Have surface waters been aesthetically or otherwise degraded? [401 KAR 10:031 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The waters of the Commonwealth have been degraded. The effluent from the Veolia plant appeared clear at the time in this inspection, however there was still visual indication of sludge remaining along the stream from the previous overflow of the wet well.

**Requirement:** Is the permittee in compliance with all permit conditions? [401 KAR 5:065 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility has failed to comply with the terms of the permit. DMR review for 7/1/13-7/31/14 showed permit limits exceeded for: Dissolved Oxygen (DO) 9/13, 10/13 and 4/14. Total Suspended Solids (TSS) 12/13, 1/14, 4/14, 6/14 and 7/14. Total Ammonia Nitrogen (TAN) 9/13, 10/13, 5/14, 6/14 and 7/14. Total Phosphorus 8/13, 9/13, 11/13, 12/13, 1/14, 2/14, 4/14, 5/14, 6/14 and 7/14. Total Residual Chlorine 1/14. E. coli. 9/13, 10/13, 12/13, 1/14, 4/14, 5/14, 6/14, 7/14. BOD 10/13, 11/13, 1/14, 4/14, 5/14, 6/14, and 7/14. An NOV was issued by the Division of Enforcement on 7/25/14 for permit limit violations.

**Documentation**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Photos taken             | <input type="checkbox"/> Record of visual determination of opacity |
| <input type="checkbox"/> Documents obtained from facility    | <input type="checkbox"/> Samples taken by DEP                      |
| <input type="checkbox"/> Samples taken by outside source     | <input type="checkbox"/> Regional office instrument readings taken |
| <input type="checkbox"/> Request for Submission of Documents | <input type="checkbox"/> Other documentation                       |

**Inspector:**

*Charles A. Roth*

**Date:** 9/24/14

**Received By:** \_\_\_\_\_ **Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Delivery Method:** Regular Mail

**Certified Mail Number:**



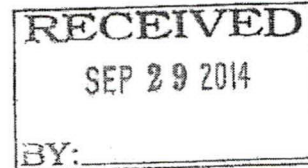
STEVEN L. BESHEAR  
GOVERNOR

LEONARD K. PETERS  
SECRETARY

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division of Water  
9116 Leesgate Rd  
Louisville, KY 402225084  
www.kentucky.gov

September 24, 2014



Mr. Carol Cogan  
Bullitt Utilities, Inc. D/B/A Hunters Hollow  
P.O. Box 91588  
Louisville, Kentucky 40291

RE: Hunters Hollow Subd -- 448  
Permit No.: KY0038610  
Bullitt County, Kentucky  
Activity ID: CIN20140028

Dear Mr. Cogan:

Attached for your information and records is a copy of the WW CEI-Minor Non-Mun performed at Hunters Hollow Subd on September 10, 2014.

*All laboratory analyses required to demonstrate compliance with the conditions of this permit shall be performed by a Division of Water (DOW) certified general wastewater laboratory and field-only laboratory. Compliance with this requirement shall commence on January 1, 2015 for analyses performed by a general wastewater laboratory and January 1, 2016 for a field-only wastewater laboratories. The deadline for submitting a completed application is October 1, 2014 for a general wastewater laboratory and October 1, 2015 for a field-only wastewater laboratory.*

*For information or questions regarding the certification process, contact Frank Hall at 502-564-3410 or email at [DOWLabCertification@ky.gov](mailto:DOWLabCertification@ky.gov). Required documents can be found at <http://water.ky.gov/permitting/Pages/WasteWaterCertification.aspx>.*

If you have any questions or comments concerning this inspection, please contact the Louisville Regional Office at: (502) 429-7122.

Sincerely,

Charlie Roth  
Environmental Control Supervisor  
Louisville Regional Office  
Division of Water

CAR  
Enclosure:



Energy and Environment Cabinet  
Department for Environmental Protection  
Division of Water  
Wastewater Inspection Report

**AI ID:** 448      **AI Type:** RESIDENCE- Subdivision (nec)  
**AI Name:** Hunters Hollow Subd  
**AI Address:** Blue Lick Rd  
**City:** Louisville, **State:** Kentucky **Zip:** 40218  
**County:** Bullitt **Regional Office:** Louisville Regional Office  
**Latitude:** 38.073611 **Longitude:** -85.694444  
**Site Contact:** Larry Smither  
**Title:** Operator      **Phone #:** 502-241-4809  
**Inspection Type:** WW CEI-Minor Non-Mun **Activity #:** CIN20140028  
**Incident IDs:** 2376131  
**Inspection Start Date:** September 10, 2014 **Time:** 01:15 PM **End Date:** September 10, 2014 **Time:** 02:30 PM  
**Site/Permit ID:** KY0038610

**Lead DEP Investigator:** Charlie Roth  
**Other DEP Investigators:**  
**External Investigators:**  
**Persons Interviewed:** Ron Guidry

**General Comments:** The Veolia plant was not discharging at the time of the inspection. When running it is operating at about 230 GPM. Currently there is about 1.5 hours between run times. The filter was changed that morning, they are getting about 3 days of use between filter changes. Sludge is being hauled 1/week at this time. The effluent from the Veolia plant looked clear. The stream appeared clear with little indication of previous staining from Ferric Chloride. There was still some indication of sludge on a portion of the stream bank from the previous overflow event on 8/29/14.  
The current treatment process consists of a series of 7 portable frac tanks trailers. Five are used for aeration and two are use for storage of influent prior to treatment trough the Veolia Actiflow system. There are three skids for chemical storage and treatment, Ferric Chloride as a coagulant, Hypochlorite for disinfection and Bisulfite for dechlorination.

On 3/29/14 the Hunters Hollow WWTP suffered a catastrophic failure. The 250,000 GPD plant collapsed. On 4/2/14 PECCO had installed a temporary treatment system consisting of a series of portable frac tanks. This system could treat only dry weather flow. Therefore, during wet weather there was frequent releases of untreated sewage to the stream. On 7/17/14 the Veolia Actiflow system started up. Veolia indicated this design was capable of treating all flow including wet weather from the Hunters Hollow system.

**Overall Compliance Status:** Out of Comp- Viol documented

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**Investigation Results**

**SI:** AIOO448

**SI Description:**

**Inspector Comment:**

**Requirement:** Does the facility hold the proper KPDES permit?. [401 KAR 5:055 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** KY0038610. The facility does not hold an active KPDES permit. The permit expired on 11/30/13. The

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renewal application was received on 9/13/13 and is under review by the Division. The permit was continued effective 12/1/13.

**Requirement:** Have all required permits been obtained from the Division of Water prior to the construction or modification of the facility? [401 KAR 5:005 Section 1]

**Compliance Status:** C-No Violations observed

**Comment:**

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**Requirement:** Is the facility being operated under the supervision of a properly certified operator? [401 KAR 5:010 Section 1]

**Compliance Status:** C-No Violations observed

**Comment:** Veolia personnel are not certified, but are operating under the license of Larry Smither of Bullitt Utilities, Inc. # 13390, expires 6/30/15.

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**Requirement:** Is the collection system under the primary responsibility of an individual who holds an active collection system certification at the level appropriate for the size of the treatment facility receiving the waste? [401 KAR 5:010 Section 2]

**Compliance Status:** C-No Violations observed

**Comment:** Shawn Ford, WW Collections, #21343, expires 6/30/15.

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**Requirement:** Does the permittee retain records of all monitoring information including: the date, exact place, and time of sampling or measurements; the name of the individual who performed the sampling or measurements; the dates and times analyses were performed; the name of the individual who performed the analyses; the analytical techniques or methods used; the results of the analyses; 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 the period required by the cabinet and at a minimum of at least three (3) years from the date of the sample, measurement, report, or application? [401 KAR 5:065 Section 2(1)]

**Compliance Status:** C-No Violations observed

**Comment:** Records maintained by Bullitt Utilities and Veolia.

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**Requirement:** Is the facility required to prepare and implement a groundwater protection plan (GPP) as specified in regulation 401 KAR 5:037? If yes, does the facility have a GPP? [401 KAR 5:037 Section 3]

**Compliance Status:** E-Not Evaluated

**Comment:**

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**Requirement:** Is the permittee reporting monitoring results to the cabinet at the intervals specified in the permit? [401 KAR 5:065 Section 2(1)]

**Compliance Status:** I-No Violations obs-but impending viol trends obs

**Comment:** DMR review for 7/1/13-7/31/14 showed DMRs submitted late for Aug 2013.

---

**Requirement:** Are the monitoring results reported to the cabinet on a Discharge Monitoring Report (DMR)? [401 KAR 5:065 Section 2(1)]

**Compliance Status:** C-No Violations observed

**Comment:** DMRs submitted via NetDMR

---

**Requirement:** If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR Part 136 or as specified in the permit, are the results of this monitoring included in the calculation and reporting of the data submitted in the DMR? [401 KAR 5:065 Section 2(1)]

**Compliance Status:** E-Not Evaluated

**Comment:**

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**Requirement:** Are the calculations for all limitations which require averaging of measurements utilizing an arithmetic mean unless otherwise specified by the Cabinet in the permit? [401 KAR 5:065 Section 2(1)]

**Compliance Status:** E-Not Evaluated

**Comment:**

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**Requirement:** Is the permittee in compliance for the reporting of spills, bypasses, and non-compliance according 401 KAR 5:065 Section 2(1)

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility has failed to report spills, bypasses and/or non-compliance as required by 401 KAR 5:065 Section 2(1). Spills are normally reported to the Louisville Regional Office via fax. Records show there were two NOV's issued (07/02/13 and 11/12/13) for failure to notify.

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**Requirement:** Did the facility notify the Division of Water by the most rapid means available whenever, by reason of emergency or accident, a spill or discharge occurs which results in pollution of the waters of the Commonwealth? [401 KAR 5:015 Section 2]



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**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The responsible party/permittee has failed to report the spill or discharge to the Division of Water as required. Spills are normally reported to the Louisville Regional Office via fax. Records show there were two NOV's issued (07/02/13 and 11/12/13) for failure to notify.

**Requirement:** Is the facility being properly operated and maintained as specified in regulation 5:065? This includes:  
(a) proper operation and maintenance of all facilities, systems of treatment and control, and related appurtenances which are installed or used by the permittee to achieve compliance with permit conditions;  
(b) proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures;  
(c) this provision also 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)]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility is not being properly operated and maintained as required. The previous plant showed numeric permit violations and instances of stream degradation. Since the collapse of the original Hunters Hollow WWTP there continued to be instance of stream degradation due to operations of the system. The current Veolia plant appears to be producing a clearer effluent. There have still been instances of stream degradation due to overflows from the wet well at the Hunters Hollow site.

**Requirement:** Are the disinfection unit(s) maintained and operated properly to allow for compliance with permit conditions? [401 KAR 5:005 Section 11]

**Compliance Status:** C-No Violations observed

**Comment:** Hypochlorite utilized for disinfection in the current Veolia Actiflow system.

**Requirement:** Does the flow measuring device measure all flow received at the WWTP? For large wastewater facilities (average daily design capacity >50,000 gpd), is flow measured by an indicating, recording, and totalizing flow measuring device? [401 KAR 5:005 Section 12]

**Compliance Status:** C-No Violations observed

**Comment:** Flow is measured through the Veolia system.

**Requirement:** Is a source of water provided for cleanup? If potable water is used, is a backflow preventor installed to protect the water supply? [401 KAR 5:005 Section 10(6)]

**Compliance Status:** C-No Violations observed

**Comment:**

**Requirement:** Has fencing with a lockable gate been installed around the wastewater treatment plant? [401 KAR 5:005 Section 10(7)]

**Compliance Status:** I-No Violations obs-but impending viol trends obs

**Comment:** There is no fencing around the current system, however it is manned 24 hours.

**Requirement:** Has an all-weather access road been installed to allow access to the wastewater treatment plant? Is the road adequately maintained to allow access to the facility for operation and maintenance activity? [401 KAR 5:005 Section 10(8)]

**Compliance Status:** C-No Violations observed

**Comment:** Gravel road to Actiflow system.

**Requirement:** Sewage sludge. Did the facility meet the requirements governing the disposal of sewage sludge from publicly owned treatment works, in accordance with 40 CFR Part 503? [401 KAR 5:065 Section 2(4)]

**Compliance Status:** C-No Violations observed

**Comment:** Sludge is currently hauled weekly by septic hauler.

**Requirement:** Is the effluent in compliance with KPDES permit limitations? Do the Discharge Monitoring Reports indicate KPDES permit violations? [401 KAR 5:065 Section 2(1)]. [401 KAR 5:065 Section 2(1)]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility has failed to comply with the effluent limitations contained in the permit. DMR review for 7/1/13-7/31/14 showed permit limits exceeded for: Dissolved Oxygen (DO) 9/13, 10/13 and 4/14. Total Suspended Solids (TSS) 12/13, 1/14, 4/14, 6/14 and 7/14. Total Ammonia Nitrogen (TAN) 9/13, 10/13, 5/14, 6/14 and 7/14. Total Phosphorus 8/13, 9/13, 11/13, 12/13, 1/14, 2/14, 4/14, 5/14, 6/14 and 7/14. Total Residual Chlorine 1/14. E. coli. 9/13, 10/13, 12/13, 1/14, 4/14, 5/14, 6/14, 7/14. BOD 10/13, 11/13, 1/14, 4/14, 5/14, 6/14, and 7/14. An NOV was issued by the Division of Enforcement on 7/25/14 for permit limit violations.

**Requirement:** Are samples taken in compliance with the monitoring requirements and taken at the following location(s): nearest accessible point after final treatment, but prior to actual discharge or mixing with receiving waters? Are the samples representative of plant flow? Are flow proportioned samples obtained when required by the KPDES



permit? Are grab samples collected according to the KPDES permit requirements? Are composite samples collected and analyzed according to the KPDES permit conditions? Are samples collected according to KPDES permit requirements? [401 KAR 5:065 Section 2(1)]

**Compliance Status:** C-No Violations observed

**Comment:** Beckmar Lab sets up ISCO sampler and collects samples 1/week.

**Requirement:** Are the facility sample collection procedures adequate? Are the samples collected in proper containers, preserved, and refrigerated properly? Are all samples analyzed within the allowed holding times? [401 KAR 5:065 Section 2(1)]

**Compliance Status:** C-No Violations observed

**Comment:** Beckmar Lab sets up ISCO sampler and collects samples 1/week.

**Requirement:** Is the facility sampling in accordance with sampling requirements specified for biomonitoring in the KPDES permit conditions? [401 KAR 5:065 Section 2(1)]

**Compliance Status:** N-Not Applicable

**Comment:**

**Requirement:** Have pollutants entered the waters of the Commonwealth? [KRS 224.70-110]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** Pollutants have entered and contributed to the pollution of the waters of the Commonwealth. The effluent from the Veolia plant appeared clear at the time in this inspection, however there was still visual indication of sludge remaining along the stream from the previous overflow of the wet well.

**Requirement:** Have surface waters been aesthetically or otherwise degraded? [401 KAR 10:031 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The waters of the Commonwealth have been degraded. The effluent from the Veolia plant appeared clear at the time in this inspection, however there was still visual indication of sludge remaining along the stream from the previous overflow of the wet well.

**Requirement:** Is the permittee in compliance with all permit conditions? [401 KAR 5:065 Section 2]

**Compliance Status:** D-Out of Compliance-Violations Documented

**Comment:** The facility has failed to comply with the terms of the permit. DMR review for 7/1/13-7/31/14 showed permit limits exceeded for: Dissolved Oxygen (DO) 9/13, 10/13 and 4/14. Total Suspended Solids (TSS) 12/13, 1/14, 4/14, 6/14 and 7/14. Total Ammonia Nitrogen (TAN) 9/13, 10/13, 5/14, 6/14 and 7/14. Total Phosphorus 8/13, 9/13, 11/13, 12/13, 1/14, 2/14, 4/14, 5/14, 6/14 and 7/14. Total Residual Chlorine 1/14. E. coli. 9/13, 10/13, 12/13, 1/14, 4/14, 5/14, 6/14, 7/14. BOD 10/13, 11/13, 1/14, 4/14, 5/14, 6/14, and 7/14. An NOV was issued by the Division of Enforcement on 7/25/14 for permit limit violations.

**Documentation**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Photos taken             | <input type="checkbox"/> Record of visual determination of opacity |
| <input type="checkbox"/> Documents obtained from facility    | <input type="checkbox"/> Samples taken by DEP                      |
| <input type="checkbox"/> Samples taken by outside source     | <input type="checkbox"/> Regional office instrument readings taken |
| <input type="checkbox"/> Request for Submission of Documents | <input type="checkbox"/> Other documentation                       |

**Inspector:**

*Charles A. Roth*

**Date:** 9/24/14

**Received By:** \_\_\_\_\_ **Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Delivery Method:** Regular Mail

**Certified Mail Number:**





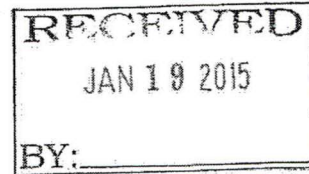
STEVEN L. BESHEAR  
GOVERNOR

LEONARD K. PETERS  
SECRETARY

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

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

January 13, 2015



Certified No. 7010 1060 0000 9371 7378  
Return Receipt Requested

Carroll Cogan  
Bullitt Utilites 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: ENV20150001  
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 12/29/14. 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 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 Utilites Inc.dba. Hunter Hollow  
P.O.Box 91588  
Louisville, KY 40291

**AI Name:** Hunters Hollow Subd      **AI ID:** 448      **Activity ID:** ENV20150001  
**Discovery ID:** CIV20140002      **County:** Bullitt  
**Enforcement Case ID:**  
**Date(s) Violation(s) Observed:** 12/29/2014

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

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

**Description of Non Compliance:**

The facility is not being properly operated and maintained as required. The ditch was still full of sewage for over 200 feet at the time of the investigation. No attempt had been made to clean up the bypass. I called Shaun Ford on 12/30/14 and requested that they clean up the ditch and lime the area.

**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 and remedial measures may be determined by the Division of Enforcement. [401 KAR 5:065 Section 2(1)]

**2 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. The ditch was full of sewage all the way to the small receiving stream. The stream flow was fast and carried away the sewage that entered the stream.

**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. Additional penalties and remedial measures may be determined by the Division of Enforcement. [KRS 224.70-110]

- 3 **Violation Description for Subject Item AIOO00000004480:**  
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. The ditch was full of sewage all the way to the small receiving stream.. The ditch was completely grey with sewage.

**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. Additional penalties and remedial measures may be determined by the Division of Enforcement. [401 KAR 10:031 Section 2]

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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.

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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: January 13, 2015

*Charles A. Roth*

Issued By: \_\_\_\_\_  
Mr. Charles Roth, Environmental Control Supervisor  
Date: January 13, 2015

How Delivered: Certified      Certified/Registered # 7010 1060 0000 9371 7378

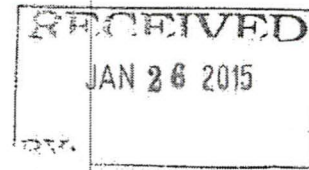


STEVEN L. BESHEAR  
GOVERNOR



LEONARD K. PETERS  
SECRETARY

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION  
DIVISION OF WATER  
9116 LEESGATE ROAD  
LOUISVILLE KY 40222-5004  
www.kentucky.gov



January 21, 2015

**Carol Cogan**  
P.O. Box 91588  
Louisville, KY. 40291

Re: Notice of Violation  
AI ID: 448  
AI Name: Hunters Hollow Subd  
Activity ID: ENV20140002  
Bullitt County, KY

Dear Carroll Cogan:

On May 16, 2014, the Division of Water issued Hunters Hollow Subd a Notice of Violation (NOV). The Louisville Regional Office appreciates Hunters Hollow Subd's efforts to address the compliance issues raised by the NOV. The actions taken by Hunters Hollow Subd in response to the NOV are considered sufficient at this time with regard to the violations listed in the NOV. The Cabinet reserves its rights under KRS Chapter 224 and its administrative regulations to undertake such enforcement action hereafter as it deems appropriate, which may include consideration of the compliance issues addressed by the NOV. If you have any questions, please feel free to contact me at 429-7122.

Sincerely,

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

Brad Trivette  
Inspector III

c: Regional Office  
Main File

**HAZELRIGG & COX, LLP**

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DYKE L. HAZELRIGG (1881-1970)

LOUIS COX (1907-1971)

FAX: (502) 875-7158

TELEPHONE: (502) 227-2271

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

February 2, 2015

Via Facsimile: 502-429-7125

Charles Roth  
Commonwealth of Kentucky  
Division of Water  
9116 Leesgate Road  
Louisville, Kentucky 40222

Re: Bullitt Utilities, Inc. D/B/A Hunters Hollow ("Bullitt Utilities")  
Response to Notice of Violation ("NOV") issued on January 13, 2015

Dear Mr. Roth:

The following is the response to the above-referenced NOV.

The Hunters Hollow collection system experienced a bypass at Lift Station No. 2 on December 28, 2014, due to the failure of the pumps in the lift station. A bypass pump was installed and operated to keep water out of basements. The failed pumps were then pulled, cleaned, reinstalled and placed back into service.

Bullitt Utilities has taken the following steps to clean the sewage that remained in the stream after the above-described bypass. Initially, Bullitt Utilities raked up the debris and then spread lime on the affected area. A vacuum truck was on site on two different occasions to vacuum up the remaining solids, but was unable to remove the solids because they were frozen. However, once the solids thawed, they were raked up by Bullitt Utilities personnel and then additional lime was spread at the site. The Bullitt Utilities personnel also picked up the trash at the site. Accordingly, the receiving stream has been cleaned.

Please contact me at your earliest convenience should you wish to discuss this response.

Yours truly,



Robert C. Moore

RCM

cc: Brad Trivette - via electronic mail  
Bullitt Utilities, Inc. - via electronic mail  
Reginald R. VanStockum - via electronic mail