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PUBLIC SERVICE  
COMMISSION



ENERGY AND ENVIRONMENT CABINET

Steven L. Beshear  
Governor

Office of General Counsel  
Environmental Protection Legal Division  
John G. Home, II  
GENERAL COUNSEL  
200 Fair Oaks Lane  
Frankfort, Kentucky 40601  
Phone (502) 564-3410  
Fax (502) 564-9003

Leonard K. Peters  
Secretary

FAX COVER SHEET

TO: Clerk

FROM: Mary Stephens

DATE: 2-6-09

RE: Testimony & Exhibits for filing in  
Case No. 2008-00443

PAGES: 48 INCLUDES COVER PAGE

MESSAGE: Please file in above-referenced  
case. Hard copy to be mailed  
Thank you

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FEB 06 2009

PUBLIC SERVICE  
COMMISSION

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

AN INVESTIGATION INTO THE ADEQUACY )	CASE
OF THE WATER SUPPLY OF MAGOFFIN )	NO. 2008-000443
COUNTY WATER DISTRICT )	

SUPPLEMENT TO PREVIOUSLY FILED TESTIMONY OF JULIE RONEY  
ON BEHALF OF THE ENERGY AND ENVIRONMENT CABINET  
DIVISION OF WATER

1           At the request of Salyersville Water Works (SWW) I met with Nora Bauer (water plant  
2 operator), Thomas Howard (water superintendent) and Kevin Howard (Summit Engineering) at  
3 the Salyersville water treatment plant on December 30, 2008. The purpose was to discuss the 18  
4 deficiencies noted in the November 21, 2008 inspection. We discussed options for correcting the  
5 deficiencies and Kevin provided information on attempts to locate funding.

6           SWW submitted its written response to the 18 deficiencies on January 16, 2009. See,  
7 DOW Exhibit \_\_\_\_\_. The response is being reviewed both by DOW and the Division of  
8 Enforcement.

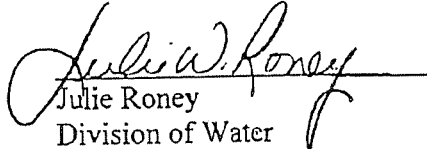
9           SWW was referred to the Division of Enforcement on December 11, 2008. The  
10 objective of the referral is to identify actions to be taken to improve SWW's overall operations  
11 and response to water shortage issues so that there is no recurrence of the 2008 water shortage  
12 emergency in Salyersville and Magoffin County, to include completion dates and submission of  
13 supporting documentation when the necessary actions are completed.

14           SWW's compliance monitoring reports submitted in January, 2009 document turbidity  
15 treatment technique violations for December 2008 and total trihalomethane and haloacetic acid  
16 maximum contaminant level (MCL) violations for the 4<sup>th</sup> quarter of 2008 (October through  
17 December). Compliance Determinations for these violations were issued to SWW on January 6,  
18 2009. See, DOW Exhibits \_\_\_ and \_\_\_\_\_. Compliance Determinations for turbidity and for  
19 TTHM violations were issued on February 5, 2009. See, DOW Exhibits \_\_\_ and \_\_\_.

20           The only correspondence I have had with SWW since December 30 has been to discuss  
21 how to handle electronic on-line monitoring after the ice storm crippled their data monitoring  
22 system.

23

1 I certify that the foregoing statements are true and accurate to the best of my knowledge  
2 after reasonable investigation, and adopt them as my sworn testimony, as if under oath.  
3  
4  
5  
6  
7

  
Julie Roney  
Division of Water



**ENERGY AND ENVIRONMENT CABINET**

**Steven L. Beshear**  
Governor

**DEPARTMENT FOR ENVIRONMENTAL PROTECTION  
DIVISION OF WATER**

**Leonard K. Peters**  
Secretary

14 REILLY ROAD  
FRANKFORT, KENTUCKY 40601  
PHONE (502) 564-3410  
www.dep.ky.gov

**R. Bruce Scott**  
Commissioner

August 25, 2008

Mr. Thomas Howard  
Salyersville Municipal Water  
401 College Street  
Salyersville, Kentucky 41465

RE: PWSID# KY0770566  
Wells

Dear Mr. Howard:

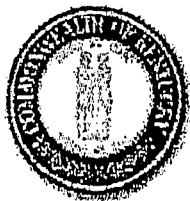
Due to the low flows in the Licking River at the Salyersville drinking water intake, the Division of Water is aware that Salyersville Municipal Water will begin using their groundwater wells as a supplemental source. The groundwater use is authorized as "back up status" under Salyersville's water withdrawal permit #1022. As the wells were tested in 2007 prior to use at that time, it is not necessary to test again this year.

The daily groundwater usage should be reported separately on both the Monthly Operating Report (MOR) and Water Withdrawal Report. If you have any questions, contact either myself at 502/564-3410 or Chris Yeary at 502/564-6716 (temporary phone number).

Sincerely,

Julie W. Roney  
Compliance & Technical Assistance  
Division of Water





## Energy and Environment Cabinet

**For Immediate Release**

**Contact: Chris  
Yeary, Division of  
Water, 502-545-  
3580**

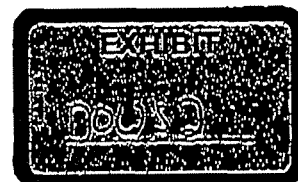
### **MAGOFFIN ISSUED WATER SHORTAGE WARNING** *Water shortage watch extended*

(FRANKFORT, Ky.) Sept. 26, 2008 -- The Division of Water (DOW) has issued a water shortage warning for Magoffin County in eastern Kentucky due to critically low water levels in the Licking River.

A water shortage warning is issued when one or more water supply systems in an area have entered the emergency phase of water shortage. A critically low water level in the Licking River at Salyersville is threatening the ability of Salyersville Municipal Water to supply its customers, including the Magoffin County Water District, its largest wholesale customer.

DOW is also expanding a water shortage watch originally issued for Harlan and Letcher counties to include all or portions of Breathitt, Clay, Knott, Leslie, Owsley and Perry counties. The water shortage watch includes those citizens relying on underground mines and wells for water. A water shortage watch is issued when drought conditions have the potential to threaten the normal availability of *drinking water supply sources*.

DOW officials study rainfall amounts, reservoir levels, streamflows, the Palmer Drought Index and the Drought Monitor when determining drought status. Moderate to severe drought conditions are in place for portions of eastern Kentucky as a result of the rainfall deficit. Annual precipitation is 83 percent of normal for the Eastern Climatic Division and the 30- and 60-day precipitation totals are 48 and 60 percent of normal, respectively.



Drought conditions are not limited to the watch and warning areas. The 30-day precipitation totals for the Western, Central and Bluegrass climatic divisions range from 30 to 40 percent of normal. However, annual rainfall amounts have been normal or above-normal, and the majority of water sources in these areas are large rivers, lakes and deep aquifers. As such, the potential for water shortages remains low in these areas.

Because September and October are typically the driest months of the year in Kentucky, residents should be aware of the increasing potential for water shortages, especially in the water shortage watch/warning areas. Citizens in the watch and warning areas are encouraged to adhere to all requests made by their local water supplier to help reduce demand for water. They are encouraged to limit car washing and outdoor watering, avoid hosing down patios and driveways and limit use of clothes washers and dishwashers.

The Kentucky Division of Emergency Management (KYEM) is monitoring the water shortage situation in the affected counties.

"I have been in touch with the Governor's office regarding this issue," said KYEM Director Gen. John W. Heltzel. "We have and will continue to coordinate any support necessary to return services to normal as soon as possible for these communities."

For more information on drought conditions, water availability and conservation tips, visit the Division of Water's drought Web site at <http://www.water.ky.gov/watcrusc/drought/>

**Salyersville Water Works**

**From:** Fleck, Allison (EEC) [Allison.Fleck@ky.gov]  
**Sent:** Thursday, November 13, 2008 4:26 PM  
**Subject:** Boil Water Advisory Issued for Magoffin County



**ENERGY AND ENVIRONMENT CABINET**

**Gov. Steven L. Beshear**

**Dr. Len Peters, Secretary**

**Contact:**  
**Allison Fleck, Division of Water**  
**859-312-9506**

**For Immediate Release**

**Boil water advisory issued for Magoffin County**  
*Low water in the Licking River diminishing quality*

FRANKFORT, Ky. (Nov. 13, 2008) – The Kentucky Department for Environmental Protection has issued a boil water advisory for Magoffin County resulting from poor water conditions in the Licking River.

The river is the primary source of water supply for the Magoffin County Water District and the City of Salyersville. Both water systems are served by Salyersville Municipal Water. Approximately 15,000 people are affected by the advisory.

A boil water advisory is a preventive measure to protect the health of the community from waterborne infectious agents. An advisory is issued after careful consideration among representatives from public health, regulatory and municipal agencies.

While water levels in the Licking River have risen slightly since a state of emergency was declared Oct. 10 due to low flow, the accumulation of leaves and high



12/3/2008



manganese have diminished the quality of the water, said Julie Roney, drinking water coordinator at the Division of Water.

"We have been working with the water utility to adjust the chlorine levels to mitigate these issues, but so far the additional applications have been insufficient to maintain the required minimum residual chlorine level in the distribution system," she said. "This advisory was issued in the interest of public safety."

Heavy leaf content causes the water to turn dark as the organic material deteriorates. High manganese levels are common when water is drawn from lower depths of supply sources. While neither of these conditions is harmful, it becomes difficult to "feed" enough chlorine to resolve the problem and continue to protect against bacteria.

"The chlorine is simply used up in the process of cleaning the water," said Roney. "There is, then, no chlorine left over to protect the distribution system."

Magoffin County residents are advised to prepare water for drinking, cooking and tooth brushing by bringing it to a rolling boil for three minutes (timing starts when the water begins to bubble). Cool the water, then place it in clean containers for use or refrigerate.

Hot, soapy water can be used for dishwashing and kitchen/bathroom surface cleaning. As a precaution, add one tablespoon of bleach per gallon. Water for laundering and bathing does not need to be boiled.

- 30 -



12/3/2008

ENERGY AND ENVIRONMENT CABINET  
 KENTUCKY DEPARTMENT FOR ENVIRONMENTAL PROTECTION  
 DIVISION OF WATER  
**Routine Surface Inspection**

Site/Permit ID: 0770566		Division: <b>Water</b>		Regional Office: Hazard	
Site Name: Salyersville Municipal Water			Program: <b>Drinking Water</b>		
Site Address: 401 College street					
City: Salyersville		State: KY	Zip: 41465	County: Magoffine	
Inspection Type: Routine Surface		Purpose: Comprehensive		AI #: 2889	
Inspection Date: 11/21/08		Time: Start 9:30 AM End 12:30 PM			
Latitude: 37 44 21		Longitude: 83 04 00.9			
Coordinate Collection Method: G40-Handheld receiver				Revision Code: 112108	

**Drinking Water Data**

Plant Name: Salyersville Municipal Water		Contact Name: Nora Bauer	
Phone No.: (606)349-3743		Fax No:	
		Email Address:	

**I. Administrative Requirements**

Comments:

**I. Compliance Status** - No violations observed

**II. Operator Certification/Accreditation Requirements**

**Operator in Charge or on duty.**

Operator Name	Plant Certification #	Distribution Certification #
Nora Bauer	IIIA 51050	
Adam Hunley	IIIA 17738	IID 02431

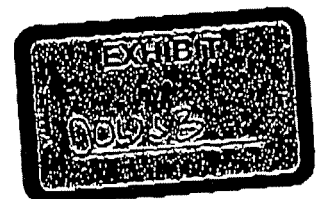
Comments:

**II. Compliance Status** - No violations observed

**III. Record Keeping Requirements**

Comments:

**III. Compliance Status** - No violations observed



Comments: The online chlorine analyzer is not working. It has not worked for over a year.

V. Compliance Status - Out of Compliance- No action taken

**VI. Discharge/Emission Compliance**

Comments:

VI. Compliance Status - No violations observed

**VII. Monitoring/Analyses Evaluation**

Comments:

VII. Compliance Status - No violations observed

**VIII. Environmental/Health Impact**

Work Site Hazard Assessment :  ATTACHED  REVIEWED


Comments:

VIII. Compliance Status - No violations observed

**IX. Documentation**

- Samples taken by DEP
- Samples taken by outside source
- Instrument readings taken by DEP regional office
- Photographs obtained by DEP
- Copies of records obtained by DEP
- Other documentation

Inspector: Robert Back      Title: Environmental Inspector II      Date: 11/21/08

Signature: 

ENERGY AND ENVIRONMENT CABINET  
KENTUCKY DEPARTMENT FOR ENVIRONMENTAL PROTECTION  
DIVISION OF WATER

**Drinking Water Sanitary Survey**

PWS ID: KY0440566

Regional Office: Hazard Regional Office

Agency Interest Number: 2889

AI Name: Salyersville Municipal Water

AI Address: 401 College Street

City: Salyersville State: KY Zip: 41465

County: Magoffin

Latitude: Longitude:

Coordinate Collection Method: GIS Generated - Electronic Topo Map (DRG)

Inspection Dates: November 21, 2008

PWS Name: Salyersville Municipal Water Plant Address: 401 College Street Office Address: 401 College Street

Plant Contact: Nora Bauer Plant Type: Community Plant Class: IIIA

Distribution Class: IID Phone Number: 606/349-3743 Fax Number: E-Mail Address:

System Service Connections (meters): 983

System Population Served Calculated: 3244 Reported:

Total No. Purchasers: 1

How many meters are served outside of your system 3309

Consecutive Systems Population Served Calculated: 10920

**Treatment**

Primary Source: Licking River Secondary Source: Gardner Wells

Maximum Pumping Rate:

Plant Capacity MGD: 1.0 MGD GPM: 694

Filter Design Rate (gpm/ft<sup>2</sup>): 3 gallons/minute/square foot

Total Distribution Storage Capacity (gallons): 1 million gallons

Total Clear well Size (gallons): 200,000 gallons

Pre-sedimentation Size: NA

Aeration: NA

Sedimentation (Primary) Code: Conventional with Tubes

Sedimentation 2 (if 2 different processes) Type:

Filter (Primary) Code: Dual Media

Filter 2 (if 2 different filter types) Type:

**Chemicals**

Pre-Disinfection/Treatment Code: Chlorine Gas (150 pound cylinders)

Post-Disinfection Code: Chlorine Gas

Primary Coagulant Code: Polyaluminum chloride (DelPac 2020)

Secondary Coagulant (Name):

Filter Aid Name:

Corrosion Control Code: pH adjustment with lime

Taste and Odor Code: Powdered activated carbon

Softening Code:

Iron (and Manganese) Removal Code:

Fluoride Supplement Code: Sodium silicofluoride

Observations: No ability or contact time to apply permanganate



## Operator Compliance:

Yes  No

*Is the system in compliance with 401 KAR 8:030?* (Verify certification with DCA and on site with operator certification cards.)

*What is the attitude of the staff? Administration: \_\_\_\_\_ Operators: OK*

Yes  No

Are the operators cross-trained (by shift, by plant, with distribution, with maintenance, etc)?

Yes  No

Do you have contingency plans for replacing retiring system personnel?

Yes  No

Does the system offer continuing education opportunities for distribution and plant operators?

Who are the training/technical assistance providers for license renewal?

(✓ all that apply):  DOW  KRWA  DCA  RCAP  AWWA

KWWOA  OTHER \_\_\_\_\_

What type of training is typically obtained? (✓ all that apply):

SAFETY  WATER QUALITY  UMI  REGULATIONS

Yes  No

Does the system pay for registration, lodging and meals?

Yes  No

Does the system allow operators to attend training on company time?

Yes  No

Does the plant have operators with the appropriate class certificate?

Yes  No

Is the number of operators adequate to cover needed shifts, vacations, & vacancies?

Yes  No

Are the certifications up-to-date?

Yes  No

Is there shift operation at the plant?

Length of shift Day shift is 6 am - 4 pm; second shift is 4 pm to 4 am

Number of operators per shift for Plant: 1 Distribution: 1

Number of shifts/day 2

How are weekends and holidays covered? Same as week day

Yes  No

Does this system have unmanned operations?

Yes  No

Do operators leave the water plant property while the plant is producing water?

How long are the operators typically away from the plant? 1 hour--Nora shuts plant down w/

out sampling in the distribution system

What duties are they performing when they are away from the plant? sampling

LICENSEE NAME	LICENSE ID	LICENSE TYPE
Nora Bauer (lead operator)	IIIA	
Adam Hunley	IID	
Henry C. Williams	IIIA	

Observations:

Compliance Status – Only 2 certified water treatment operators; night shift on weekends is worked by an uncertified staff person (will qualify for the Class III test in March 2009).

## Management and Operations:

Yes  No

**Does the system have a governing board that meets regularly?**

How often does this body meet? Water Board that meets monthly

Yes  No

Do operators attend?

Yes  No  N/A

**Is the governing board provided regular and timely written information regarding technical, managerial, and financial operations of the water system? (Inspect)**

Yes  No

Are the board members familiar with water treatment?

Yes  No

Does the system offer continuing education opportunities for governing board members?

Yes  No

**Does the system have a defined organizational structure with a written description of each job classification with minimum position qualifications? (Inspect)**

Yes  No

Have there been any changes since the last Sanitary Survey?

If yes, explain: Martin Vanderpool (lead operator) left for another position; Nora Bauer move

that position

Yes  No

**Does the system have written policies and procedures governing human resource management (such as an employee handbook)?**

Yes  No

Is the system subject to Public Service Commission regulations?

What professional organizations does the water system belong to? \_\_\_\_\_

Yes  No

Does the system have an asset management program that includes replacement and renewal?

Yes  No

**Does the system have a written plan to address pending and current regulatory requirements, growth, infrastructure renewal, and system deficiencies? (Provide)**

How are they developed? \_\_\_\_\_

Who provides input into these needs? \_\_\_\_\_

Yes  No  N/A

*Are the operators involved?*

Yes  No

Does the system attend Area Development District Meetings?

Yes  No

Does the system periodically review its insurance coverage to ensure it's in place for liability, property, automobile, directors, and officers?

Yes  No

**Does the system have available under a current contract, retainer or other similar arrangement to professional services including engineering, accounting, and legal counsel?**

Yes  No

Does the system have a written policy for delegation of authority such as signing agreements, contracts, resolutions, easements, etc.?

Yes  No

Are chemicals inventoried? If so, how? \_\_\_\_\_

Yes  No

Are distribution materials inventoried? If so, how? \_\_\_\_\_

Yes  No

Is there a bid process for chemicals, pipe, or large item purchases?

Yes  No

**Does the system have standard specifications for design and construction of the water distribution system?**

Yes  No

Does each component of the WTP meet 10 state standards?

Yes  No

**Does the system prohibit new connections where pressure on the discharge side of the meter will be less than 30 psi?**

Yes  No

**Is the system able to meet minimum pressure requirements of KDOW and/or other regulating authority?**

Yes  No

*If system's average daily demand (including volume of water specified through contracts) exceeds 85% of available capacity or water available through purchase contract, does system have a plan for additional capacity, including cost and timeframes, to address the needed additional capacity? (Check ONLY IF COW is 85% or higher)*

Yes  No

**Do all pumping facilities have firm capacity (the capacity to meet demand with one pump out of service) during peak demand?**

Yes  No

**Does the system track lost water on a regular basis?**

If so what is the percentage of water lost? \_\_\_\_\_

## Financial:

- Yes  No  Does the system maintain its financial records utilizing the Kentucky Uniform System of Accounting or a comparable system? (Inspect)
- Yes  No  Does the system prepare an annual operating budget? (Provide summary)
- Yes  No  Does the system prepare an annual capital budget? (Inspect)
- Who prepares the budget? \_\_\_\_\_
- Yes  No  Do the operators have any input into the budget?
- Yes  No  Does the governing board review and approve the budget?
- Yes  No  Does the system prepare regular monthly reports to show variances between budgeted and actual revenue and expenses? (Inspect)
- Yes  No  Does the system employ a method for depreciation of system assets? (Inspect)
- Yes  No  Is the system operating at a retained earnings surplus? (Retained earnings is the net income that is available at the end of the year and available for transfer.)
- Yes  No  Is the current debt-to-equity ratio below 1.0? (The debt-to-equity ratio for any given year is computed by dividing total liabilities by total equity.)
- Yes  No  Does the water system meet a debt coverage ratio of 1.2? (Debt coverage ratio is computed by dividing cash available for debt service (net income with annual interest, depreciation, amortization, and other non-cash items added back) by debt service requirements for the year.)
- Yes  No  Does the water plant revenue go to meet other city/district/association expenses (such as electric, sewer or garbage)?
- Yes  No  Are financial statements audited by a CPA per applicable requirements (KRS 65.065, 91A.040, 96.185, etc.)? (Inspect)
- Yes  No  N/A  If audit completed, does the governing board review and accept the audit report?
- Yes  No  Are training and license funds built into the budget?
- Yes  No  Are general accounting procedures followed?
- Yes  No  N/A  Does the system have written procedures for internal control of transactions (i.e., customer deposits, accounts receivable, statements)?
- Yes  No  N/A  Is there a written policy for delinquent accounts?  
What is it? \_\_\_\_\_
- Yes  No  N/A  Is there an approved rate structure in place? (Provide copy of rate sheet)  
When was the last rate increase? \_\_\_\_\_
- Yes  No  Does the system perform an annual review to determine if the rates fully cover the expenses?
- Yes  No  N/A  Are long-term needs built into rate increases?
- Yes  No  N/A  Do rates promote conservation in time of drought?
- Yes  No  Does the system have any long-term debts?
- Yes  No  N/A  Is the system current on all debt service payments?
- Yes  No  Does the system write off bad debt annually?
- Yes  No  For accounts payable, has the system kept payments less than 45 days past due over the last 12 months? (Inspect)
- Yes  No  Is the system meeting reserve account requirements?
- Yes  No  Does the system have a good credit rating (for obtaining bonds, etc)?  
Where does the system typically go for financial assistance? \_\_\_\_\_
- Yes  No  Does the system have a capital improvement plan? (Provide) \_\_\_\_\_  
How many years does the plan cover? \_\_\_\_\_
- Yes  No  Does the system have a written procurement policy for purchasing supplies and obtaining professional and non-professional services, including spending authority by personnel level? (Inspect)  
What is the day-to-day spending authority of the plant superintendent? \_\_\_\_\_  
What is the emergency spending authority of the plant superintendent? \_\_\_\_\_

Observations:

*Water Purchased Not Applicable*

Purchased From:	Number of Master Meters	Amount Monthly (average)	Amount Available by Contract (monthly)

*Water Sold Inspected*

Water Sold To:	Number of Master Meters	Amount Monthly (average)	Amount Available by Contract (monthly)
Magoffin County WD KY0770525	9	15 MGD	19 MGD

Producers

What is the annual average cost for your system to produce 1,000 gallons of water? \$\_\_\_\_\_

N/A  Sellers

What is your highest whole sale price which you charge per 1,000 gallons of water? \$\_\_\_\_\_

What is your lowest whole sale price which you charge per 1,000 gallons of water? \$\_\_\_\_\_

N/A  Purchasers

What is the highest wholesale price you pay per 1,000 gallons of water? \$\_\_\_\_\_

What is the lowest wholesale price you pay per 1,000 gallons of water? \$\_\_\_\_\_

**Documentation:**

- Photographs obtained by DEP
- Copies of records obtained by DEP
- Instrument readings taken by DEP
- Other documentation

Staff: Julie W. Roney (Compliance and Technical Assistance Branch, DOW)	Title: Environmental Scientist II	Date: November 21, 2008
----------------------------------------------------------------------------	-----------------------------------	-------------------------

<b>Overall Compliance Status</b>
<input type="checkbox"/> No Violations Observed
<input type="checkbox"/> No Violations Observed - Advisory Action Taken (Impending trends)
<input type="checkbox"/> Out of Compliance - Verbal notice given (Non-recurrent deficiency noted or violation corrected at time of insp.)
<input checked="" type="checkbox"/> Out of Compliance - Warning Notice issued (Non-recurrent administrative or O & M deficiency noted)
<input type="checkbox"/> Out of Compliance - NOV issued

**General Comments:** See attached cover letter



# TECHNICAL INSPECTION OF PLANT AND DISTRIBUTION SYSTEM OPERATIONS

**Include a plant schematic indicating the following details:**

- Source water type/location
- Major unit processes (including baffling factors and volumes)
- Flow measurement locations
- Chemical injection locations
- Piping Flexibility (including number of raw and finished water mains)
- Waste handling

**Intake Structure:**

Location	Type	Number of Inlets	Screen Size	Is Flooding a problem	Is silt build-up a problem
Licking River	Fixed			Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Gardner Well Field	Fixed			Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>

- Number of raw water mains: 1
- Is raw water pumped?  Or gravity fed?
- Is raw water flow measured?
- If so when was the meter last calibrated? \_\_\_\_\_
- List any chemicals fed at the source: None
- If source is a reservoir is it aerated?
- List depths of intake levels (normal pool): \_\_\_\_\_
- Are screens stationary?  Or mechanical?
- Is screen clogging a problem?
- Are Zebra mussels a problem?
- If yes list actions taken: \_\_\_\_\_
- How often are the submerged portions of the intake inspected? \_\_\_\_\_
- When was the date of the last inspection? \_\_\_\_\_

**Observations:**

1. 2 submersible pumps in the Licking River at 2 different levels;
2. Cannot bring water from the wells and the river into the plant at the same time

**Sedimentation Basins Inspected**

Type	Number of Trains/ Stages	Volume (gallons)	% with tube settlers	Physical Condition
Conven. w/ tubes	2 1			Good

List any chemicals fed in the sedimentation process: \_\_\_\_\_

What is the sedimentation turbidity goal? \_\_\_\_\_

What is the overflow rate of the basins? \_\_\_\_\_

If an Actiflo process, what is the rise rate? \_\_\_\_\_

How often are the basins cleaned? Last cleaned in July 2008

How often is sludge removed from the basins? Sludge is removed 3-4 times a week; this has to be done manually from a panel outside next to the sed basins

Is sludge removal mechanical?  Or manual?

What is the sludge depth at the time of the inspection? \_\_\_\_\_

What is the settler water turbidity at the time of the inspection? 0.06 NTU

Yes  No

Is there evidence of short-circuiting (Flow or density currents)?

Yes  No

Is baffling present in the basins?

If yes, describe the baffling \_\_\_\_\_

If multiple sedimentation basins, describe the piping from the basins to the filters \_\_\_\_\_

Yes  No

Is there evidence of floc carryover to the filters?

**Filters**

Number of Filters 2

Type	Media Type	Filter Rate (at insp)	Filter Control	Surface Wash Type	Filter to Waste	Filter Area	Physical Condition
High Rate	Dual Media				Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
					Yes <input type="checkbox"/> No <input type="checkbox"/>		

\*Plant flow rate divided by total square footage of filters in service at the time of inspection

List any chemicals fed in the filtration process: \_\_\_\_\_

What is the filtered water turbidity goal? \_\_\_\_\_

Yes  No

Does this apply to the combined filter effluent?

Yes  No

To individual filter effluents?

What criteria are used for filter backwash? \_\_\_\_\_

What is the backwash rate in gallons per minute? \_\_\_\_\_

Yes  No

Is filter backwash rate ramped up and down?

Yes  No

Is backwash flow rate measured?

Yes  No

Are filters ever bumped?

Yes  No

Is air scouring used?

Record the CFE turbidity at time of inspection 0.65 NTU

Yes  No

Are individual filters monitored for turbidity?

Yes  No

Is this turbidity continuously recorded?

Yes  No

Can this data be retrieved in usable form from storage (tape or CDs)

Yes  No

Is filter to waste (rewash) present?

Yes  No

Is it used?

Yes  No

Can turbidity be measured while filtering to waste?

Yes  No

Are flows adjusted on remaining in-service filters during a backwash

## Residuals Handling

What percent of plant production is used for in-plant processes (backwash, chemical feed, sanitary)? \_\_\_\_\_

How are spent backwash water and other liquid residuals handled? Holding tank then discharged to the Licking River below the intake

- Yes  No  If applicable, Is the spent backwash holding tank/lagoon volume adequate?
- Yes  No  Does the plant discharge water from this tank/lagoon back to a body of water?
- Yes  No  Does the plant have a KPDES discharge permit? If so, Permit Number \_\_\_\_\_
- Yes  No  Is the discharge meeting permit requirements?
- Yes  No  Is the discharge point upstream of the intake?
- If Yes, how far upstream is the discharge point from the intake? \_\_\_\_\_
- Yes  No  Is spent backwash water recycled?
- Is it recycled as a "slug"?  Or as a constant flow?
- What % of the flow is recycled? \_\_\_\_\_
- Yes  No  Are chemical feed rates adjusted during recycling?
- Yes  No  Are raw water flows adjusted during recycling?
- Yes  No  Are all recordkeeping requirements of the *Filter Backwash Rule* being followed?
- How are solid residuals handled? \_\_\_\_\_

## Chemical Feed Equipment

Chemical Name	Purpose	Feeder Type	Feed Point	Number & Condition
Polyaluminum Cl/SO4	Coagulation	Metering Pump	Quick/Flash Mix	
Lime	pH Adjustment	Gravimetric	Quick/Flash Mix	
Sodium silicofluoride	Dental Health	Gravimetric	Quick/Flash Mix	
Powdered Activated Carbon	Taste Odor	Gravimetric	Quick/Flash Mix	

How are chemical feeders calibrated? Not known

How often are chemical feeders calibrated? Not known

Yes  No

Are chemical dosages calculated?

How often are dosages calculated? Dosages set based on raw water turbidity and a chart

Yes  No

Are chemicals NSF or United Laboratories approved?

Yes  No

Do the bulk liquid feed systems have day tanks?

Yes  No

Are at least two feeders provided for essential processes (such as coagulation and disinfection)?

Yes  No

Are spare parts available?

Yes  No

Is there enough storage for at least 30 days supply of chemicals used?

Yes  No

Are there containment areas around the chemicals in case of spills or leaks?

Yes  No

Are in-plant water supplies protected from back-flow? (Cross connections):

Yes  No

Does a certified tester test backflow prevention devices?

What is the testing frequency? \_\_\_\_\_ Last Tested: \_\_\_\_\_

**Gas Chlorine Safety:**

- Yes  No  Is the chlorine room enclosed and separate from other operating areas?
- Yes  No  Is there a working exhaust fan in the chlorine room?
- Yes  No  Does it provide one complete air change per minute?
- Yes  No  Does it exhaust from floor level?
- Yes  No  Is intake air near the ceiling?
- Yes  No  Are switches located outside the chlorine room?
- Yes  No  Are chlorine tanks secured?
- Yes  No  Are the scales operational?
- Yes  No  Is automatic switchover of chlorine cylinders provided?
- Yes  No  Is there a shatterproof viewing window in chlorine room?
- Yes  No  Is there a crash bar on the door of the chlorine room?
- Yes  No  Does it open out and to the exterior of the building?
- Yes  No  Is there a SCBA unit meeting NIOSH standards outside the chlorine room?
- Yes  No  Are personnel trained to use the SCBA?
- Yes  No  Is the "buddy system" practiced when changing or moving chlorine cylinders?
- Yes  No  Is leak detection provided?
- Yes  No  If so is there an external audible and visual alarm?
- Yes  No  Is there a chlorine tank repair kit?
- Yes  No  Are personnel trained and certified to use the kits?
- Yes  No  Is ammonia available for chlorine leak detection?
- Yes  No  Is a lockout tag-out system used for electrical repairs?

**Chlorine Dioxide Safety:**

- Yes  No  Is sodium chlorite stored in a separate room?
  - Yes  No  Is it stored away from organic material?
- Many materials will catch fire and burn violently when in contact with chlorite.*

**Gas (Anhydrous) Ammonia Safety:**

- Yes  No  Is the ammonia room enclosed and separate from other operating areas?
- Yes  No  Is there a working exhaust fan in the ammonia room?
- Yes  No  Does it provide one complete air change per minute?
- Yes  No  Does it exhaust from ceiling level?
- Yes  No  Is intake air near the floor?
- Yes  No  Are switches located outside the ammonia room?
- Yes  No  Are ammonia tanks secured?
- Yes  No  Is there a shatterproof viewing window in ammonia room?
- Yes  No  Is there a crash bar on the door of the ammonia room?
- Yes  No  Does it open out and to the exterior of the building?
- Yes  No  Is there a SCBA unit meeting NIOSH standards outside the ammonia room?
- Yes  No  Are personnel trained to use the SCBA?
- Yes  No  Is leak detection provided?
- Yes  No  If so is there an external audible and visual alarm?
- Yes  No  How are ammonia leaks detected?
- Yes  No  Is a lockout tag-out system used for electrical repairs?

**Observations:**

1. Only 1 person changes chlorine cylinders--no buddy system;
2. The exhaust fan only comes on when a leak is detected and not when the door is opened

**Disinfection:**

Type	Application Point	Redundancy Available	Feeder Type
Chlorine gas	Quick/Flash Mix	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Chlorinator
Chlorine gas	Clearwell	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Chlorinator
		Yes <input type="checkbox"/> No <input type="checkbox"/>	

What is the means used to measure disinfectant chemical usage? rotameter and scale

How is the disinfectant residual monitored? DPD  
 Yes  No  Is there an on-line, recording chlorine analyzer on the plant tap?  
 Yes  No  Are C-Ts calculated daily?

**Clearwells:**

Volume (gallons)	Baffling Type	Disinfectant Residual:	
		Total	Free
100,000		2.60	2.40

List chemicals in the order in which they are fed into the clearwell: Chlorine  
 If multiple clearwells are they in series (one following the other)   
 or parallel (side by side and not connected)   
 Yes  No  Are hatches scoured?  
 Yes  No  Are vents screened?  
 How often are clear wells cleaned? Not known

**Water Plant Pumps:**

(Low service/raw water, high service/finished water and backwash)

Flow Stream	Location	Number of Pumps	Capacity (gpm)	Pump Type	Flow Control Method
Primary Raw Water	Licking River	2			
Secondary Raw Source	Gardner Well Field	2			
Backwash water	Pipe gallery from Clearwell	1		Vertical Turbine	
Finished Water	Pipe gallery from Clearwell	2		Vertical Turbine	

**Water Plant On-line Instrumentation**

Type	Flow Stream (Location)	Manufacturer	Last Calibration Date
Chlorine	Tap	Hach	
Turbidity	Individual Filter Effluent	Hach	
Turbidity	Raw Water	Hach	



**Maintenance:**

- Yes  No  Is plant housekeeping adequate (provide maintenance schedules & procedures)?
- Yes  No  Is distribution storage housekeeping adequate?
- Yes  No  Are adequate supplies of spare parts kept on hand?
- Yes  No  Are needed tools available?
- Yes  No  What is the general condition of operating equipment?
- Yes  No  If not, is preventive maintenance performed?

**Documentation:**

- Samples taken by DEP
- Samples taken by outside source
- Instrument readings taken by DEP regional office
- Photographs obtained by DEP
- Copies of records obtained by DEP
- Other documentation

Work Site Hazard Assessment :  ATTACHED  REVIEWED

<b>Inspector: Julie W. Roney</b> (Environmental Scientist II, Compliance and Technical Assistance Branch, DOW)	<b>Title:</b>	<b>Date: 11/21/2008</b>
-------------------------------------------------------------------------------------------------------------------------	---------------	-------------------------

**Overall Compliance Status:** Out of Compliance - Warning Notice Issued

**Overall Comments:** Also Robert Back (Inspector-Hazard Regional Office, DOW) and Chris Yeary (Watershed Management Branch, DOW)

See cover letter for deficiencies and recommendations.



**ENERGY AND ENVIRONMENT CABINET**

Steven L. Beshear  
Governor

Department for Environmental Protection  
Division of Water  
200 Fair Oaks Lane  
4<sup>th</sup> Floor  
Frankfort, Kentucky 40601  
Phone: (502) 564-3410  
Fax: (502) 564-2741  
www.water.ky.gov  
December 9, 2008

Leonard K. Peters  
Secretary

R. Bruce Scott  
Commissioner

CERTIFIED MAIL: 7007 0710 0004 2993 3905  
RETURN RECEIPT REQUESTED

NORA BAUER  
SALYERSVILLE MUNICIPAL WATER  
401 COLLEGE ST  
SALYERSVILLE, KY 41465

Re: **COMPLIANCE DETERMINATION**  
AI ID: 2889  
PWSID: KY0770566  
PWS NAME: SALYERSVILLE MUNICIPAL WATER  
COUNTY: MAGOFFIN

Dear Mrs. Bauer:

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

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Amber Vaughn at (502)564-3410 ext. 4983.

Sincerely,

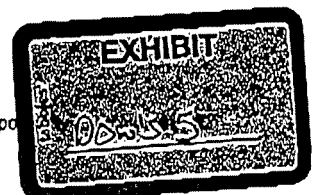
Franklin C. Hall, Jr.  
Drinking Water CTA Supervisor  
Compliance & Technical Assistance Branch  
Division of Water

C: Drinking Water Program files  
Enclosure

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An Equal Oppor





Violations of the above cited statutes and/or regulations are subject to a civil penalty. 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.

Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>

If you have questions or need further information, write or call Amber Vaughn at (502)564-3410 ext 4983.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Compliance & Technical Assistance  
Division of Water, Department for Environmental Protection  
200 Fair Oaks Lane, 4<sup>th</sup> Floor  
Frankfort, KY 40601

Issued By:

Franklin C. Hall, Jr.  
Drinking Water CTA Supervisor  
Compliance & Technical Assistance Branch  
Division of Water

Date: December 9, 2008

How Delivered: Certified/Registered #7007 0710 0004 2993 3905



**ENERGY AND ENVIRONMENT CABINET**

**Steven L. Beshear**  
Governor

Department for Environmental Protection  
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200 Fair Oaks Lane  
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December 10, 2008

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**R. Bruce Scott**  
Commissioner

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Compliance & Technical Assistance Branch  
Division of Water

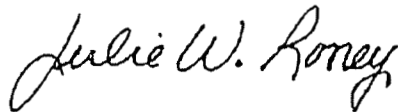
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Compliance & Technical Assistance Branch  
Division of Water

Date: December 10, 2008

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**ENERGY AND ENVIRONMENT CABINET**

**Steven L. Beshear**  
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200 Fair Oaks Lane, 4<sup>th</sup> Floor  
Frankfort, Kentucky 40601  
Phone: (502) 564-3410  
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www.water.ky.gov  
December 11, 2008

**Leonard K. Peters**  
Secretary

**R. Bruce Scott**  
Commissioner

Mr. Thomas Howard, Superintendent  
Salyersville Municipal Water  
401 College Street  
Salyersville, Kentucky 41465

RE: PWSID# KY0770566  
Water System Inspection

Dear Mr. Howard:

Due to the drought and water-quality related concerns in Salyersville during the late summer and fall of 2008, an inspection was conducted by the Division of Water of the water treatment plant on November 21, 2008. Present were Julie Roney and Robert Back (Compliance and Technical Assistance Branch), Chris Yeary (Watershed Management Branch), Ben Hale (Department for Environmental Protection Commissioner's Office) and Nora Bauer (Salyersville Municipal Water). Attached is a copy of that inspection. It should be noted that not all components of the inspection were completed due to unavailable Salyersville staff or lack of relevance to this inspection.

Salyersville will be receiving the following Safe Drinking Water Act (SDWA) violations:

October 2008:

- 1. Treatment Technique for exceeding 1 NTU
- 2. Treatment Technique for exceeding 0.3 NTU in 97% of readings

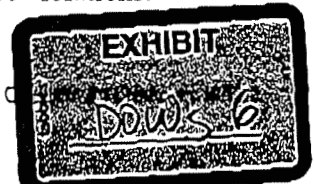
November 2008:

- 1. Treatment Technique for exceeding 1 NTU
- 2. Treatment Technique for exceeding 0.3 NTU in 97% of readings
- 3. No chlorine detected in distribution system in more than 5% of the readings in 2 consecutive months (resulting in a 12-day Boil Water Advisory in November)

4<sup>th</sup> Quarter 2008:

- 1. Potential THM and/or HAA MCL violations

Salyersville will be responsible for providing timely Public Notification for these violations.



21. C-Ts were not being calculated daily—these are needed should there be a request to change disinfection practices.
22. The on-line chlorine analyzer has not been operational for over 2 years; however, as Salyersville has a population of less than 3300, grab monitoring can be substituted for the use of an on-line instrument (this is being done).
23. The drought and need to conserve water has made it difficult to flush the distribution system to remove the discolored water from the mains and tanks. As flow increases and water quality improves in the Licking River, the certified distribution operator will begin flushing the system.

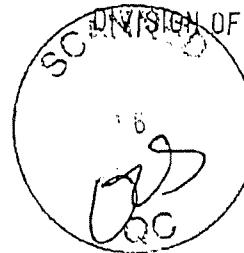
The Division of Water makes the following recommendations:

1. Operators and management need basic water treatment, operations, maintenance, regulatory and management training—there is a knowledge deficit of overall water system operation and the application of those concepts to process control and system management.
2. Schedule the uncertified operator for the Class IIIA test as soon as eligible.
3. Evaluate additional plant and distribution staffing needs.
4. Review and revise (if necessary) the water shortage response plan to reduce the potential for future drought-related impacts on the county.
5. Develop a plan for purchasing water from Paintsville in order to exercise the valves and piping associated with that connection.
6. SOPs (especially for filter washing) and the O&M manual need to be developed.
7. Begin calculating daily C-T values.
8. Chemical feed pumps and feeders should be calibrated.
9. Restore the ability of the malfunctioning filter wash valves to be operated automatically from the SCADA system.
10. Evaluate the ability to measure manganese and then purchase those reagents.
11. Investigate the infrastructure needed to blend the Licking River and the Gardner wells before the water enters the treatment plant.
12. Move the fluoride feed point to the clearwell.
13. Reroute the roof drains away from the sedimentation basins.
14. Evaluate the current chlorine feed system for the potential to upgrade to feeding from 2 cylinders to 2 separate feed points.
15. Contract with a company capable of improving the existing SCADA system.
16. Visually inspect the interior of the clearwell for any plating out of manganese on the interior walls.
17. Proceed with the Hach Company maintenance on all related instrumentation.
18. Discuss Salyersville's involvement in a Comprehensive Performance Evaluation or Performance Based-Training with the Division of Water.

January 12, 2009

2009 JAN 13 PM 2:50

Ms. Julie Roney  
Drinking Water Coordinator  
Division of Water – Compliance Branch  
200 Fair Oaks Lane, 4<sup>th</sup> Floor  
Frankfort, KY 40601



RE: Response to Water System  
Inspection Letter

Ms. Roney:

This correspondence is prepared in response to your letter of 12/11/08 which identified eighteen (18) action items for our treatment plant. The following responses correspond to the action items in the 12/11/08 letter:

1. **Basic Training.** A follow up meeting with DOW was held on Tuesday, December 30, 2008. Salyersville will pursue addition training for operators and management.
2. **Uncertified Operator.** The uncertified Operator will be eligible to test in March 2009.
3. **Additional Staffing.** Superintendent Howard plans to utilize correctional workers for to supplement the distribution system staff and has discussed the need to hire additional operators with the Water Commission.
4. **Water Shortage Plan.** The Water Shortage Response Plan was prepared in 1996. It is out of date and needs revision. We expect that the current case involving the PSC/Magoffin Water/Salyersville Utilities will be resolved with a new plan to address water shortages. We suggest that this issue be tabled pending resolution of the PSC proceeding.
5. **Paintsville Water Purchase Plan.** The City has a 4" connection on Route 40 that can provide 10 to 15 percent of daily needs in an emergency. There is an existing contract with Paintsville Utilities. However, the terms are not favorable to the City. Operation of the emergency connection for more than a few days would put the system in financial jeopardy.
6. **O&M Manual.** The Lead Operator (Nora Bauer) has located the existing plant O & M manual and started the process of updating the manual and preparing SOP's.
7. **CT Values.** Starting January 1, 2009, daily CT values will be available upon request.
8. **Chemical Feed System.** We have contacted a vendor with regard to the chemical feed systems. We are securing a quote for the calibration of the chemical feed systems.
9. **Filter Wash Valves.** We have contacted a vendor with regard to the filter wash valves. We are securing a quote for the repair/reconditioning of the automatic actuators to allow the operator to actuate these valves from the control room.

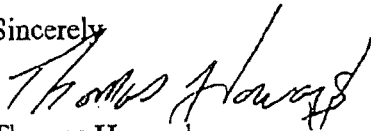


10. **Manganese.** The lead operator has ordered the reagents needed to measure manganese levels in the water.
11. **Blending of River Water & Well Water.** Our engineer has developed a conceptual plan and budget for a system to blend our raw water supplies. An application for 'unobligated bond pool funds' was forwarded to the Department of Local Government on 12/31/08 (with copy to DOW). It is currently our understanding that DLG does not intend to fund the request. We are open to suggestion as to how this endeavor may be funded.
12. **Relocate Fluoride Feed Point.** The only way to re-route the fluoride to the clear well from the rapid mix is to go to liquid fluoride.
13. **Roof Drains.** The roof drains have been routed away from the sedimentation basins.
14. **Chlorine Feed.** The requested changes can be easily accomplished with small diameter SCH 80 PVC plumbing. We are evaluating the most effective way to manifold the system to allow a common supply to be directed to different feed points.
15. **SCADA.** We are in communication with two companies regarding improvements to the existing SCADA system. Our engineer included this upgrade in an application for 'unobligated bond pool funds'. As noted in Item 11 - this request was denied.
16. **Visually Inspect the Clear Well.** We examined the clear well and found it in good condition.
17. **Hach.** The Hach technician, Rick Pohlman, was in the plant on December 16, 2009 and did maintenance on all instruments in our labs.
18. **Comprehensive Performance Evaluation.** We have entered into preliminary conversations with DOW regarding setting up training at our plant.

In closing, we would note that we can not address all eighteen items at once. However, we are confident that given the time to secure additional financing, hire additional personnel, and implement the aforementioned corrective actions, we can make excellent progress.

I may be reached at 606-349-3743.

Sincerely



Thomas Howard  
Superintendent Salyersville Water Works

Cc: file

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KENTUCKY DEPARTMENT FOR ENVIRONMENTAL PROTECTION  
**Enforcement Case Referral Form**

**Agency Interest Information**

Agency Interest ID: 2889  
Agency Interest: Salyersville Municipal Water  
Physical Address: <NO DATA FOUND>  
<NO DATA FOUND>  
<NO DATA FOUND> <NO DATA FOUND> <NO DATA FOUND>

Agency Interest Type:  
County: Magoffin

Cost Recovery Code: [Insert MARS Code(s)]  
Related Incident ID(s): [Insert all Incident ID numbers]

**Background Information**

Salyersville Municipal Water (KY0770566), a 1 MGD surface water system in Magoffin County, serves a population of approximately 3250 and wholesales water to Magoffin County Water District (KY0770525) with a population of approximately 10920.

In August of 2008, Salyersville Municipal Water again began experiencing low flow conditions in the Licking River, the primary drinking water source. It should be noted that a similar situation occurred in the fall of 2007, resulting in water shortage declarations and raw water supply concerns (the situation was alleviated due to rainfall in October).

In 2008, the low flow in the River resulted in a decreased quantity available to the city for drinking water treatment, prompting them to begin using 2 emergency back-up wells. However, the wells can only supply approximately 50% of the county's demand. In an attempt to improve flows in the Licking River, Salyersville was allowed to remove debris from the river that may have restricted water movement. This provided only temporary relief. Salyersville did complete a connection to Paintsville Utilities but did not utilize it. Conservation was initiated and in October a Governor's Emergency Declaration was made. DOW worked closely with the Department for Public Health, Division of Emergency Management and the Public Service Commission to coordinate response and assistance.

In addition to the quantity issues, Salyersville experienced elevated finished water turbidity and a loss of distribution system chlorine residual in the months of October and November. This was due to poor water quality in the Licking River. Violations of the Safe Drinking Water Act (SDWA) for October have been issued and November's are pending.

11/21/2008	H.pylori in the water DOW Inspection conducted	Public Health Numerous operations/maintenance and water quality issues noted
11/25/2008	BWA lifted	
12/11/2008	October violations issued for turbidity (2) and chlorine residual in conjunction with inspections report	Note: same violations occurred in November; also pending is a 4th quarter violation for trihalomethanes and haloacetic acids

**Desired Outcome** (This information is to be summary in nature and not offer opinions on legal strategies, penalties, etc.)

Refer to the Inspection letter dated December 11, 2008 for a list of concerns and recommendations. The desired outcomes include:

1. Improved response to water shortage issues that will prevent a reoccurrence of the 2008 shortage situation
  - a. Utilize the interconnection with Paintsville
  - b. Update the water shortage plan
  - c. Better tracking of well usage and volume of water in Licking River pool
2. Improve the operation, maintenance, design and management of the water system
  - a. Operator and management training
  - b. Additional lab testing ability (in-plant)
  - c. Resolve the SDWA non-compliance issues
  - d. Add flexibility to treatment processes to handle swings in the Licking River water quality



**ENERGY AND ENVIRONMENT CABINET**

Steven L. Beshear  
Governor

Department for Environmental Protection  
Division of Water  
200 Fair Oaks Lane  
4<sup>th</sup> Floor  
Frankfort, Kentucky 40601  
Phone: (502) 564-3410  
Fax: (502) 564-2741  
www.water.ky.gov  
January 14, 2009

Leonard K. Peters  
Secretary

R. Bruce Scott  
Commissioner

CERTIFIED MAIL: 7007 0710 0004 2993 3608  
RETURN RECEIPT REQUESTED

NORA BAUER  
SALYERSVILLE MUNICIPAL WATER  
401 COLLEGE ST  
SALYERSVILLE, KY 41465

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PWSID: KY0770566  
PWS NAME: SALYERSVILLE MUNICIPAL WATER  
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Franklin C. Hall, Jr.  
Drinking Water CTA Supervisor  
Compliance & Technical Assistance Branch  
Division of Water

C: Drinking Water Program files  
Enclosure

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

COMPLIANCE DETERMINATION

To:  
SALYERSVILLE MUNICIPAL WATER  
401 COLLEGE ST  
SALYERSVILLE, KY 41465

PWSID: KY0770566  
PWS Name: SALYERSVILLE MUNICIPAL WATER AIID: 2889  
County: MAGOFFIN  
Violation Number: 2009 - 9951312  
Determination Date: 01/09/2009  
Compliance Period: 11/01/2008 - 11/30/2008  
Violation Type: MR MINIMUM STATE DS RESIDUAL Tier Level: 2  
Contaminant: 0999 CHLORINE

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1(1)]  
This is to advise that you are in violation of the provision(s) cited below:

**Description of Non Compliance:**

401 KAR 8:160, Sec 3(Large Systems with population of 10,000 or greater) or 401 KAR 8:162, Sec 3 (Small Systems with population of less than 10,000) CHLORINE The public water system failed to submit adequate sampling results to meet Chlorine summary requirements for the compliance period.

**Comments:** System had 10 out of 90 SDRD samples below required limit, resulting in 11% unacceptable.

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

Perform public notification for the above-mentioned violation in accordance with 401 KAR 8:070. The public notification must not contain language that contradicts or detracts from the standard mandatory language or the purpose of the notice. Submit proof of public notification and its certification within ten (10) days of executing public notification. [401 KAR 8:070] The specific public notification activities to be performed are listed below.

PWS must give notice to consumers, including other water systems you may provide water to, about a violation by mail delivery or hand delivery. The notice must be executed within thirty (30) days following receipt by the PWS of this Compliance Determination.

If not all consumers can be notified by mail or hand delivery then the PWS must give notice to consumers about a violation by 1) publication in a newspaper of general circulation in the area served by the PWS or 2) by continuous posting in conspicuous places within the area served by the PWS. The notice must be executed within thirty (30) days following receipt by the PWS of this Compliance Determination.

Submit proof of public notification and its certification within ten (10) days of executing public notification

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Violations of the above cited statutes and/or regulations are subject to a civil penalty. 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.

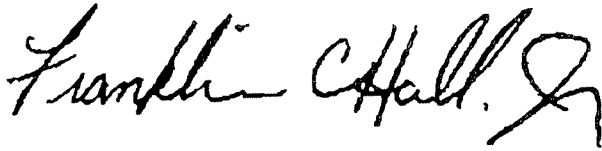
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Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>

If you have questions or need further information, write or call Amber Vaughn at (502)564-3410 ext 4983.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Compliance & Technical Assistance  
Division of Water, Department for Environmental Protection  
200 Fair Oaks Lane, 4<sup>th</sup> Floor  
Frankfort, KY 40601



Issued By:

Franklin C. Hall, Jr.  
Drinking Water CTA Supervisor  
Compliance & Technical Assistance Branch  
Division of Water

Date: January 14, 2009

How Delivered: Certified/Registered # 7007 0710 0004 2993 3608



**ENERGY AND ENVIRONMENT CABINET**

**Steven L. Beshear**  
Governor

Department for Environmental Protection  
Division of Water  
200 Fair Oaks Lane  
4<sup>th</sup> Floor  
Frankfort, Kentucky 40601  
Phone: (502) 564-3410  
Fax: (502) 564-2741  
www.water.ky.gov  
January 14, 2009

**Leonard K. Peters**  
Secretary

**R. Bruce Scott**  
Commissioner

CERTIFIED MAIL: 7007 0710 0004 2993 3608  
RETURN RECEIPT REQUESTED

NORA BAUER  
SALYERSVILLE MUNICIPAL WATER  
401 COLLEGE ST  
SALYERSVILLE, KY 41465

Re: **COMPLIANCE DETERMINATION**  
AI ID: 2889  
PWSID: KY0770566  
PWS NAME: SALYERSVILLE MUNICIPAL WATER  
COUNTY: MAGOFFIN

Dear Mrs. Bauer:

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

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Amber Vaughn at (502)564-3410 ext. 4983.

Sincerely,

Franklin C. Hall, Jr.  
Drinking Water CTA Supervisor  
Compliance & Technical Assistance Branch  
Division of Water

C: Drinking Water Program files  
Enclosure



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

COMPLIANCE DETERMINATION

To:  
SALYERSVILLE MUNICIPAL WATER  
401 COLLEGE ST  
SALYERSVILLE, KY 41465

PWSID: KY0770566  
PWS Name: SALYERSVILLE MUNICIPAL WATER AI ID: 2889  
County: MAGOFFIN  
Violation Number: 2009 - 9951311  
Determination Date: 01/09/2009  
Compliance Period: 11/01/2008 - 11/30/2008  
Violation Type: 44 MONTHLY COMB FLTR EFFLUENT (IESWTR/LT1) Tier Level: 2  
Contaminant: 0100 TURBIDITY

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1(1)]  
This is to advise that you are in violation of the provision(s) cited below:

**Description of Non Compliance:**

401 KAR 8:160, Section 4 TURBIDITY The public water system failed to meet the treatment technique requirement for turbidity by exceeding 0.3 NTU in over 5% of the combined filter effluent samples collected in the compliance period 11/01/2008 - 11/30/2008.

**Comments:** System had (48) 1 NTU samples. Also had 135 out of 175 turbidity samples over 0.3, resulting in 77% unacceptable.

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

Perform public notification for the above-mentioned violation in accordance with 401 KAR 8:070. The public notification must not contain language that contradicts or detracts from the standard mandatory language or the purpose of the notice. Submit proof of public notification and its certification within ten (10) days of executing public notification. [401 KAR 8:070] The specific public notification activities to be performed are listed below.

PWS must give notice to consumers, including other water systems you may provide water to, about a violation by mail delivery or hand delivery. The notice must be executed within thirty (30) days following receipt by the PWS of this Compliance Determination.

If not all consumers can be notified by mail or hand delivery then the PWS must give notice to consumers about a violation by 1) publication in a newspaper of general circulation in the area served by the PWS or 2) by continuous posting in conspicuous places within the area served by the PWS. The notice must be executed within thirty (30) days following receipt by the PWS of this Compliance Determination.

Submit proof of public notification and its certification within ten (10) days of executing public notification.

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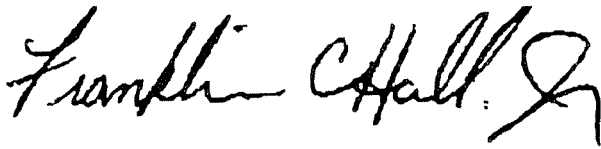
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) Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>

If you have questions or need further information, write or call Amber Vaughn at (502)564-3410 ext 4983.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Compliance & Technical Assistance  
Division of Water, Department for Environmental Protection  
200 Fair Oaks Lane, 4<sup>th</sup> Floor  
Frankfort, KY 40601



Issued By:

Franklin C. Hall, Jr.  
Drinking Water CTA Supervisor  
Compliance & Technical Assistance Branch  
Division of Water

Date: January 14, 2009

How Delivered: Certified/Registered #7007 0710 0004 2993 3608





**ENERGY AND ENVIRONMENT CABINET**

Steven L. Beshear  
Governor

Department for Environmental Protection  
Division of Water  
200 Fair Oaks Lane  
4<sup>th</sup> Floor  
Frankfort, Kentucky 40601  
Phone: (502) 564-3410  
Fax: (502) 564-2741  
www.water.ky.gov  
February 5, 2009

Leonard K. Peters  
Secretary

R. Bruce Scott  
Commissioner

CERTIFIED MAIL: 7007 0710 0004 2995 0070  
RETURN RECEIPT REQUESTED

NORA BAUER  
SALYERSVILLE MUNICIPAL WATER  
401 COLLEGE ST  
SALYERSVILLE, KY 41465

Re: **COMPLIANCE DETERMINATION**  
AI ID: 2889  
PWSID: KY0770566  
PWS NAME: SALYERSVILLE MUNICIPAL WATER  
COUNTY: MAGOFFIN

Dear Mrs. Bauer:

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

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Amber Vaughn at (502)564-3410 ext. 4983.

Sincerely,

Franklin C. Hall, Jr.  
Drinking Water CTA Supervisor  
Compliance & Technical Assistance Branch  
Division of Water

C: Drinking Water Program files  
Enclosure



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

COMPLIANCE DETERMINATION

To:  
SALYERSVILLE MUNICIPAL WATER  
401 COLLEGE ST  
SALYERSVILLE, KY 41465

PWSID: KY0770566  
PWS Name: SALYERSVILLE MUNICIPAL WATER AI ID: 2889  
County: MAGOFFIN  
Violation Number: 2009 - 9951315  
Determination Date: 02/05/2009  
Compliance Period: 12/01/2008 - 12/31/2008  
Violation Type: 44 MONTHLY COMB FLTR EFFLUENT (IESWTR/LT1) Tier Level: 2  
PWS Facility:  
Contaminant: 0100 TURBIDITY

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1(1)]  
This is to advise that you are in violation of the provision(s) cited below:

**Description of Non Compliance:**

401 KAR 8:160, Section 4 TURBIDITY The public water system failed to meet the treatment technique requirement for turbidity by exceeding 0.3 NTU in over 5% of the combined filter effluent samples collected in the compliance period 12/01/2008 - 12/31/2008.

Comments: System had (32) INTU out of 186. System also had (90) 0.3NTU samples out of 186.

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

Perform public notification for the above-mentioned violation in accordance with 401 KAR 8:070. The public notification must not contain language that contradicts or detracts from the standard mandatory language or the purpose of the notice. Submit proof of public notification and its certification within ten (10) days of executing public notification. [401 KAR 8:070] The specific public notification activities to be performed are listed below.

PWS must give notice to consumers, including other water systems you may provide water to, about a violation by mail delivery or hand delivery. The notice must be executed within thirty (30) days following receipt by the PWS of this Compliance Determination.

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Submit proof of public notification and its certification within ten (10) days of executing public notification.

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---

Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>

If you have questions or need further information, write or call Amber Vaughn at (502)564-3410 ext 4983.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Compliance & Technical Assistance  
Division of Water, Department for Environmental Protection  
200 Fair Oaks Lane, 4<sup>th</sup> Floor  
Frankfort, KY 40601



Issued By:

Franklin C. Hall, Jr.  
Drinking Water CTA Supervisor  
Compliance & Technical Assistance Branch  
Division of Water

Date: February 5, 2009

How Delivered: Certified/Registered #7007 0710 0004 2995 0070

Detailed information about your water system's violations & monitoring requirements can be easily accessed on Kentucky Drinking Water Watch at <http://dep.gateway.ky.gov/DWW/>

If you have questions or need further information, write or call Amber Vaughn at (502)564-3410 ext 4983.

ALL DOCUMENTATION MUST BE SUBMITTED TO:

Drinking Water Compliance & Technical Assistance  
Division of Water, Department for Environmental Protection  
200 Fair Oaks Lane, 4<sup>th</sup> Floor  
Frankfort, KY 40601



Issued By:

Franklin C. Hall, Jr.  
Drinking Water CTA Supervisor  
Compliance & Technical Assistance Branch  
Division of Water

Date: February 5, 2009

How Delivered: Certified/Registered #7007 0710 0004 2995 0070



**ENERGY AND ENVIRONMENT CABINET**

**Steven L. Beshear**  
Governor

Department for Environmental Protection  
Division of Water  
200 Fair Oaks Lane, 4<sup>th</sup> Floor  
Frankfort, Kentucky 40601  
Phone: (502) 564-3410  
Fax: (502) 564-2741  
www.water.ky.gov

**Leonard K. Peters**  
Secretary

**Valerie Hudson**  
Acting Commissioner

February 6, 2009

Ms. Sharon Collins  
135 Von Collins Road  
Salyersville, Kentucky 41465

Dear Ms. Collins:

The Kentucky Division of Water (DOW) has received your concerns over notifications received regarding the quality of the drinking water in Magoffin County. The DOW is aware of the violations and has been assisting Salyersville Municipal Water Works and Magoffin County Water District with improving the quality of the water. In addition, the DOW is working closely with Salyersville to assure that adequate water is available at all times and that the water meets the drinking water standards.

The notices that you received were due to the 2008 drought's impact on the Licking River and the difficulty experienced by Salyersville in treating that water. To help with correcting the violations, the DOW has provided technical assistance to Salyersville and has involved the KY Division of Enforcement through a case referral.

The language in the section of the notice called "What does this mean?" is federal language that is required to be included in the notice. It is based on a lifetime of daily drinking 2 liters of water that contains levels of the contaminant that are above the standard.

If you have any additional questions or concerns, please contact Julie Roney at 502/564-8158, extension 4958.

Sincerely,

Thomas B. Gabbard, Manager  
Compliance & Technical Assistance Branch  
Division of Water



**ENERGY AND ENVIRONMENT CABINET**

Steven L. Beshear  
Governor

Department for Environmental Protection  
Division of Water  
200 Fair Oaks Lane  
4<sup>th</sup> Floor  
Frankfort, Kentucky 40601  
Phone: (502) 564-3410  
Fax: (502) 564-2741  
www.water.ky.gov

Leonard K. Peters  
Secretary

R. Bruce Scott  
Commissioner

February 5, 2009

CERTIFIED MAIL: 7007 0710 0004 2993 4490  
RETURN RECEIPT REQUESTED

NORA BAUER  
SALYERSVILLE MUNICIPAL WATER  
401 COLLEGE ST  
SALYERSVILLE, KY 41465

Re: **COMPLIANCE DETERMINATION**  
AI ID: 2889,  
PWSID: KY0770566  
PWS NAME: SALYERSVILLE MUNICIPAL WATER  
COUNTY: MAGOFFIN

Dear Mrs. Bauer:

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

Failure to comply with all remedial measures could result in enforcement action and the assessment of penalties. Your cooperation and attention to this matter is appreciated. If you have any questions, please contact Kevin Stewart at (502)564-3410 ext. 4985.

Sincerely,

Franklin C. Hall, Jr.  
Drinking Water CTA Supervisor  
Compliance & Technical Assistance Branch  
Division of Water

C: Drinking Water Program files  
Enclosure



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

COMPLIANCE DETERMINATION

To: ✓  
SALYERSVILLE MUNICIPAL WATER  
401 COLLEGE ST  
SALYERSVILLE, KY 41465

PWSID: KY0770566  
PWS Name: SALYERSVILLE MUNICIPAL WATER AID: 2889  
County: MAGOFFIN  
Violation Number: 2009 - 9951314  
Determination Date: 02/04/2009  
Compliance Period: 10/01/2008 - 12/31/2008  
Violation Type: 02 MCL AVERAGE Tier Level: 2  
PWS Facility: 0770566DS001 DISTRIBUTION - SALYERSVILLE MUNICIPAL WA  
Contaminant: 2456 TOTAL HALOACETIC ACIDS (HAA5)

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1(1)]  
This is to advise that you are in violation of the provision(s) cited below:

**Description of Non Compliance:**

401 KAR 8:250, 8:400, 8:420, 8:510 and 8:550: TOTAL HALOACETIC ACIDS (HAA5) The public water system exceeded the MCL (as an average of samples) for the specified contaminant in the compliance period 10/01/2008 - 12/31/2008. The reported result of .094 mg/l exceeded the MCL of 0.060 mg/l.

**Comments:**

**The remedial measure(s) and date(s) to be completed by are as follows:**  
Begin or continue quarterly monitoring for TOTAL HALOACETIC ACIDS (HAA5)

Perform public notification for the above-mentioned violation in accordance with 401 KAR 8:070. The public notification must not contain language that contradicts or detracts from the standard mandatory language or the purpose of the notice. Submit proof of public notification and its certification within ten (10) days of executing public notification. [401 KAR 8:070] The specific public notification activities to be performed are listed below.

PWS must give notice to consumers, including other water systems you may provide water to, about a violation by mail delivery or hand delivery. The notice must be executed within thirty (30) days following receipt by the PWS of this Compliance Determination.

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Submit proof of public notification and its certification within ten (10) days of executing public notification.

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---

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

COMPLIANCE DETERMINATION

To:  
SALYERSVILLE MUNICIPAL WATER  
401 COLLEGE ST  
SALYERSVILLE, KY 41465

PWSID: KY0770566  
PWS Name: SALYERSVILLE MUNICIPAL WATER AI ID: 2889  
County: MAGOFFIN  
Violation Number: 2009 - 9951313  
Determination Date: 02/04/2009  
Compliance Period: 10/01/2008 - 12/31/2008  
Violation Type: 02 MCL, AVERAGE Tier Level: 2  
PWS Facility: 0770566DS001 DISTRIBUTION - SALYERSVILLE MUNICIPAL WA  
Contaminant: 2950 TTHM

Public Water Systems are subject to the requirements of 401 KAR Chapter 8. [401 KAR 8:020 Section 1(1)]  
This is to advise that you are in violation of the provision(s) cited below:

**Description of Non Compliance:**

401 KAR 8:250, 8:400, 8:420, 8:510 and 8:550: TTHM The public water system exceeded the MCL (as an average of samples) for the specified contaminant in the compliance period 10/01/2008 - 12/31/2008. The reported result of .098 mg/l exceeded the MCL of 0.080 mg/l.

**The remedial measure(s) and date(s) to be completed by are as follows:**  
Begin or continue quarterly monitoring for TTHM

Perform public notification for the above-mentioned violation in accordance with 401 KAR 8:070. The public notification must not contain language that contradicts or detracts from the standard mandatory language or the purpose of the notice. Submit proof of public notification and its certification within ten (10) days of executing public notification. [401 KAR 8:070] The specific public notification activities to be performed are listed below.

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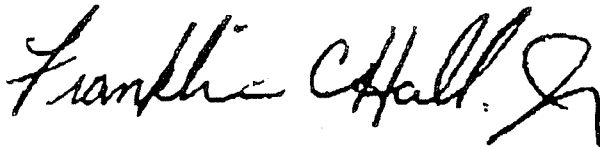
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ALL DOCUMENTATION MUST BE SUBMITTED TO:

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Division of Water, Department for Environmental Protection  
200 Fair Oaks Lane, 4<sup>th</sup> Floor  
Frankfort, KY 40601



Issued By:

Franklin C. Hall, Jr.  
Drinking Water CTA Supervisor  
Compliance & Technical Assistance Branch  
Division of Water

Date: February 5, 2009

How Delivered: Certified/Registered #7007 0710 0004 2993 4490